

Frequently Asked Questions: Homecare Worker Termination

Updated: March 10, 2026

1. When can a Homecare Worker (HCW) provider enrollment be terminated?

A HCW's provider enrollment can only be terminated after:

- a) A referral for termination has been completed by the local office and accepted by APD Policy or Fraud.
- b) An administrative review has been conducted with all relevant information considered.
- c) A determination has been made by APD Policy that a preponderance of evidence exists proving the HCW violated Oregon Administrative Rules (OARs) as listed in OAR [411-031-0050](#) and defined in OAR [411-031-0020](#).
- d) If the HCW is sent a Notice of Proposed Termination of HCW Provider Enrollment, and they do not request a hearing within the 60- or 90-day timeframe, provider enrollment is terminated by default order.
- e) If a HCW requests a hearing, and the outcome affirms the proposed termination, provider enrollment is terminated.

2. What rights do HCWs have when they are terminated?

HCW's have the right to due process. At minimum this means:

- a) The right to know and answer to allegations made against them.
- b) The right to receive adequate notice.
- c) The opportunity to present evidence and testimony.
- d) The right to representation.
- e) The right to request a hearing, and reconsideration.

3. What can be used as evidence?

Evidence may include but is not limited to; testimony, written statements, photos, or anything that may be presented to support the existence or nonexistence of fact.

Evidence is evaluated based on credibility.

- a. High credibility: Photographs, official documents (police reports), banking documents, written contracts.
- b. Moderate credibility: Witness statements from direct observation, Case Manager narration, case history of similar behavior.
- c. Lower credibility: Hearsay, opinion, statements of cognitively impaired individuals.

Suggested supplement to referrals for termination include:

Oregon ACCESS narration, assessments, service plans, and task lists, APS reports, Contract RN reports, Oregon Home Care Commission Training records, PTC entries, Consumer-employer's calendar of hours worked, Complaint

logs/incident reports, written correspondence from consumer employers and HCWs.

4. What information can be included on the DHS2680, Referral of Alleged Violation and Request for Termination?

This referral is sent to both the HCW and APD Policy at HCW Terminations, hcw.terminations@odhsoha.oregon.gov. The Referral must explain why the referring staff member believes a rule violation has occurred. Include a short, concise description of the alleged rule violation. Names of consumer-employers or witnesses should NOT be included in this form. If the referring staff member wishes to add additional details for APD Policy review, that information should be inserted in the body of the referral email.

5. Is the SDS 0613 used when terminating a HCW based on criminal history?

No. SDS 0613c, "Notice of Termination of Homecare Provider Enrollment and Number Based on Criminal History" should be issued instead.

6. When can a HCW's provider enrollment be immediately terminated?

Immediate termination of provider enrollment is determined by APD Policy. This determination is made based on reasonable belief that imminent danger to current or future consumers exists if the HCW is not immediately terminated. If the Department has determined a person's life, physical, emotional, or financial well-being is at risk, APD Policy will issue a Notification of Immediate Termination to the HCW and prepare any necessary documents to support the decision. HCWs have the right to due process on Immediate Terminations.

7. To prevent termination, can the local office require a HCW to attend orientation again?

If the local office believes a HCW could benefit from renewing orientation, staff with APD Policy.

8. Can a HCW provider number be inactivated pending APS investigation?

The local office may not inactivate a HCW's provider number due to APS investigation prior to staffing with APD Policy. Please refer to [APD Policy Transmittal APD-PT-18-007](#) for more information.

9. What if a hearing request is received by the local office?

If the local office receives a hearing request from the HCW directly please forward the request to HCW Terminations at hcw.terminations@odhsoha.oregon.gov and CC APD Hearings at apd.hearings@odhsoha.oregon.gov.

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Aging and People with Disabilities at apd.ltss@odhs.oregon.gov or 503-945-5600. We accept all relay calls.



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