



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 411

DEPARTMENT OF HUMAN SERVICES

AGING AND PEOPLE WITH DISABILITIES AND DEVELOPMENTAL DISABILITIES

FILED

10/21/2025 6:04 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: APD: Adopting Crisis Support Services rules governing the ODHS Crisis Support Program (CSP)

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/05/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Jessica Kallhoff
503-698-0290
jessica.kallhoff2@odhs.oregon.gov

500 Summer Street NE, E-02
Salem, OR 97301

Filed By:
Kristina Krause
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 11/20/2025

TIME: 11:30 AM

OFFICER: Staff

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-669-254-5252

CONFERENCE ID: 1603654087

SPECIAL INSTRUCTIONS:

Special Instructions: Please join within the first 15 minutes if planning to speak. The hearing will end after 30 minutes if no one joins or provides comments.

Everyone has a right to know about and use ODHS programs and services. ODHS offers free help, so services are available to all. Support may include:

- American Sign Language (ASL) or spoken language interpreters
- Live captioning
- Written materials in other languages
- Braille, large print, audio, or other formats

For help with understanding these rules or to request support, contact Jessica Kallhoff at 503-698-0290 or jessica.kallhoff2@odhs.oregon.gov at least five business days before the hearing.

ODHS accepts calls through all types of relay services.

Written Comments: Written comments must be received by 5 p.m. on Dec. 5, 2025. Email comments to

apd.rules@odhsoha.oregon.gov or mail comments to ODHS APD Rules Coordinator, 500 Summer Street NE, E-02, Salem, OR 97301.

Note: All comments about this rulemaking will be posted later on the Office of Aging and People with Disabilities Rules webpage at <https://www.oregon.gov/odhs/rules-policy/Pages/apd-rules.aspx>. This helps keep the public informed.

NEED FOR THE RULE(S)

The Oregon Department of Human Services, Aging and People with Disabilities Program needs to adopt rules to operationalize the creation of a Crisis Support Program to allow APD to provide crisis supports to individuals who receive long term services and supports through the APD. The services, supports and items in these rules are intended to assist individuals maintain or establish a safe in-home service plan. The implementation of these rules allows APD to serve more individuals who are in crisis and are at risk of losing or not establishing a safe in-home plan.

Note: Other changes may be made to these rules to fix grammar, improve word choices, make terms consistent, respond to public comments, or improve how clear and accurate the rules are.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Crisis Support Program Outline

<https://www.oregon.gov/odhs/providers-partners/seniors-disabilities/Documents/crisis-outline.pdf>

Oregon State Legislature 2024 Analysis by LFO

<https://olis.oregonlegislature.gov/liz/2024R1/Downloads/CommitteeMeetingDocument/282015>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

This rule creates a Crisis Support Program under the Oregon Department of Human Services, Office of Aging and People with Disabilities (APD). Crisis support means supports to assist with urgent or critical needs that cannot be addressed by other funding sources (besides state General Funds) and one of the following: (a) to provide one-time funding to resolve an urgent need for individuals establishing or maintaining in-home plans; or (b) a bridge to establish and ensure ongoing stability of the individual's in-home service plan and includes, but is not limited to, certain home repairs, specialized items, temporary hotel costs, moving assistance, and surgery for a qualified service animal. These rules allow APD to assist Oregonians who have specific needs that are not otherwise being met.

The Department estimates no foreseeable cost to state agencies, local governments, providers, the public or consumers due to adoption of these rules. Consumers who qualify for this program will receive services, supports and items to assist them maintain or establish a safe, in-home service plan.

This rule does not directly nor indirectly affect equity, racial or otherwise, as all consumers who qualify for the program as outlined in these rules will receive crisis support services. The proposed rules were sent to the APD Tribal Liaison for review on July 24, 2025. The APD Equity Review Team (ERT) is still in the process of evaluating the rules. The ERT work with rule writers in reviewing and refining any statements received by interested parties. However, turnaround time will be subject to their workload. Any substantive recommendations will be handled by amending the permanent rules in the future. The Crisis Support Program monitor requests, services and supports for equity impacts.

FISCAL AND ECONOMIC IMPACT:

The fiscal and economic impact is stated below in the Department's statement of Cost of Compliance.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s).

