



## Individual Civil Rights Update

### Background

As a recipient of federal financial assistance and a place of public accommodation, the Oregon Health Authority (OHA) is required to have a civil rights complaint process for members of the public who may access OHA services or facilities, at least one staff member designated to manage the process, and a transparent means of informing the public about the process and their rights. This obligation extends to any OHA contractor or subcontractor who receives federal funds through OHA.

As a part of the development of a Civil Rights Plan, OEI contracted with Program Design & Evaluation Services (PDES) to conduct an assessment of the current volume of civil rights complaints, the processes used to identify and manage these complaints, and the outcomes of civil rights complaint investigations. PDES found that the current civil rights complaint processes both internal and among contractors, are not standardized within or between OHA Divisions and Offices.

In order to address its findings, PDES made a number of recommendations in the following areas of best practices related to civil rights:

- Non-Discrimination Policy;
- Staff Training;
- Public Notification and Education;
- Standardized Complaint Process;
- Standardized Investigation Process; and
- Contractor Civil Rights Complaint Process which mirrors OHA.

The first step in meeting the PDES recommendations is to establish agency wide Non-Discrimination Policies and Procedures which capture all of the best practices outlined by the PDES report. Because these policies and procedures will have a significant impact on the public they must go through the Oregon Administrative Rules development process. OEI convened a steering committee comprised of at least one person from the Division of Medical Assistance Programs, Director's Office, Transformation Center, Public Health, Addictions and Mental Health Services, and the Oregon State Hospital. This steering committee created the draft Non-Discrimination Policies and Procedures which were presented to the public Rules Advisory Committee (RAC) comprised of 15 community stakeholders at a series of public meetings. The community stakeholders were: Oregon Law

Center, FamilyCare Health Plans, Yamhill County Health Department, Intercommunity Health Network, Disability Rights Oregon, Central City Concern, AllCare Health Plan, Legal Aid Services of Oregon, Basic Rights Oregon, Multnomah County Chair's Office, Benton County Health Department, Oregon Latino Health Coalition, Cascadia Garlington Center and two Oregon Health Plan recipients.

The RAC meetings provided opportunities for community stakeholders to communicate their suggestions and comments for improving on the draft policies and procedures. On July 25, 2014, a public hearing was held to allow for public comment on proposed rules. The final phase of the rulemaking process was completed on July 28, 2014, when the written comment period closed. The rule is scheduled to take effect on January 1, 2015.

### **Current Status**

OEI will continue to meet with steering committee members and other key stakeholders to discuss and operationalize the anti-discrimination policies and procedures. These discussions will include the development of implementation strategies and processes, staff and contractor trainings, and context for internal and external communications.

### **For More Information Contact**

Mavel Morales, Civil Rights Investigator

OHA Office of Equity and Inclusion

971-673-2000; [mavel.morales@state.or.us](mailto:mavel.morales@state.or.us)

<http://www.oregon.gov/oha/oei/Pages/OHAClientCivilRights-RAC.aspx>