

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules
accompanies this form

FILED
5-6-15 8:40 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Oregon Health Authority, Public Health Division
Agency and Division

333
Administrative Rules Chapter Number

Update the reference to the current School-Based Health Center (SBHC) Standards for Certification Manual

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

Temporarily amending OAR 333-028-0220 pertaining to School-Based Health Center (SBHC) certification requirements.

Statutory Authority:

ORS 413.223

Other Authority:

Statutes Implemented:

ORS 413.223, 413.225

Need for the Temporary Rule(s):

The Oregon Health Authority (OHA), Public Health Division is proposing to revise the version of the School-Based Health Center (SBHC) Standards for Certification that is currently referenced in OAR chapter 333, division 28.

When the School-Based Health Center Program rules were first written in 2013, the 2014 version of the SBHC Standards for Certification manual was simultaneously being finalized. The 2014 Standards for Certification were finalized short after the rules were adopted and therefore the 2013 version was written in the rules. We did not propose a permanent rules change to the Standards for Certification reference last year because the SBHC State Program Office assumed the updated reference was already included. Upon a recent review the rules, the Program discovered the outdated reference and is therefore requesting an immediate change.

There is a need for an immediate change to this reference because Local Public Health Authorities (LPHA) are currently being held to the 2014 Standards for Certification for their currently certified SBHCs or planning grantees. LPHAs are responsible for ensuring that SBHCs in their county are meeting SBHC Certification Standards in order to be eligible to receive state funding. As of July 1, 2015, LPHAs are required to meet the 2014 Standards for Certification through the county contract Program Element 44. In order to align the contract language to the rules, the rules need to be updated to reference the 2014 Standards for Certification. Certified sites and planning grantees are already meeting and/or planning on meeting the 2014 Standards for Certification so there is no anticipated impact as a result of this change.

Documents Relied Upon, and where they are available:

1. ORS chapter 413

https://www.oregonlegislature.gov/bills_laws/ors/ors413.html

2. The SBHC Standards for Certification. <http://public.health.oregon.gov/HealthyPeopleFamilies/Youth/HealthSchool/SchoolBasedHealthCenters/Documents/CertificationStandards2014.pdf>

Justification of Temporary Rule(s):

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, and Local Public Health Authorities that have currently certified SBHCs or are interested in having a certified SBHC in the future. These rules need to be adopted promptly so that there is consistency between the LPHA contract language and rules on which Standards of Certification are required to be met.

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