State Agencies: The Department estimates no foreseeable cost to state agencies.

Units of Local Government: The Department estimates that Units of Local Government will not be economically impacted by OAR 411-017.

Consumers: The Department estimates that consumers who qualify for the Crisis Support Program (OAR 411-017) will receive services, supports and items intended to assist individuals maintain or establish a safe in-home service plan. The Department estimates there will be no economic impact to consumers.

Providers: The Department estimates that providers will not be economically impacted by OAR 411-017.

Public: The Department estimates there will be no fiscal or economic impact on the public.

(2) Effect on Small Business

(a) Estimate the number and type of small business subject to the rule(s)

The State of Oregon is committed to taking active steps toward increasing and promoting diversity, equity and inclusion values across procurement and solicitation processes for minorities, women and veterans.

Small businesses may be used to provide services, supports or items purchased under the Crisis Support Program to assist individuals maintain or establish as safe in-home service plan or maintain placement in a licensed care setting. Crisis support means supports to assist with urgent or critical needs that cannot be addressed by other funding sources (besides state General Funds) and one of the following: (1) to provide one-time funding to resolve an urgent need for individuals establishing or maintaining in-home plans; or (b) a bridge to establish and ensure ongoing stability of the individuals in-home service plan and includes but is not limited to, certain home repairs, specialized items, temporary hotel costs, moving assistance, and surgery for a qualified service animal.

(b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s).

The proposed changes do not impact providers, as described above in the Department's statement of cost of compliance.

(c) Estimate the coast of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

The proposed changes do not impact providers, as described above in the Department's statement of cost of compliance.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

A small business, or representative of a small business, as defined in ORS 183.310 participated on the Administrative Rule Advisory Committee. Small businesses will also be included in the public review and comment period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

411-017-0000, 411-017-0010, 411-017-0020, 411-017-0030, 411-017-0040, 411-017-0050, 411-017-0060, 411-017-0070, 411-017-0080

ADOPT: 411-017-0000

RULE SUMMARY: Establishes that the rules are intended to create requirements around the Crisis Support Program (CSP) to assist individuals maintain or establish a safe in-home service plan.

CHANGES TO RULE:

411-017-0000

Purpose and Effective Date

(1) The OAR chapter 411, division 017 rules outline the criteria for providing crisis support to individuals who receive Long-term services and supports through the Aging and People with Disabilities program of the Oregon Department of Human Services. The Crisis Support Program (CSP) is funded by state General Funds. The services, supports and items, including emergency items, in these Rules are intended to assist individuals maintain or establish a safe in-home service plan and assist with maintaining placement in a licensed care setting.

(2) The effective date of these rules in OAR chapter 411, division 017, is May 1, 2025.

Statutory/Other Authority: ORS 409.050, 410.010, 410.020, 410.070, 410.090

Statutes/Other Implemented: ORS 410.070

RULE SUMMARY: Created to list the applicable definitions for the CSP rules.

CHANGES TO RULE:

411-017-0010

Definitions

(1) "Aging and People with Disabilities (APD)" means the program within the Oregon Department of Human Services (ODHS) primarily responsible for serving older adults and people with physical disabilities as defined in OAR chapter 411, division 015.¶

(2) "Area Agency on Aging (AAA)" means the Department designated agency charged with the responsibility to provide a comprehensive and coordinated system of services to older adults and adults with disabilities in a planning and service area. The term Area Agency on Aging is inclusive of both Type A and Type B Area Agencies on Aging as defined in ORS 410.040 and described in ORS 410.210-300.¶

(3) "Case Manager" means an employee of the Department or Area Agency on Aging, who assesses the service needs of an applicant, determines eligibility, and offers service choices to the eligible individual. The Case Manager authorizes and implements the service plan and monitors the services described in OAR chapter 411, division 028.¶

(4) "Crisis" means the APD risk definitions, as follows:¶

(a) High risk: An identified concern, that without mitigation, is likely to cause the individual to experience substantial injury or loss within the next 30 days, puts the individual at risk of institutionalization or displacement from their current living setting, or the individual has experienced substantial harm within the previous 30 days and the harm will likely recur without mitigation.¶

