

Donna Keddy  
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**Authorized Signature**

**Number:** APD-PT-16-009  
**Issue date:** 3/23/2016

**Topic:** Licensing

**Transmitting (check the box that best applies):**

- New policy   
  Policy change   
  Policy clarification   
  Executive letter  
 Administrative Rule   
  Manual update   
  Other: \_\_\_\_\_

**Applies to (check all that apply):**

- |  |  |
|--|--|
| <input type="checkbox"/> All DHS employees                             | <input type="checkbox"/> County Mental Health Directors                      |
| <input checked="" type="checkbox"/> Area Agencies on Aging             | <input type="checkbox"/> Health Services                                     |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services(ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs                     | <input type="checkbox"/> ODDS Children’s Intensive In Home Services          |
| <input type="checkbox"/> County DD Program Managers                    | <input type="checkbox"/> Stabilization and Crisis Unit (SACU)                |
| <input type="checkbox"/> ODDS Children’s Residential Services          | <input type="checkbox"/> Other (please specify):                             |
| <input type="checkbox"/> Child Welfare Programs                        |  |

Policy/rule title:	Imposing Conditions on APD Adult Foster Homes		
Policy/rule number(s):	411-050-0686(1)	Release no:	
Effective date:	Immediately	Expiration:	
References:			
Web address:			

**Discussion/interpretation:**

The purpose of this transmittal is to help clarify responsibilities when a condition against a license is needed.

OLRO is responsible for imposing all conditions against a license at the request of the Local Licensing Authority (LLA). It is outside the scope of the LLA’s authority to place Conditions on a license either orally or in writing. Conditions limit a Licensee’s ability to operate without restrictions on his/her license. Examples include, but are not limited to, requiring additional staff, requiring additional training, restricting individuals from the AFH or restricting new admissions. Conditions imposed in the field are not allowed because they deny licensees their due process rights, including the right to receive

written Notice, and to ask for a contested case hearing. If a licensor believes a Condition on a license is warranted, please submit a 517C request for corrective action to OLRO.

**Implementation/transition instructions:** Requests to impose a condition must be submitted to [CA.Requests@state.or.us](mailto:CA.Requests@state.or.us) using the 517C form. When submitting requests, please include all supporting documentation.

**Training/communication plan:** Technical assistance will be provided to the Local Licensing Authority as needed.

**Local/branch action required:** Review transmittal, and apply policies outlined in this transmittal.

**Central office action required:** Provide technical assistance as necessary.

**Field/stakeholder review:**  Yes  No

**If yes, reviewed by:** APD Policy Group

**Filing instructions:**

*If you have any questions about this policy, contact:*

<b>Contact(s):</b>	Samuel Garcia, APD AFH Program Coordinator		
<b>Phone:</b>	(503) 373-1994	<b>Fax:</b>	(503) 373-2227
<b>Email:</b>	samuel.a.garcia@dhsosha.state.or.us		