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**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**SSP 20-2021**

CHAPTER 461  
DEPARTMENT OF HUMAN SERVICES  
SELF-SUFFICIENCY PROGRAMS

**FILED**  
02/23/2021 10:17 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Changing One Rule Regarding Self-Sufficiency Program Income Standards

EFFECTIVE DATE: 03/01/2021 THROUGH 08/27/2021

AGENCY APPROVED DATE: 02/23/2021

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NEED FOR THE RULE(S):

OAR 461-155-0180 about Income Standards; Not OSIP, OSIPM, QMB, needs to be amended for Self-Sufficiency Programs because the current rule would be outdated and incorrect for certain federal poverty and state median income levels. This amendment promotes accurate benefit decisions in Self-Sufficiency Programs by updating these standards.

JUSTIFICATION OF TEMPORARY FILING:

Failure to act promptly by amending OAR 461-155-0180 will result in serious prejudice to the public interest, the Department, and clients of its programs. The Department needs to proceed by temporary rule because the Department is determining eligibility for its clients on a continuous basis and the updated standards as of March 1, 2021 will allow clients to accurately qualify for its programs, which provide essential support for them.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

United States Department of Health and Human Services, Poverty Guidelines for 2021 available at <https://aspe.hhs.gov/poverty-guidelines>

Federal Register – Annual Update of the HHS Poverty Guidelines available at:

<https://www.federalregister.gov/documents/2021/02/01/2021-01969/annual-update-of-the-hhs-poverty-guidelines>

U.S. Department of Health and Human Services estimate of Oregon state median income available at:

<https://www.oregon.gov/ohcs/energy-weatherization/pages/index.aspx>

AMEND: 461-155-0180

RULE SUMMARY: OAR 461-155-0180 about Income Standards; Not OSIP, OSIPM, QMB, is being amended to adjust

the 185 percent, 200 percent, and 250 percent income standards to reflect the annual update to the Federal Poverty Level. It is also being amended to adjust the 85 percent income standard to reflect the annual update to the state median income. These amendments keep Oregon in line with current federal and state standards for Department Self-Sufficiency Programs. The rule is also being restructured to incorporate the income standards, changed and unchanged, into the body of the rule to support easier income standard reading and comparing in future rule versions. These amendments will take effect March 1, 2021.

CHANGES TO RULE:

461-155-0180

Income Standards; Not OSIP, OSIPM, QMB ¶

(1) A Department program may cite this rule if the program uses a monthly income standard based on the federal poverty level or state median income. The standards in this rule are effective as of ~~October~~March 1, 2020, except as provided otherwise.¶

(2) A monthly income standard set at 100 percent of the 2020 federal poverty level is set at the following amounts: ¶

~~(3) A monthly income standard set at 130 percent of the 2020 federal poverty level is set at the following amounts:¶~~

~~(4) A monthly income standard set at 165 percent of the 2020 federal poverty level is set at the following amounts: Size of Group&&&&Standard¶~~

~~1&&&&&&&&&\$ 1,064¶~~

~~2&&&&&&&&& 1,437¶~~

~~3&&&&&&&&& 1,810¶~~

~~4&&&&&&&&& 2,184¶~~

~~5&&&&&&&&& 2,557¶~~

~~6&&&&&&&&& 2,930¶~~

~~7&&&&&&&&& 3,304¶~~

~~8&&&&&&&&& 3,677¶~~

~~9&&&&&&&&& 4,051¶~~

~~10&&&&&&&&&.. 4,425¶~~

~~+1&&&&&&&&&... +374¶~~

~~(3) A monthly income standard set at 130 percent of the 2020 federal poverty level is set at the following amounts:¶~~

~~Size of Group&&&&Standard¶~~

~~1&&&&&&&&&\$ 1,383¶~~

~~2&&&&&&&&& 1,868¶~~

~~3&&&&&&&&& 2,353¶~~

~~4&&&&&&&&& 2,839¶~~

~~5&&&&&&&&& 3,324¶~~

~~6&&&&&&&&& 3,809¶~~

~~7&&&&&&&&& 4,295¶~~

~~8&&&&&&&&& 4,780¶~~

~~9&&&&&&&&& 5,266¶~~

~~10&&&&&&&&&.. 5,752¶~~

~~+1&&&&&&&&&... +486¶~~

~~(4) A monthly income standard set at 165 percent of the 2020 federal poverty level is set at the following amounts: ¶~~

