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

**SSP 32-2021**

CHAPTER 461  
DEPARTMENT OF HUMAN SERVICES  
SELF-SUFFICIENCY PROGRAMS

**FILED**  
06/03/2021 10:31 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Temporary Rule Amendment Regarding TANF Program Employment Payments

EFFECTIVE DATE: 06/03/2021 THROUGH 11/29/2021

AGENCY APPROVED DATE: 06/03/2021

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NEED FOR THE RULE(S):

OAR 461-135-1270 needs to be amended to expand employment program eligibility.

JUSTIFICATION OF TEMPORARY FILING:

The Department finds that failure to act promptly by amending OAR 461-135-1270 will result in serious prejudice to the public interest, the Department, and clients of its programs. The Department needs to proceed by temporary rule so its rules align with and support the June 3, 2021 expansion of employment payment eligibility. Failure to act immediately could create confusion for ODHS staff and the public, or delay the implementation of this expansion at a time when resources are critical to Oregonians. This rule expansion creates clear guidance and rule-level support for this TANF program adjustment.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Any documents relied upon available from TANF Policy Analyst Team

AMEND: 461-135-1270

RULE SUMMARY: OAR 461-135-1270 about Specific Requirements; Employment Payments, is being amended to expand eligibility for TANF program employment payments to JOBS Volunteers who meet specific criteria.

CHANGES TO RULE:

461-135-1270

Specific Requirements; Employment Payments ¶¶

(1) Effective April 1, 2016, a benefit group (see OAR 461-110-0630) that includes an individual who meets the requirements in section (2) of this rule is eligible to receive \$225 in Employment Payments (see OAR 461-001-0025) paid over three months as provided in section (3) of this rule.¶¶

(2) To be eligible for three months of Employment Payments, an individual in the benefit group (see OAR 461-110-

0750) or an individual not in the benefit group due to the time limit in OAR 461-135-0071 must meet all of the following requirements:¶¶

(a) Have obtained unsubsidized paid employment and reported it timely.¶¶  
(b) Have been a JOBS eligible or JOBS volunteer (see OAR 461-130-0310) individual who closed TANF for one of the following reasons:¶¶

(A) Became ineligible for the Pre-TANF, SFPSS or TANF programs due to income above the applicable income standard in OAR 461-155-0030.¶¶

(B) Voluntarily closed TANF to avoid accruing time toward the time limit in OAR 461-135-0071.¶¶

(C) Voluntarily closed TANF to be eligible for TBA (see OAR 461-135-0506).¶¶

(c) Meet the TANF residency requirements in OAR 461-120-0010.¶¶

(d) Remain at or below 350 percent FPL in OAR 461-155-0180.¶¶

(3) Employment Payments begin the month following the month in which Pre-TANF, SFPSS, or TANF benefits close. Payments are limited to one payment per month per benefit group. Payments may not be prorated and are paid in the following amounts and order:¶¶

(a) \$100 the first month after benefits close.¶¶

(b) \$75 the second month after benefits close.¶¶

(c) \$50 the third month after benefits close.¶¶

(4) An individual receiving Employment Payments is not eligible for JOBS Plus or JPI (see OAR 461-135-1260).¶¶

(5) Employment Payments end when an individual:¶¶

(a) Is approved for REF, Pre-TANF, SFPSS, or TANF program benefits;¶¶

(b) Is a member of a filing group (see OAR 461-110-0330) approved for REF, Pre-TANF, SFPSS, or TANF program benefits; or¶¶

(c) Loses unsubsidized paid employment and the loss is verified by the Department.

Statutory/Other Authority: ORS 409.050, 411.060, 411.070, 412.049, 412.124

Statutes/Other Implemented: ORS 409.050, 411.060, 411.070, 412.049, 412.124