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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

SSP 46-2020

CHAPTER 461
DEPARTMENT OF HUMAN SERVICES
SELF-SUFFICIENCY PROGRAMS

FILED
12/31/2020 6:19 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Making a Temporary Amendment to a Rule Regarding the SNAP Program

EFFECTIVE DATE: 01/01/2021 THROUGH 06/29/2021

AGENCY APPROVED DATE: 12/31/2020

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Filed By:
Meorah Solar
Rules Coordinator

NEED FOR THE RULE(S):

OAR 461-155-0190 regarding Income and Payment Standards; SNAP and DSNAP, need to be amended to align the SNAP payment standard with the provisions of the Consolidated Appropriations Act.

JUSTIFICATION OF TEMPORARY FILING:

The Department finds that failure to act promptly by amending OAR 461-155-0190 will result in serious prejudice to the public interest, the Department, and clients of its programs. The Department needs to proceed by temporary rule due to the immediate nature of the pandemic in order to put into rule a recent Bill from the House of Representatives. Failure to act immediately could place ODHS out of compliance with the Bill. Failure to act immediately could also create conflict between agency rule versus agency action regarding SNAP payment standards, creating confusion. This rule amendment enacts and makes clear critical and time-sensitive changes.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

USDA "SNAP – Temporary Increase in Maximum Allotments due to COVID-19" memo, located here: https://fns-prod.azureedge.net/sites/default/files/resource-files/SNAP%20Temp%20Increase%20in%20Max%20Allotments%20COVID_12.28.20.pdf

(2)

SNAP Payment Standard (TFP)	
No. in Benefit Group	Monthly Amount
1	\$ 234
2	430
3	616
4	782
5	929
6	1,114
7	1,232
8	1,408
Each additional individual	+176

(3)

No. in Benefit Group	Monthly Amount
1	\$ 204
2	374
3	535
4	680
5	807
6	969
7	1,071
8	1,224
Each additional individual	+153

AMEND: 461-155-0190

RULE SUMMARY: OAR 461-155-0190 about Income and Payment Standards; SNAP and DSNAP, is being amended to increase the SNAP payment standard in accordance with the Consolidated Appropriations Act (H.R. 133). This change increases the SNAP payment standard to 115% of the June 2020 Thrifty Food Plan payment standard.

CHANGES TO RULE:

461-155-0190

Income and Payment Standards; SNAP and DSNAP ¶

(1) The monthly SNAP Countable Income Limit is set at 130 percent of the federal poverty level under OAR 461-155-0180 for the number of individuals in the need group. The monthly SNAP Adjusted Income Limit is set at 100 percent of the federal poverty level under OAR 461-155-0180 for the number of individuals in the need group.¶

(2) The SNAP ~~and~~ Payment Standard (Thrifty Food Plan) is: [see attached table]¶

(3) The full-month Disaster SNAP (DSNAP) Payment Standard ~~(Thrifty Food Plan)~~ is: [see attached table]¶

(~~3~~4) The DSNAP Gross Income Limit is set under OAR 461-155-0180 for the number of individuals in the household (see OAR 461-135-0491) group.

Statutory/Other Authority: ORS 409.050, 411.060, 411.070, 411.816

Statutes/Other Implemented: ORS 411.070, 411.816, 411.825, 411.837, ORS 409.010, 409.050, 411.060, 7 CFR 273.1, 7 CFR 273.10, 7 CFR 280.1, H.R. 133

RULE ATTACHMENTS DO NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

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