(b) Medium risk: An identified concern, that without mitigation, is likely to cause the individual to experience minor injury or loss within the next 90 days, puts the individual at risk of institutionalization or displacement from their current living setting, or has experienced minor loss in the previous 30 days that will likely recur or worsen without mitigation.¶

(5) "Crisis support" means supports to assist with urgent or critical needs that cannot be addressed by other funding sources and one of the following:¶

(a) To provide one-time funding to resolve an urgent need for individuals establishing or maintaining in-home plans or maintain placement in a licensed care setting; or¶

(b) A bridge to establish and ensure ongoing stability of the individual's in-home service plan, and includes, but is not limited to, certain home repairs, specialized items, temporary hotel costs, moving assistance, and surgery for a qualified service animal.¶

(6) "Crisis Support Program (CSP)" means the program within the Oregon Department of Human Services, Office of Aging and People with Disabilities that determines an individual's eligibility for receiving crisis supports. ¶

(7) "Department" means the Oregon Department of Human Services (ODHS), APD.¶

(8) "Emergency items" mean those items used to offer immediate, short-term help to individuals whose health and safety would be threatened when they experience a sudden need for an evacuation from their home, a loss of electrical power or heating source, or other emergency event. Emergency items mean:¶

(a) "Emergency kit", which is a bag with necessary supplies, including but not limited to a flashlight, "D" size battery, emergency blanket, N-95 breathing mask, personal first aid kit, whistle, and food rations to last for a few days, for use in case of an emergency;¶

(b) "Portable power station", which is a rechargeable battery device that provides off-grid electricity.¶

(c) "Portable air conditioners" which are self-contained cooling units designed for easy movement and use, allowing an individual to cool specific areas without the need for permanent installation.¶

(d) "Back up heaters" which are self-contained heating units designed for easy movement and use, allowing an individual to heat specific areas without the need for permanent installation. ¶

(9) "In-Home Services" mean those services that meet the established priorities for service as described in OAR chapter 411, division 015, and meet all the eligibility requirements in OAR 411-015-0010 through 411-015-0100. The individual must reside in a living arrangement that meets the criteria described in OAR 411-030-0033(2) to receive these services.¶

(10) "Individual" means a person aged 65 or older, or an adult with a physical disability, applying for or eligible for services per OAR 411-015-0100.¶

(11) "Licensed care settings" mean provider-owned, controlled, or operated residential settings per OAR 411-004-0010(17). The individual must reside in a living arrangement that meets the criteria described in OAR 411-004-0017 to receive these services. ¶

(12) "Medicaid" means the program that provides health care coverage and long-term services to low-income individuals. The program is jointly funded by the federal government and states and administered by the State. For

purpose of these rules, Medicaid means the state and federal program that provides the funding for long-term services and supports for qualified individuals.¶

(13) "Natural Supports" or "Natural Support System" means resources and supports (e.g., relatives, friends, neighbors, significant others, roommates, or the community) who are willing to voluntarily provide services to an individual without the expectation of compensation. Natural supports are identified in collaboration with the individual and the potential "natural support". The natural support is required to have the skills, knowledge, and ability to provide the needed services and supports. ¶

(14) "Oregon Project Independence - Medicaid (OPI-M)" means the services approved and funded by the Centers for Medicare and Medicaid Services (CMS) for eligible individuals in accordance with the 1115 demonstration waiver for the OPI-M program and including the services defined in OAR chapter 411, division 014. ¶

(15) "Person-Centered Service Plan (Service Plan)" means, for Medicaid eligible individuals, the written details of the supports, desired outcomes, activities, and resources required for an individual to achieve and maintain personal goals, health, and safety. The plan is written by the Case Manager with input and approval from the individual.¶

(16) "Reasonable resource" means one that is accessible quickly enough to resolve a crisis currently being experienced by the individual. It is only available to individuals who are clearly establishing or maintaining in-home service plans through APD.¶

(17) "State Plan Personal Care (SPPC)" means those services that enable an individual to move into or remain in their own home while also safely navigating their community, including the services defined in OAR chapter 411, division 034.¶

(18) "Support Needs" means the assessed activities of daily living, instrumental activities of daily living and health related tasks and items or repairs that replace the need for human assistance or increases the individual's independence.¶

(19) "These Rules" mean the rules in OAR chapter 411, division 017.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090, 410.210-410.300

Statutes/Other Implemented: ORS 410.010, 410.020, 410.070

ADOPT: 411-017-0020

RULE SUMMARY: Defines eligibility criteria for receiving services, supports and items from the CSP.

