

DEPARTMENT OF JUSTICE

DIVISION 82

CHILD ABUSE MULTIDISCIPLINARY INTERVENTION ACCOUNT

137-082-0200

Purpose

These rules outline the implementation of the Child Abuse Multidisciplinary Intervention (CAMI) Account, as well as sets forth eligibility criteria for county multidisciplinary child abuse teams, and public and private agencies applying for funding under ORS 418.746 et seq., to qualify for CAMI Account funds.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - ORS 418.794

Hist.: DOJ 5-2002, f. 7-31-02, cert. ef. 8-1-02

137-082-0210

Definitions

(1) "Advisory Council on Child Abuse Assessment", referred to hereafter as "the council", is a legislatively authorized council (ORS 418.784) of at least nine members appointed by the Director for Department of Human Services to advise the Child Abuse Multidisciplinary Account Administrator. The Council collaborates with the Administrator of the CAMI Account on the disbursement of moneys to develop community or regional child abuse assessment centers and advises the CAMI Administrator on the disbursement of monies to the multidisciplinary teams.

(2) Applicant, as used in OAR 137-082-0200 et seq., means the county and the public and private agencies recommended by a county's multidisciplinary child abuse team to provide services in accordance with the county's coordinated child abuse multidisciplinary intervention plan.

(3) "Child Abuse Multidisciplinary Intervention Account", referred to hereafter as the "CAMI Account". The CAMI Account holds funds appropriated by the Legislative Assembly to the Oregon Department of Justice. The funds are to be disbursed to counties, for the counties' funding of "multidisciplinary child abuse teams" formed under ORS 418.784, and to public and private agencies recommended by a county's multidisciplinary child abuse team to provide services in accordance with the county's coordinated child abuse multidisciplinary intervention plan.

(4) "Conditional Eligibility" is the conditional approval of the program proposed by the applicant for carrying out the county's coordinated child abuse multidisciplinary intervention plan.

(5) The coordinated child abuse multidisciplinary intervention plan, set forth at ORS 418.746(5) and referred to hereafter as "the plan", sets forth all sources of funding, other than moneys that may be distributed from the child abuse multidisciplinary intervention account, and including in-kind contributions that are available for the intervention plan; describes how the plan provides for comprehensive services to the victims of child abuse, including assessment, advocacy and treatment; and includes the county's written protocol and agreements required by 418.747(2).

(6) "County Multidisciplinary Child Abuse Team", referred to hereafter as the "MDT" or "team", is a county investigative and assessment team for child abuse. Pursuant to ORS 418.747(1), the team must include, but is not limited to, law enforcement personnel, child protective services workers, district attorneys, school officials, health department staff and personnel from the courts.

(7) "The Department" is the Oregon Department of Justice.

(8) "Treatment" means those services that provide for the medical and psychological needs of the victim or the victim's family members. For the purposes of this rule, treatment is intended to refer to short-term, crisis-oriented treatment.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - ORS 418.794

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Eligibility

(1) To be eligible for funds each county, through its multidisciplinary child abuse team, must submit a coordinated child abuse multidisciplinary intervention plan as described in ORS 418.746(5). The plan must be submitted with any application for CAMI Account funds and must describe how the county will provide for comprehensive services for victims of child abuse or children suspected of being victims of child abuse. In describing the nature of the comprehensive services that will be available, the plan must address assessment, advocacy and treatment services as defined by subsection (2)(c) of this rule.

(2) To receive a grant award, the applicant must:

(a) Meet the requirements of ORS 418.746 and OAR 137-082-0200 through 137-082-0280;

(b) Demonstrate existence of a functioning multidisciplinary team responding to allegations of child abuse pursuant to ORS 418.747;

(c) Submit an application to the Department which includes a comprehensive coordinated child abuse multidisciplinary intervention plan that meets all requirements of ORS 418.746(5)(a) and this administrative rule. The application must clearly state goals, objectives and desired outcomes that further the purposes of 418.747, 418.780, 418.790 and 418.792. The portion of the comprehensive plan that will be supported by the CAMI Account funds must provide for services in one or more of the service categories (A), (B) or (C) listed below, in addition to the fourth category -- (D) Eligible Expenses associated with the provision of services. Each application must clearly state the service category, services intended to be provided, expenses associated with the services, measurable objectives, and desired outcomes.

(A) "Assessment Services" means a medical assessment, intervention service or psycho-social assessment of children suspected of being victims of abuse and neglect. It includes the following:

(i) Medical Assessment as defined in ORS 418.782(2) -- the medical assessment is an assessment by or under the direction of a physician who is licensed to practice medicine in Oregon and trained in the evaluation, diagnosis and treatment of child abuse. The medical assessment must include a thorough medical history, a complete physical examination, an interview for the purpose of making a medical diagnosis, determination of whether or not the child has been abused, and identification of the appropriate treatment or referral for follow-up for the child.

