

Secretary of State  
Certificate and Order for Filing  
**TEMPORARY ADMINISTRATIVE RULES**  
A Statement of Need and Justification accompanies this form.

I certify that the attached copies\* are true, full and correct copies of the TEMPORARY Rule(s) adopted on [upon filing] by the  
Date prior to or same as filing date

Department of Human Services, Aging and People with Disabilities 411

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Agency and Division Administrative Rules Chapter Number

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Salem, OR 97301-1074

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Rules Coordinator Address Telephone

to become effective [July 1, 2014] through [December 28, 2014].  
Date upon filing or later A maximum of 180 days including the effective date.

**RULE CAPTION**

**Oregon Project Independence for Adults with Disabilities**

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Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

List each rule number separately, 000-000-0000.  
Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

**ADOPT: 411-032-0050**

**AMEND:**

**SUSPEND:**

Stat. Auth.: ORS 409.050, 410.070, 410.435

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Other Auth.: H.B. 5201-A (2014)

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Stats. Implemented: ORS 409.010, 410.410 - 410.480

**RULE SUMMARY**

OAR 411-032-0050 is being adopted to establish the policies that apply to a pilot project expanding Oregon Project Independence services to adults with physical disabilities in regionally diverse pilot locations starting July 1, 2014. This rule sets out implementation, eligibility, and services offered through the pilot.

Signed Michael R. McCormick, Director, Aging and People with Disabilities

06/25/2014

Signature

Date

Secretary of State

**STATEMENT OF NEED AND JUSTIFICATION**

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Human Services, Aging and People with Disabilities

411

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Agency and Division

Administrative Rules Chapter Number

In the Matter of: the temporary amendment of OAR 411-032-0050 relating to Oregon Project Independence for Adults with Disabilities.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

**Oregon Project Independence for Adults with Disabilities**

Statutory Authority:

**ORS 409.050, 410.070, and 410.435**

Other Authority:

**HB 5201-A (2014)**

Stats. Implemented:

**ORS 409.010, 410.410 - 410.480**

Need for the Temporary Rule(s):

OAR 411-032-0050 needs to be adopted to establish the policies that apply to a pilot project expanding Oregon Project Independence services to adults with physical disabilities in regionally diverse pilot locations starting July 1, 2014. This rule sets out implementation, eligibility, and services offered through the pilot.

The intent of the pilot is to serve a population not currently being served by this program. A rule is needed to govern expanded eligibility and services offered to a new group of Oregon Project Independence consumers. The rule addresses the purpose, eligibility and services offered under the pilot project to expand Oregon Project Independence to adults with physical disabilities that differ from or are an expansion of the broader rules governing Oregon Project Independence.

Documents Relied Upon, and where they are available:

**HB 5201-A available from DHS Hearings and Rules Unit, 500 Summer Street NE E48, Salem, Oregon 97301**

Justification of Temporary Rule(s):

**Failure to act promptly by adopting OAR 411-032-0050 will result in serious prejudice to the public interest, the Department, and adults with disabilities who would qualify for Oregon Project Independence. These rules need to be adopted promptly so the**

Department complies with legislative direction in the budget note for HB 5201A (2014) by expanding services starting July 1, 2014. Failure to act immediately by adopting OAR 411-032-0050 will result in prejudice to the public interest, the Department, and adults with physical disabilities who would not be able to access Oregon Project Independence services in pilot locations without the temporary rules.

Signed Michael R. McCormick, Director, Aging and People with Disabilities  
Signature

06/25/2014  
Date

**DEPARTMENT OF HUMAN SERVICES  
AGING AND PEOPLE WITH DISABILITIES  
OREGON ADMINISTRATIVE RULES**

**CHAPTER 411  
DIVISION 32**

**OREGON PROJECT INDEPENDENCE**

**411-032-0050 Pilot for Adults with Disabilities**

*(Temporary Effective 07/01/2014 to 12/28/2014)*

(1) The purpose of this rule is to set out the policies that apply to the expansion of Oregon Project Independence services to adults with physical disabilities. The pilot allows the Department to study the potential to transition Oregon Project Independence to a statewide, age neutral, program that assesses and serves seniors and persons with physical disabilities based on their functional needs.

(2) "Disability" means, for the purposes of this rule, a physical, cognitive, or emotional impairment which, for an individual, constitutes or results in a functional limitation in one or more of the activities of daily living defined in OAR 411-015-0006, or in one or more of the instrumental activities of daily living defined in OAR 411-015-0007.

(3) "Adult" means, for purposes of this rule, any person 19 to 59 years of age.

(4) OAR 411-032-0000 to 411-032-0044 apply to this pilot program, except as noted below:

(a) Authorized Services and Allowable Costs. Authorized services for the pilot funds include home care supportive services, service coordination, and other services, including the following:

- (A) Home care.
- (B) Chore services.
- (C) Assistive Technology.
- (D) Personal care services.
- (E) Adult day services.
- (F) Registered nurse services.
- (G) Home delivered meals.
- (H) Services to support community caregivers and strengthen the natural support system of individuals.
- (I) Evidence-based health promotion services.
- (J) Options counseling.
- (K) Assisted transportation options that allow individuals to live at home and access the full range of community resources.

(b) Eligibility.

(A) In order to qualify for authorized services under this pilot, an individual must:

- (i) Be an adult with a disability;
- (ii) Be a resident of a designated pilot area and seek services at that location;

(iii) Not be receiving financial assistance or Medicaid, except SNAP, Qualified Medicare Beneficiary, or Supplemental Low Income Medicare Beneficiary Programs;

(iv) Not have natural supports, or other services available, in the community that would meet the identified need; and

(v) Meet the requirements of the long-term care services priority rules in OAR chapter 411, division 015.

(B) The Area Agencies on Aging must determine eligibility prior to an individual receiving authorized services.

Stat Auth: ORS 409.050, 410.070, 410.435

Stats Implemented: ORS 409.010, 410.410-410.480