

**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Department of Human Services, Addictions & Mental Health Division

415

Agency and Division

Administrative Rules Chapter Number

Richard Luthe

503-947-1186

Rules Coordinator

Telephone

500 Summer Street NE E86, Salem, OR 97301

Address

**RULE CAPTION**

Prescribe standards for the operation of adult prison-based Alcohol & Drug Treatment Programs

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

Hearing Date (m/d/yyyy)	Time	Location	Hearings Officer
1 1/19/2010	9:00 am	DHS Building 500 Summer St. NE Room 137A	Richard Luthe
2			
3			
4			

Auxiliary aids for persons with disabilities are available upon advance request

**RULEMAKING ACTION**

**ADOPT:**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

OARs 415-057-0000; 415-057-0010; 415-057-0020; 415-057-0030; 415-057-0040; 415-057-0050; 0060; 415-057-0070; 415-057-0080; 415-057-0090; 415-057-0100; 415-057-0110; 415-057-0120; 415-057-0130; 415-057-0140; & 415-057-0150

**AMEND:**

**REPEAL:**

OARs 415-051-0005 & 415-051-0080

**Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**Amend and Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority: ORS**

409.050; 409.410 & ORS 409.420

**Other Authority:**

**Statutes Implemented: ORS**

430.240 to 430.640; 430.850 to 430.955; 813.010 to 813.052 & 813.200 to 813.270

**Continuation of ... NOTICE OF PROPOSED RULEMAKING HEARING\***

**RULE SUMMARY**

These all new rules will prescribe standards for the development and operation of adult prison-based Alcohol and other drugs (AOD) Treatment Programs for the Department of Corrections (DOC) approved by the Department of Human Services (DHS), Addictions and Mental Health Division (AMH)

ORS 183.335(2)(b)(G) 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.

1/22/2010	5:00 pm	Richard Luthe	Richard.L.Luthe@state.or.us	12/15/2009
Last Day (m/d/yyyy) and Time for Public Comment		Printed Name	Email Address	Date Filed

**Please enter date as m/d/yyyy or mm/dd/yyyy**

\*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday. ARC 920-2003

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Human Services, Addictions & Mental Health Division

415

Agency and Division

Administrative Rules Chapter Number

Prescribe standards for the operation of adult prison-based Alcohol & Drug Treatment Programs

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

In the Matter of:

Adopting new rules to regulate prison-based Alcohol & Drug Treatment Programs

Statutory Authority: ORS

409.050; 409.410 & ORS 409.420

Other Authority:

Stats. Implemented: ORS

430.240 to 430.640; 430.850 to 430.955; 813.010 to 813.052 & 813.200 to 813.270

Need for the Rule(s):

These new rules are needed in order to update & expand the parameters of a treatment program for individuals in the Corrections system

Documents Relied Upon, and where they are available:

All of the statutes listed in the \Statutory Authority\ & \Statutes Implemented\ section of this Statement of Need and Fiscal Impact can be found here:

<http://www.dhs.state.or.us/policy/mentalhealth/main.htm>

All of the current Alcohol & Drug OARs (under OAR Chapter 415) can be found here:

<http://www.dhs.state.or.us/policy/mentalhealth/main.htm>

*Continued on next page*

**Continuation of ... STATEMENT OF NEED AND FISCAL IMPACT**

Fiscal and Economic Impact:

There are no additional costs to state agencies or small businesses

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

No additional costs

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

There is 1 small business that provides services under these rules

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

No increased costs

c. Equipment, supplies, labor and increased administration required for compliance:

No increased costs

How were small businesses involved in the development of this rule?

Small businesses were involved as part of the Rules Advisory Committee that worked on the language for this rule

Administrative Rule Advisory Committee consulted?:

Yes  No

If not, why?:

YES--the Advisory Committee's final meeting was held on September 28th, 2008

1/22/2010	5:00 pm	Richard Luthé	Richard.L.Luthé@state.or.us	12/15/2009
Last Day (m/d/yyyy) and Time for Public Comment		Printed Name	Email Address	Date Filed

Please enter date as m/d/yyyy or mm/dd/yyyy