~~Size of Group&&&&Standard¶~~

~~1&&&&&&&&&\$ 1,755¶~~

2&&&&&&&&&& 2,371¶  
3&&&&&&&&&& 2,987¶  
4&&&&&&&&&& 3,603¶  
5&&&&&&&&&& 4,219¶  
6&&&&&&&&&& 4,835¶  
7&&&&&&&&&& 5,451¶  
8&&&&&&&&&& 6,067¶  
+1&&&&&&&&&... +616¶

(5) A monthly income standard set at 185 percent of the 2020~~1~~ federal poverty level is set at the following amounts: ¶

Size of Group&&&&Standard¶

1&&&&&&&&&&\$ 1,986¶  
2&&&&&&&&&& 2,686¶  
3&&&&&&&&&& 3,386¶  
4&&&&&&&&&& 4,086¶  
5&&&&&&&&&& 4,786¶  
6&&&&&&&&&& 5,486¶  
7&&&&&&&&&& 6,186¶  
8&&&&&&&&&& 6,886¶  
9&&&&&&&&&& 7,586¶  
10&&&&&&&&&&... 8,286¶  
+1&&&&&&&&&... +700¶

(6) A monthly income standard set at 200 percent of the 2020~~1~~ federal poverty level is set at the following amounts: ¶

Size of Group&&&&Standard¶

1&&&&&&&&&&\$ 2,147¶  
2&&&&&&&&&& 2,904¶  
3&&&&&&&&&& 3,660¶  
4&&&&&&&&&& 4,417¶  
5&&&&&&&&&& 5,174¶  
6&&&&&&&&&& 5,930¶  
7&&&&&&&&&& 6,687¶  
8&&&&&&&&&& 7,444¶  
+1&&&&&&&&&... +757¶

(7) A monthly income standard set at 250 percent of the 2020~~1~~ federal poverty level is set at the following amounts: ¶

(8) A monthly income standard set at 350 percent of the 2020 federal poverty level is set at the following amounts: Size of Group&&&&Standard¶

1&&&&&&&&&&\$ 2,684¶  
2&&&&&&&&&& 3,630¶  
3&&&&&&&&&& 4,575¶  
4&&&&&&&&&& 5,521¶  
5&&&&&&&&&& 6,467¶  
6&&&&&&&&&& 7,413¶  
7&&&&&&&&&& 8,359¶  
8&&&&&&&&&& 9,305¶

(8) A monthly income standard set at 350 percent of the 2020 federal poverty level is set at the following amounts: ¶

Size of Group&&&&Standard¶

1 \$ 3,722  
2 5,029  
3 6,335  
4 7,642  
5 8,949  
6 10,255  
7 11,562  
8 12,869  
9 14,176  
10 15,483  
+1 +1,307

(9) A monthly income standard set at 85 percent of the 2020<sup>1</sup> state median income is set at the following amounts: ¶

(10) A monthly Disaster Supplemental Nutrition Assistance Program (DSNAP) income standard is set at the following amounts for the household (see OAR 461-135-0491):Size of Group&&&&Standard¶

2 \$ 4,293  
3 5,303  
4 6,313  
5 7,323  
6 8,333  
7 8,523  
8 8,712

(10) A monthly Disaster Supplemental Nutrition Assistance Program (DSNAP) income standard is set at the following amounts for the household (see OAR 461-135-0491):¶

Size of Group&&&&Standard¶

1 \$ 1,817  
2 2,190  
3 2,563  
4 2,951  
5 3,355  
6 3,759  
7 4,133  
8 4,506  
+1 +374

Statutory/Other Authority: ORS 329A.500, 409.050, 411.060, 411.070, 411.816, 412.049

Statutes/Other Implemented: ORS 329A.500, 409.010, 411.060, 411.070, 411.816, 412.014, 412.049, 7 CFR 280.1