(ii) Psycho-Social Assessment -- evaluates the child's and the family's needs for services and the availability of resources to meet those needs.

(iii) Intervention Services -- services provided by criminal justice or child protective services staff to effectively intervene in cases of suspected child abuse.

(B) "Advocacy Services" means those services that reduce additional trauma to the child victims and their families. These services include:

(i) Advocacy Services -- activities that reduce the trauma for the child victim and support the identification and development of therapeutic services.

(ii) Protective Services -- activities that are required to protect the child, prevent future abuse, and support the healing process associated with the abuse related trauma.

(iii) Intervention Advocacy -- activities identified at the local and state level to provide more effective intervention for victims of abuse and neglect.

(iv) Prevention Advocacy -- activities associated with local and state fatality review processes and/or subsequent prevention strategies to reduce abuse, neglect or fatalities.

(v) Professional Training and Education -- support for professional training and educational resources such as a clearinghouse, speaker's bureau, or library; ongoing training and education for professionals involved in child abuse and neglect intervention.

(C) "Treatment Services" means information, referral, and therapeutic interventions for child abuse victims and their families. It includes the following:

(i) Providing information regarding available treatment resources;

(ii) Referral for therapeutic services;

(iii) Providing and coordinating therapeutic treatment intervention.

(D) "Eligible Expenses" means personnel costs for staff, interviewers, interpreters, and expert witnesses; services and supplies, rent, capital purchases, and other operational expenses related to providing assessment, advocacy, or treatment services. The county with whom the Department contracts may request 5% of the county CAMI Account funds for administration. This must have the approval of the county multidisciplinary team and be included in the comprehensive coordinated child abuse multidisciplinary intervention plan.

(3) Conditional Eligibility

(a) If an applicant submits a program application that fails to meet all of the comprehensive coordinated child abuse multidisciplinary intervention plan requirements, the applicant will be asked to submit a corrective plan that will bring the applicant into compliance with the comprehensive coordinated child abuse multidisciplinary intervention plan program requirements. If this corrective plan is approved by the Department, then the Department may conditionally award funds to the applicant. Written notice will be given to an applicant within 30 days of receipt of the corrective plan that either it is considered conditionally eligible or that it has failed to meet the eligibility standards. A comprehensive coordinated child abuse multidisciplinary intervention plan must be approved by the Department in order for an applicant to receive funds.

(b) Failure to use the CAMI Account funds in accordance with the comprehensive coordinated child abuse multidisciplinary intervention plan approved by the CAMI Account Administrator may result in an applicant being given notice of conditional eligibility or notice of denial for future funding until such time as corrective actions have been taken.

(4) Ineligible Determination - an application may be deemed ineligible and funds may be denied if an applicant:

(a) Fails to provide verification of an ongoing, fully functioning county multidisciplinary child abuse team;

(b) Fails to provide verification of an ongoing child fatality review process as described under ORS 418.747(8)-(13);

(c) Fails to submit an approved comprehensive coordinated child abuse multidisciplinary intervention plan;

(d) Fails to submit the required program, fiscal or other reports as specified by ORS 418.746(7) and in OAR 137-082-0250 or as requested by the Department;

(e) Fails to provide a corrective action plan if requested to do so by the CAMI Account Administrator;

(f) Fails to expend the CAMI Account funds in accordance with the comprehensive coordinated child abuse multidisciplinary intervention plan approved by the CAMI Account Administrator; or

(g) Fails to meet any of the other conditions specified in ORS 418.746, 418.747, or OAR 137-082-0200 through 137-082-0280.

(5) If a county does not expend all of its allocated funds for the current year, it must explain in the following year's plan why the funds were not expended and how they will be incorporated into that year's comprehensive plan, in order to maintain the county's eligibility. If sufficient explanation is provided, the carry-over funds may become part of that year's expenditure plan;

(6) Pursuant to subsection (5) the Department may at its discretion permit a grantee to retain unexpended funds provided to grantee under a contractual agreement entered into pursuant to OAR 137-082-0200 et seq. Such retention of funds must be implemented through a subsequent contractual agreement with the grantee.

(7) If a significant carry-over of funds continues for more than one year, the county will be asked to reevaluate its comprehensive coordinated child abuse multidisciplinary intervention plan and make necessary adjustments to utilize the funds. If there continues to be significant carry-over of funds without reasonable plans approved by the CAMI Administrator for their use, the county's allocation for future funding may be reduced by the amount of excess funds.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - 418.794

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137-082-0230

Notice and Time Limits on Application

(1) The Department will send application materials to a designated representative of the county's multidisciplinary team on an annual basis. Applicants with a history of compliance with all eligibility and reporting requirements for a period of at least 4 years, may, at the discretion of the CAMI Account Administrator be provided an abbreviated annual application that will certify continued compliance with eligibility along with any updated information that is necessary or requested by the CAMI Account Administrator.

