



PERMANENT ADMINISTRATIVE ORDER

BHS 2-2021
CHAPTER 309
OREGON HEALTH AUTHORITY
HEALTH SYSTEMS DIVISION: BEHAVIORAL HEALTH SERVICES

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RULES:

309-013-0040, 309-013-0045

AMEND: 309-013-0040

NOTICE FILED DATE: 08/18/2020

RULE SUMMARY: Definitions defines words in the rule

CHANGES TO RULE:

309-013-0040

Definitions ¶¶

As used in these rules:¶¶

- (1) "Appointment Notice" means the form used at the institution to enter a patient or resident worker into the agency payroll system.¶¶
- (2) "Division" means the Addictions and Mental Health Division of the Oregon Health Authority.¶¶
- (3) "Patient Worker" means a person in a state institution for the mentally or emotionally disturbed who performs work for pay that is of therapeutic benefit to the patient.¶¶
- (4) "Resident Worker" means a person in a state institution for the mentally retarded and other developmentally disabled who performs work for pay that is of training benefit to the resident.¶¶
- (5) "State Institution" means ~~Dammasch State Hospital in Wilsonville, Oregon State Hospital in Salem, Fairview Training Center in Salem, and Eastern Oregon Psychiatric Center and Eastern Oregon Training Center in Pendleton~~ all Oregon State Hospital campuses.

Statutory/Other Authority: ORS 179.040, 413.042

Statutes/Other Implemented: ORS 426.385, 179.440

AMEND: 309-013-0045

NOTICE FILED DATE: 08/18/2020

RULE SUMMARY: Wage Standards calculate reasonable compensation for work performed by patient and resident workers.

CHANGES TO RULE:

309-013-0045

Wage Standards ¶

~~(1) State institutions will use the first step of the state wage scale, which corresponds with the existing state classification of the job to be performed, to calculate payments~~shall ensure a fair and equitable system to calculate reasonable compensation for work performed by patient and resident workers.¶

~~(2a) Patients and residents whose productivity is lower than the productivity normally required to perform the job will be paid a percentage of the first step amount. The percentage will be commensurate with the level of productivity as calculated by the institution, and consistent with the Personnel Division Compensation Plan~~The compensation rate shall reflect the community pay rates for similar jobs;¶

~~(b) Be calculated using labor market information through Oregon Employment Department; and~~¶

~~(3c) Patients and residents who are paid an amount equal to less than the first step of the state wage scale for the existing classification~~Be adjusted annually by January 31 of each year.¶

~~(2) Patients and residents will be allowed, upon request, to review their record with regard to the calculation of their productivity level.¶~~

~~(4) Wages will be paid based either on the time spent doing the job or on the rate established for completing a specific task multiplied by the number of tasks completed~~their reasonable wage.

Statutory/Other Authority: ORS 179.040, 413.042

Statutes/Other Implemented: ORS 426.385, 179.440