

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

**CHAPTER 411
DIVISION 64**

QUALITY CARE FUND FOR LONG-TERM CARE FACILITIES

Table of Contents
(Effective 06/18/2024)

411-064-0000 Purpose <i>(Adopted 03/01/2024)</i>	1
411-064-0005 Definitions <i>(Temporary effective 06/18/2024 through 12/14/2024)</i>	2
411-064-0010 Fund Management <i>(Temporary effective 06/18/2024 through 12/14/2024)</i>	3
411-064-0013 Department Identified Projects <i>(Temporary effective 06/18/2024 through 12/14/2024)</i>	4
411-064-0015 Senior Emergency Medical Services Pilot Projects <i>(Temporary effective 06/18/2024 through 12/14/2024)</i>	5
411-064-0020 Fund Distribution <i>(Adopted 03/01/2024)</i>	6
411-064-0030 Fund Accounting and Oversight <i>(Temporary effective 06/18/2024 through 12/14/2024)</i>	6

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

**CHAPTER 411
DIVISION 64**

QUALITY CARE FUND FOR LONG-TERM CARE FACILITIES

411-064-0000 Purpose

(Adopted 03/01/2024)

The purpose of these rules is to establish requirements for the administration and oversight of monies appropriated to the Oregon Department of Human Services (“Department”) from the Quality Care Fund (“Fund”) established under [ORS 443.001](#).

(1) The Fund consists of:

(a) Monies deposited into the Fund from licensing fees and fines as specified under [ORS 441.020](#), [441.745](#), [443.415](#), and [443.735](#).

(b) Interest earned by the Fund.

(2) Within this rule, the Fund is to be used for:

(a) Training, technical assistance, quality improvement initiatives, and facility licensing activities that advance quality of care in accordance with rules and licensing requirements for Facilities, as defined in these rules, licensed by the Department’s Office of Aging and People with Disabilities.

(b) Administering the Senior Emergency Medical Services Innovation Program for pilot projects that provide innovative strategies for addressing the emergency medical service needs of residents of:

(A) A long term care facility as defined in [ORS 442.015](#) and licensed under [Oregon Administrative Rule chapter 411, divisions 85 to 89](#); or

(B) A residential care facility as defined in [ORS 443.400](#), including but not limited to an assisted living facility, and licensed under [Oregon Administrative Rule chapter 411, division 54](#).

Stat. Auth.: [ORS 441.020](#), [441.025](#), [441.615](#), [441.637](#), [441.745](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

Stats. Implemented: [ORS 441.020](#), [441.025](#), [441.055](#), [441.615](#), [441.637](#), [441.745](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

411-064-0005 Definitions

(Temporary effective 06/18/2024 through 12/14/2024)

For the purpose of these rules, the following definitions apply:

(1) “Aging and People with Disabilities (“APD”)” means the program the Office of Aging and People with Disabilities, within the Oregon Department of Human Services.

(2) “Department” means the Oregon Department of Human Services (ODHS).

(3) “Facility” means:

(a) A long term care facility as defined in [ORS 442.015](#) and licensed under [Oregon Administrative Rule chapter 411, divisions 85 to 89](#).

(b) A residential care facility as defined in [ORS 443.400](#), including but not limited to an assisted living facility, and licensed under [Oregon Administrative Rule chapter 411, division 54](#).

(c) An adult foster home as defined in [ORS 443.705](#) and licensed under [Oregon Administrative Rule chapter 411, divisions 49 to 52](#).

(4) “Quality Care Fund (“Fund”)” means the fund established under [ORS 443.001](#) and implemented according to these rules.

(5) “Senior emergency medical services” means services provided by an emergency medical service provider, as defined by [ORS 682.025](#), to residents of:

(a) A long term care facility as defined in [ORS 442.015](#) and licensed under [Oregon Administrative Rule chapter 411, divisions 85 to 89](#).

(b) A residential care facility as defined in [ORS 443.400](#), including but not limited to an assisted living facility, and licensed under [Oregon Administrative Rule chapter 411, division 54](#).

Stat. Auth.: [ORS 410.070](#), [441.025](#), [441.615](#), [441.637](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

Stats. Implemented: [ORS 410.070](#), [441.025](#), [441.055](#), [441.615](#), [441.637](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

411-064-0010 Fund Management

(Temporary effective 06/18/2024 through 12/14/2024)

The Department shall be responsible for Fund management and oversight.

(1) The Department shall award funds through a formal solicitation process.

(2) The Department shall publicly announce, at least one time per 12-month period, funding opportunities using multiple standard communication channels, including but not limited to publicly posting on the Department website and the state's procurement system. Each announcement will include:

(a) Instructions for submitting proposals.

(b) Pertinent dates regarding the process and funding decisions.

(c) Application requirements.

(d) Evaluation criteria focused on benefiting residents and advancing quality care, as described in section (2) of [OAR 411-064-0000](#).

(3) The Department shall not review any funding proposals that are submitted outside of an announced solicitation cycle. Applicants will be instructed to resubmit their proposal during the next applicable funding cycle.