CHANGES TO RULE:

411-017-0020

Eligibility Criteria for Crisis Support

(1) To be eligible for crisis supports, an individual must:

(a) Be eligible for or receiving Medicaid long term services and supports, including OPI-M, from Aging and People with Disabilities;

(b) Have an identified, short-term need which, if provided this funding, supports the individual to establish or maintain their service plan;

(c) Have an assessed crisis as defined in these rules;

(d) Have a stable, ongoing plan in place to resolve the need for crisis services;

(e) Not have the funds to meet the need;

(f) Not have natural supports or other services available in the community or other sources of funding that would meet the identified need; and

(g) For a crisis support need that directly impacts the ability to maintain placement in a licensed care setting, the need must be able to be remediated by the items or services described in OAR 411-017-0040(h).

(2) The individual and their Case Manager must have or develop a plan that ensures service plan stability.

(3) The crisis support service must be cost effective.

(4) The individual must be provided the choice to accept or deny the item or service being offered.

(5) Home repairs may be approved only when the individual owns the home, lives with family that do not have the resources to address the crisis or the repair is not the responsibility of the landlord.

(6) Crisis supports can be used for items and services that:

(a) Are necessary to prevent or resolve the crisis;

(b) Are not reasonably accessible through natural supports or other community services;

(c) Do not require ongoing payments;

(d) Are not the responsibility of any other party; and

(e) Are not typically covered by insurance or medical benefits.

(7) To be eligible for funding under this Rule, services must meet one or more of the following criteria:

(a) The need must be short term and immediate.

(b) The need must be met to prevent admission or readmission to a higher level of care.

(c) The item or repair must meet community standards to ensure health and safety.

(d) Other members of the household must continue to pay their portion of any security deposits, rent, housing payments, utility payments, or similar expenses.

(8) The Department has full discretion for:

(a) Determining eligibility for crisis supports;

(b) Denying requests that don't meet community standards to ensure health and safety; and

(c) Granting exceptions to the provisions in this rule.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090, 410.210-410.300

Statutes/Other Implemented: ORS 410.010, 410.020, 410.070

ADOPT: 411-017-0030

RULE SUMMARY: Defines eligibility criteria for receiving Emergency Items from the CSP.

CHANGES TO RULE:

411-017-0030

Eligibility Criteria for Emergency Items

(1) To be eligible for emergency items, an individual must meet the following requirements:¶

(a) Be receiving Medicaid funded in-home services, including OPI-M and SPPC, from the Department;¶

(b) Be likely to need evacuation during fires, winter weather events, floods and other types of emergencies; and¶

(c) For portable power stations, have a demonstrated need for power back-up in the event there is a sudden loss of power, including, but not limited to, oxygen devices, C-pap, Bi-pap, hospital beds, lift chairs, electric wheelchairs, electric hoovers or sit-to-stands, keeping medication cold or heated up, or need for heated food.¶

(d) For portable air conditioners or back up heaters, have a demonstrated need that high or low heat would have a determinantal impact on the health and safety of the individual.¶

(2) The individual must be provided the choice to accept or deny the emergency item being offered.¶

(3) An individual may receive one emergency kit if eligibility criteria are met. However, an individual may receive two emergency kits if natural supports, a Homecare Worker or in-home care agency direct care worker is required to stay with the individual during an evacuation level event that requires the use of the emergency kit.¶

(4) No more than one portable power station is allowed per household. Portable power stations are not available to individuals who already have a functioning generator or portable power station that meets their needs.¶

(5) No more than one portable air conditioner and one back up heater will be made available to individuals. There must be no other legally responsible party that is required to provide air conditioning or heating in the individual's living setting.¶

(6) The Department has full discretion for determining eligibility for emergency items.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090, 410.210-410.300

Statutes/Other Implemented: ORS 410.010, 410.020, 410.070

ADOPT: 411-017-0040

RULE SUMMARY: Created to outline types of Crisis Support Services.