(2) Eligibility will be determined annually based upon review by the Advisory Council on Child Abuse Assessment and the CAMI Account Administrator.

(3) If the Advisory Council on Child Abuse Assessment or CAMI Account Administrator finds deficiencies in the application, the applicant will be informed in writing. The applicant will have 30 days to respond with a plan to correct these deficiencies. The CAMI Account Administrator will respond within 30 days of receipt of the plan, indicating approval or denial, along with any additional terms deemed necessary for eligibility. If approved, an applicant will be given "conditional eligibility" status until such time as all eligibility criteria have been met, but no longer than 1 year from the date of notification of conditional eligibility status. Funds may be awarded in full or partially disbursed if an applicant is deemed "conditionally eligible." If only partially disbursed, there will be clear terms signed by the CAMI Account administrator and authorized official for the multidisciplinary team describing the actions necessary in order for disbursement of the full award amount being held in reserve for the county.

(4) If a requested corrective plan is not submitted within 30 days, the applicant will be declared ineligible. The funds designated for that county will be reallocated to other eligible applicants as per OAR 137-082-0280.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - ORS 418.794

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137-082-0240

Transfer of Funds

(1) Upon approval of the application, the Department will enter into a contractual agreement with the county or the public and private agencies, recommended pursuant to ORS 418.746(5) and (6) and approved by the Department, or any of the foregoing. The Department will disburse funds in accordance with the contracts. The Department will not purchase services directly from a local service provider.

(2) A percentage of the Criminal Fines and Assessment Public Safety Fund CAMI Account appropriation will be reserved for each county based on the percentage that county has collected and contributed to the Criminal Fines and Assessment Account. Any unclaimed funds will be reallocated in accordance with OAR 137-082-0280.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - ORS 418.794

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137-082-0250

Report

(1) The County's Annual Report. The chair of each county's multidisciplinary team will assume responsibility for the team's submission of an annual progress report. The county must provide to its' MDT any information requested by the team if such information is necessary to be in compliance with the CAMI Account reporting requirements set forth in ORS 418.746(7) and OAR 137-082-200 et seq. The report shall be as required by the Department. The report must document how the funds were utilized and the extent to which the programs were able to meet anticipated outcomes in terms of benefits to children and families. This information will be used to determine eligibility for future funding. To adequately prepare this report, the county should include, as part of each year's application, desired program outcomes, a description of the measurable objectives to be achieved in each service category and the data that will be used to measure the progress of the program towards the desired outcomes.

(2) The annual report will address the following areas:

(a) Statements of Purpose, Objectives, Goals of Project or Activity;

(b) Problems or barriers that arose during the reporting year and how these were addressed;

(c) Results, Accomplishments, and Evaluations: This must include the data used to measure success towards outcomes and objectives as stated in the application;

(d) Conclusions and any recommendations; and

(e) Any additional information requested by the Department.

(3) Failure to submit the required report by the due date will result in the county being placed on conditional eligibility status for any future funds. The county will be given written notice of this action. No further funds will be disbursed until the Department receives the required report.

(4) Submitting false or misleading information will result in denial of further funding until the county demonstrates that problem areas are identified and corrected. The applicant will be given written notice of this action.

(5) The Public or Private Agency's Annual Report. An agency that is awarded money under these rules must submit an annual report to the county multidisciplinary child abuse team and to the Department. The report must document how the money was utilized and describe to what extent the program was able to meet anticipated outcomes in terms of benefits to children and families. County multidisciplinary child abuse reporting teams receiving a report from a public or private agency under these rules must use the report in making future recommendations regarding allocation of moneys. The Department must use the public or private agency's annual report to make future eligibility and allocation decisions and to evaluate programs funded under these rules.

(6) The public or private agency's annual report will address the following areas:

(a) Statements of Purpose, Objectives, Goals of Project or Activity;

(b) Problems or barriers that arose during the reporting year and how these were addressed;

(c) Results, Accomplishments, and Evaluations: this must include the data used to measure success towards outcomes and objectives as stated in the application;

(d) Conclusions and any recommendations; and

(e) Any additional information requested by the Department.

(7) Failure to submit the required report by the due date will result in the public or private agency being placed on conditional eligibility status for any future funds. The public or private agency will be given written notice of this action. No further funds will be disbursed until the Department receives the required report.