(4) Application requirements and submission instructions will be announced at least sixty (60) calendar days before any submission due date.

(5) Proposals will be evaluated by APD staff or persons with relevant expertise designated by APD.

Stat. Auth.: [ORS 441.025](#), [441.615](#), [441.630](#), [441.637](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

Stats. Implemented: [ORS 441.025](#), [441.055](#), [441.615](#), [441.630](#), [441.637](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

411-064-0013 Department Identified Projects

(Temporary effective 06/18/2024 through 12/14/2024)

(1) The Department may at its discretion identify key priority areas based on review of the regulatory environment in long term care settings. The Department may request proposals focused on identified priority areas that improve resident quality of care and safety or enhance the dignity, independence, individuality, personal choice and autonomy of residents. Proposed projects must meet the criteria of paragraph (2)(a) of [OAR 411-064-0000](#).

(2) The Department will issue a solicitation for projects addressing the identified priority area(s). The Department shall publicly announce funding opportunities using multiple standard communication channels, including but not limited to publicly posting on the Department website and the state's procurement system. Each announcement will include:

(a) Instructions for submitting proposals.

(b) Pertinent dates regarding the process and funding decisions.

(c) Application requirements.

(d) Evaluation criteria focused on benefiting residents and advancing quality care, as described in section (2) of [OAR 411-064-0000](#).

Stat. Auth.: [ORS 410.070](#), [441.025](#), [441.615](#), [441.637](#), [442.015](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#)

Stats. Implemented: [ORS 410.070](#), [441.025](#), [441.055](#), [441.615](#), [441.630](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

411-064–0015 Senior Emergency Medical Services Pilot Projects
(Temporary effective 06/18/2024 through 12/14/2024)

(1) The Department shall provide funding and monitor local public sector pilot projects that:

- (a) Provide innovative strategies for addressing the emergency medical services needs of this state’s increasing number of aging residents who receive care and services in residential and long term care facilities.
- (b) Encourage the efficient and appropriate use of senior emergency medical services.
- (c) Reduce the overall costs of senior emergency medical services while promoting quality emergency medical services.
- (d) Encourage unique community-based responses to challenges faced by local communities in meeting their residents’ needs for senior emergency medical services.

(2) Specific criteria for pilot projects will be outlined in the funding solicitation. The Senior Emergency Medical Services Advisory Council (Council) shall advise and make recommendations to the Department concerning minimum standards and data reporting requirements for the pilot projects funded.

(3) The Department, with advice and recommendations from the Council, will negotiate with the successful applicants concerning required timelines, measurables and reporting requirements to be developed upon execution of the Grant Agreement.

Stat. Auth.: [ORS 410.070](#), [441.025](#), [441.615](#), [441.637](#), [442.015](#), [443.001](#), [443.400-443.455](#), [443.886](#), [682.025](#)

Stats. Implemented: [ORS 410.070](#), [441.025](#), [441.055](#), [441.615](#), [443.001](#), [443.400-443.455](#), [443.886](#), [682.015](#), [682.025](#)

411-064-0020 Fund Distribution

(Adopted 03/01/2024)

- (1) The Department shall apply evaluation criteria stated in the formal solicitation requirements to approve or deny any proposal.
- (2) The Department will notify all applicants, in writing, concerning whether a proposal is approved, in need of additional information, or not approved.
- (3) Notification regarding proposals that are not approved will include an overview of the reasons for which the application did not receive approval.
- (4) The Department will only authorize awards from the Fund to the extent that funds are available as specified by the Oregon State Treasury.

Stat. Auth.: [ORS 441.025](#), [441.615](#), [441.637](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

Stats. Implemented: [ORS 441.025](#), [441.055](#), [441.615](#), [441.637](#), [443.001](#), [443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)

411-064-0030 Fund Accounting and Oversight

(Temporary effective 06/18/2024 through 12/14/2024)

- (1) Entities that receive funding are required to account for and report use of Fund monies using the method and forms specified by the Department.
- (2) Records related to funded projects, project evaluation, and Fund spending must be retained by Fund recipients for a period of six years following the last payment for an approved project.
- (3) All payments authorized or issued under the Fund are subject to audit at the discretion of the Department.
- (4) The Department may seek financial or legal action against persons or entities which have misused Fund monies or provided false information during the solicitation process, implementation, or reporting phase of projects financed by the Fund. Legal actions may include but are not limited to withholding of payments or further disbursements, initiating a civil action, and exercising civil remedies available to recover Fund payments, and referring the matter for criminal prosecution.

Stat. Auth.: [ORS 441.025](#), [441.615](#), [441.637](#), [443.001](#), [443.400-443.455](#),
[443.705-443.785](#), [443.886](#), [682.025](#)

Stats. Implemented: [ORS 441.025](#), [441.055](#), [441.615](#), [441.637](#), [443.001](#),
[443.400-443.455](#), [443.705-443.785](#), [443.886](#), [682.025](#)