



PERMANENT ADMINISTRATIVE ORDER

SSP 35-2020

CHAPTER 461
DEPARTMENT OF HUMAN SERVICES
SELF-SUFFICIENCY PROGRAMS

FILED
09/29/2020 10:40 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Making permanent a REF, REFM, & TANF rule regarding provisions in the event of a pandemic

EFFECTIVE DATE: 09/30/2020

AGENCY APPROVED DATE: 09/29/2020

CONTACT: Meorah Solar
503-602-7545
meorah.a.solar@dhsosha.state.or.us

500 Summer St NE
Salem, OR 97301

Filed By:
Meorah Solar
Rules Coordinator

ADOPT: 461-135-0220

NOTICE FILED DATE: 07/23/2020

RULE SUMMARY: OAR 461-135-0220 about REF, REFM, and TANF Programs; COVID-19 is a recently adopted temporary rule that the Department intends to make permanent effective September 30, 2020, in order to allow special provisions regarding REF, REFM, and TANF Program rules, benefits, and eligibility; to be adopted during a pandemic. The rule also allows the suspension and modification of other rules in Chapter 461 that conflict with the provisions of this rule or that need to be altered due to a pandemic.

CHANGES TO RULE:

461-135-0220

REF, REFM, and TANF Programs; COVID-19

The provisions in this rule apply to the REF, REFM, and TANF programs.¶

(1) Notwithstanding OAR 461-115-0040(2), the "filing date" may be established telephonically by the Department making record of:¶

(a) The name of the applicant, and their authorized representative (see OAR 461-115-0090) if one exists.¶

(b) The applicant's address.¶

(c) The applicant's request for REF, REFM, or TANF benefits.¶

(d) The applicant stating their full name as their signature, and¶

(e) The date the above occur. ¶

(2) Any individual may apply for REF, REFM, or TANF benefits using the Department approved "telephonic application" (see section (3) of this rule) and "narrated telephonic signature" (see section (4) of this rule) processes. An individual submitting a telephonic application must submit the application with a narrated telephonic signature.¶

(3) A telephonic application is accepted if the following requirements are met: ¶

(a) All questions on the application are answered.¶

(b) All information necessary to determine eligibility (see OAR 461-001-0000) and benefit amount is provided for each individual in the filing group (see OAR 461-110-0310). ¶

- (c) The applicant or their authorized representative provides a narrated telephonic signature as defined in this rule. ¶
- (4) A narrated telephonic signature is accepted for an application for REF, REFM, or TANF benefits if the following requirements are met:¶
- (a) The "Your Rights and Responsibilities" form is reviewed and sent to the mailing address of the applicant.¶
- (b) The following sections at the end of the application form are reviewed and sent to the mailing address of the applicant:¶
- (A) "Information about cash benefits,"¶
- (B) "Information about TANF program penalties,"¶
- (C) "Information about all programs," and¶
- (D) "Information about your rights and responsibilities." ¶
- (c) The "Cooperating with Child Support Enforcement" form, is reviewed, including the good cause for non-cooperation with Child Support section, and sent to the mailing address of the applicant.¶
- (d) The "Your Rights and Responsibilities While in JOBS, JOBS Plus, and Refugee Employment Services" form is sent to the mailing address of the applicant.¶
- (e) The applicant or their authorized representative affirms that they:¶
- (A) Have heard and understand their rights and responsibilities: ¶
- (B) Agree to their rights and responsibilities;¶
- (C) Have given true, correct, and complete information to the Department; and¶
- (D) States their full name as their signature.¶
- (f) The Department makes record of the narrated telephonic signature.¶
- (5) The Department determines eligibility at least once every six months when telephonic application and narrated telephonic signature are used.¶
- (6) The Department amends the resource limit for the REF, REFM, and TANF programs (see OAR 461-160-0015(6) and (8)) until November 30, 2020, as follows:¶
- (a) \$2,500 for a need group (see OAR 461-110-0630) with every caretaker relative (see OAR 461-001-0000) serving an intentional program violation (see OAR 461-195-0601). ¶
- (b) \$10,000 for new applicants and all other need groups (see OAR 461-110-0630).¶
- (7) In the REF program, notwithstanding the provisions in OAR 461-190-0211(1)(d) and (8), the Department may authorize payments for housing, utilities, and other emergency expenses for individuals who are within 60 months of being granted an eligible noncitizen status as defined in OAR 461-120-0125(5). Eligibility for payments are subject to the following requirements:¶
- (a) Individuals are not eligible for payments if they:¶
- (A) Are currently enrolled in the Matching Grant program.¶
- (B) Have received any other subsidized payment for the same expense for the same month.¶
- (b) The income of the financial group (see OAR 461-110-0530) must have been negatively affected by COVID-19.¶
- (c) The gross income of the financial group shall not exceed 250 percent of the federal poverty level as listed OAR 461-155-0180. ¶
- (d) The resource limit of the financial group must meet section (6) of this rule. ¶
- (e) The sum of all assistance payments under this section must not exceed \$2500 per filing group (see OAR 461-110-0430). ¶
- (f) Payments shall be made through partner agencies designated by the Department and are subject to availability of funding.

Statutory/Other Authority: 411.083, 412.006, 412.049, 412.064, ORS 409.050, 411.060, 411.070

Statutes/Other Implemented: 411.083, 411.087, 412.006, 412.049, 412.064, ORS 409.010, 411.060, 411.070, 411.081, 45 CFR 206.10, 45 CFR 400.155