(8) Submitting false or misleading information will result in denial of further funding until the public or private agency demonstrates that problem areas are identified and corrected. The public or private agency will be given written notice of this action.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

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137-082-0260

Method of Review/Role of Advisory Council

(1) Staff from the Crime Victims' Assistance Section of the Department will review each county's application and each recommended public or private agency's application. A committee comprised of members of the Advisory Council on Child Abuse Assessment, and other members as may be appointed by the Department, will review and submit to the Department a recommendation regarding approval of each county's comprehensive coordinated child abuse multidisciplinary intervention plan the county's application for funding and each county's recommended public or private agency application for funding if any. The committee will determine if the application:

(a) Meets the established eligibility requirements;

(b) Responds to the county's needs as identified in their coordinated child abuse multidisciplinary intervention plan for comprehensive services to the victims of child abuse;

(c) Substantially furthers the goals and purposes of ORS 418.747, (418.780,) 418.790, and 418.792; and

(d) Documents proper allocation of previous funds and the extent to which anticipated outcomes were achieved for children and families.

(2) The final responsibility for approval, conditional eligibility approval or denial shall rest with the Department.

(3) Formal notification of approval, conditional approval or denial will be given to counties and county recommended public or private agencies in a timely manner.

(4) The Department and Advisory Council may, at any time, conduct a site visit, and may review any records relating to the provision of services and expenditure of funds under this project. All information and records pertaining to individual families and children, reviewed by the Department or a designated body in the exercise of its duties related to the CAMI program, will be held confidential by such parties, except with the client's written permission or pursuant to a court order.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - ORS 418.794

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137-082-0270

Grievance Procedures

- (1) Applicants have a right to a review of decisions regarding their eligibility for CAMI funds.
- (2) Each applicant will be informed of this grievance procedure at the time a decision is made regarding their eligibility for CAMI funds.
- (3) No applicant will be subject to reprisal for seeking a review of a grievance.
- (4) To request a grievance review, the applicant must make a written request to the CAMI Account Administrator within 30 days after receiving notification of the conditional eligibility or denial.
- (5) When the Department is notified that an applicant has a grievance, a meeting will be scheduled with the CAMI Account Administrator. This meeting will involve the applicant and other members of the county's multidisciplinary team as the applicant should deem necessary to present their case. The CAMI Account Administrator and members of the Advisory Council may be present at this meeting. Every effort will be made to have this meeting occur within 2 weeks of receipt of the grievance.
- (6) If the matter is not resolved through the above described procedure, the applicant can request a review of the issue by the Director of the Crime Victims' Assistance Program Section of the Department. The applicant must make a written request to the Director at the Crime Victims' Assistance Section within 30 days following notification of the results of meeting with the CAMI Account Coordinator.
- (7) The Director of the Crime Victims' Assistance Program Section shall respond in writing to the applicant's request for review within 30 days. If this does not resolve the matter the applicant may request an administrative review by the State Attorney General. Request for such a review should be made in writing to the State Attorney General and should include a statement of the problem and the desired resolution. Verbal notice of intent to pursue administrative review by the Attorney General should be given to the Director of the Crime Victims' Assistance Section before or concurrent with the written request that is submitted to the Attorney General. This request must be made within 30 days of receiving written notification of the decision of the Director of the Crime Victims' Assistance Section. The decision of the State Attorney General is final.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - ORS 418.794

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137-082-0280

Reallocation of Funds Not Applied for or Used

(1) Funds that were not allocated due to the county's failure to request its CAMI funds, or the applicants failure to submit a complete application, or a comprehensive coordinated child abuse multidisciplinary intervention plan may be distributed to other eligible counties as a supplemental award. These funds will be offered to eligible counties on a percentage basis according to the percent each eligible county contributed to the total Criminal Fines and Assessments Account in the fiscal quarter prior to the disbursement, or in a manner that is similar to the disbursement formula used to distribute the Criminal Fines and Assessment Public Safety Fund to the prosecutor based victim assistant programs.

(2) If an application is submitted but approval is denied, the funds will be held in the CAMI Account for that county for 12 months, during which time the applicant may reapply. If the applicant has not obtained at least conditional eligibility within the 12 months, the funds will be distributed to other eligible counties. If the grievance procedure is underway, the applicant's funds will be held in reserve until the final decision of the Attorney General or 12 months from the date of the initial denial notifications, whichever is longer. Any applicant holding funds which are the subject of an eligibility, appropriate use of funds or other grievance procedure may not expend those funds unless and until the grievance process is concluded in favor of the applicant. Applicants holding funds who are ultimately determined to be ineligible for funding must return any and all grant funds to the Department.

(3) It is the intention of the Department to have minimal or no unobligated CAMI funds at the end of each biennium. Funds held in the CAMI Account in accordance with the above rules will be considered obligated funds until all grievances and eligibility issues have been resolved.

Stat. Auth.: Or Laws 1993, Ch 676; Or Laws 2001, Ch 624

Stats. Implemented: ORS 418.746 - ORS 418.794

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