

Secretary of State  
**CERTIFICATE AND ORDER FOR FILING TEMPORARY ADMINISTRATIVE RULES  
and  
STATEMENT OF NEED AND JUSTIFICATION**

I certify that the attached copies are true, full and correct copies of the TEMPORARY Rule(s) adopted on  
October 19, 2016 by the

Department of Human Services, Office of Self-Sufficiency Programs			461
<b>Agency and Division</b>			<b>Chapter Number</b>
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to become effective October 19, 2016 through April 16, 2017.\*

*\*Temporary rules are effective for a maximum of 180 days including the effective date.*

**Rule Caption:** *Amending rules relating to requirements for eligibility in the Supplemental Nutrition Assistance Program (SNAP)*

**In the Matter of:** *Temporary amendment of OAR 461-115-0020*

**AMEND:** 461-115-0020

ORS 329A.500, 409.050, 411.060, 411.070, 411.404, 411.816, 412.014, 412.049

**Stat. Auth.**

None.

**Other Auth.**

ORS 329A.500, 409.050, 411.060, 411.070, 411.404, 411.816, 412.014, 412.049

**Stats. Implemented**

## Rule Summary

OAR 461-115-0020 about application requirements is being amended to clarify that the application and any additional information required for application be received by the Department in order to complete the application process. This clarification also applies to recertification requirements. The rule text showing proposed changes is available at [http://www.dhs.state.or.us/policy/selfsufficiency/ar\\_recent.htm](http://www.dhs.state.or.us/policy/selfsufficiency/ar_recent.htm).

## Need for the Rules

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OAR 461-115-0020 needs to be amended to address a potential loophole under which an individual may attempt to qualify for benefits in the contested case hearing process through testimony about efforts to mail application materials to the Department. This amendment addresses this loophole with an explicit requirement that the materials be received by the Department.

## Documents Relied Upon

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OAH 2016-DHS-01714 (Final Order of September 19, 2016) available from the Hearings and Rules Unit at 500 Summer St. NE, Salem, OR 97301.

## Justification of Temporary Rules

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The Department finds that failure to act promptly by amending OAR 461-115-0020 will result in serious prejudice to the public interest and the Department. The Department has deadlines for application and recertification materials for a very large number of clients, and needs to address any perception that there is no requirement for the Department to actually receive these materials.

- (1) To complete the application process, the applicant or his or her authorized representative must complete, ~~and sign,~~ and submit an application, apply at the appropriate location, ~~provide-submit (see section (2) of this rule)~~ necessary information to the Department within the time frames specified for each program, and meet the interview requirements of OAR 461-115-0230.
- (2) As used in this rule and in OAR 461-175-0222, "submit" means that the Department has received the required documents and information.

Stat. Auth.: ORS 409.050, 411.060, 411.070

Stats. Implemented: ORS 409.050, 411.060, 411.070