CHANGES TO RULE:

411-017-0040

Types of Crisis Support Services

(1) Services described in these Rules may include:¶

(a) Temporary hotel stay. ¶

(b) An item or service that would normally be the responsibility of another payer, but the timeframe to secure approval puts the individual's health or safety at risk.¶

(c) Emergency transportation.¶

(d) Rental or purchases of durable medical equipment. Purchases will be based on the Department's assessment of ongoing need for the durable medical equipment versus a temporary need and a determination if another funding source can pay for the item. ¶

(e) Past due security deposits, rent, housing payment, or utilities.¶

(f) Repairs to an individual's dwelling that, if unaddressed, will result in a medium or high health or safety risk for the individual, as long as they qualify under OAR 411-017-0020(4) and cannot be funded through K Ancillary Services as defined in OAR chapter 411, division 035.¶

(g) Other items necessary to ensure the individual's immediate health or safety and which are in support of the individual's in-home service plan as determined by the Department;¶

(h) For individuals living in licensed care settings:¶

(A) A one-time payment to prevent eviction due to non-payment, when pre-approved by the Department; or¶

(B) Replacement of necessary items lost in a fire, natural disaster or damage by another resident that are not the responsibility of the provider, the provider's insurance or the individual's rental insurance.¶

(2) Department funds may not be used for:¶

(a) A reimbursement to an individual, or the legal or designated representative or family member of the individual, for expenses related to crisis support services or items.¶

(b) An advance payment of funds to an individual, or the legal or designated representative or family member of the individual, to obtain crisis support services or items.¶

(c) Items of general utility and not directly related to an individual's identified support needs.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090, 410.210-410.300

Statutes/Other Implemented: ORS 410.010, 410.020, 410.070

ADOPT: 411-017-0050

RULE SUMMARY: Created to explain the conditions that must exist in order for Emergency Items to be purchased.

CHANGES TO RULE:

411-017-0050

Conditions for Purchase of Emergency Items

(1) Emergency items must meet the following requirements:¶

(a) Be of direct benefit to an individual;¶

(b) Be necessary as identified in the individual's person centered support plan;¶

(c) Be cost-effective; and¶

(d) Be new or professionally refurbished.¶

(2) Emergency items are permanently placed with the individual for which the item was approved.¶

(3) The Department is not responsible for replacing or fixing faulty equipment or emergency items but the Department may replace the items at their discretion.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090

Statutes/Other Implemented: ORS 410.010, 410.020, 410.070

ADOPT: 411-017-0060

RULE SUMMARY: Created to explain the Crisis Support Services approval requirements.

CHANGES TO RULE:

411-017-0060

Approval of Crisis Support Services

(1) The Case Manager must ensure the risk assessment in the individual's person-centered service plan remains up-to-date.¶

(2) The Case Manager must complete and submit the CSP request form and provide any additional information required by the CSP. ¶

(3) All payments and purchases must be prior authorized by the CSP.¶

(4) An invoice must be submitted to the CSP in order for a payment to be made for items or services.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090, 410.210-410.300

Statutes/Other Implemented: ORS 410.010, 410.020, 410.070

ADOPT: 411-017-0070

RULE SUMMARY: Created to allow for administrative review for any decision made by the CSP.

CHANGES TO RULE:

411-017-0070

Denial of Crisis Support Program Services and Request for Emergency Items

(1) An individual will receive notification of the decision in writing. The decision notice will include the reason for the denial and the right to an administrative review.¶

(2) An individual may request an administrative review for any decision made within 45 business days of when the decision was made. ¶

(3) The administrative review will be conducted by the Department and will be conducted by a different person than the individual who made the initial decision.¶

(4) The Department will make a decision on the administrative review within 30 days and notify the individual of the outcome in writing.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090, 410.210-410.300

Statutes/Other Implemented: ORS 410.010, 410.020, 410.070

ADOPT: 411-017-0080

RULE SUMMARY: Sets the standard that all emergency items are subject to availability.

CHANGES TO RULE:

411-017-0080

End to Eligibility for Emergency Items

Emergency items are subject to availability and available funding as determined by the Department.

Statutory/Other Authority: ORS 409.050, 410.070, 410.090

Statutes/Other Implemented: ORS 410.070