

OFFICE OF THE SECRETARY OF STATE
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ARCHIVES DIVISION
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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 461
DEPARTMENT OF HUMAN SERVICES
SELF-SUFFICIENCY PROGRAMS

FILED
07/31/2021 5:49 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Proposing Amendments to Eleven Rules Governing Self-Sufficiency Programs

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/19/2021 11:55 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Eugene, OR 97408

Filed By:
Meorah Solar
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 08/24/2021

TIME: 11:00 AM - 12:00 PM

OFFICER: Meorah Solar

ADDRESS: Virtual Hearing - No

Physical Location

Phone 1-971-277-2343, code 124 961

979#

Microsoft Teams link also available

No physical location, OR 0

SPECIAL INSTRUCTIONS:

Everyone has a right to know about and use Oregon Department of Human Services (ODHS) programs and services. ODHS provides free help. Some examples of the free help ODHS can provide are: sign language and spoken language interpreters, written materials in other languages, braille, large print, audio and other formats. If you need help or have questions, please contact Meorah Solar at (503) 602-7545, 711 TTY, or meorah.a.solar@dhsosha.state.or.us at least 48 hours before the meeting.

NEED FOR THE RULE(S):

OAR 461-135-0660 needs to be amended to permanently adopt the temporary changes made to the rule effective April 2 and May 14 of 2021. The rule is also being amended to align with ODHS SNAP program COVID-19-based changes; including changes to interview waivers, emergency allotments, and certification extensions for certain groups; keeping the rule accurate and up to date.

OAR 461-135-1270 about Specific Requirements; Employment Payments, needs to be amended to expand employment program eligibility to JOBS volunteers who meet certain requirements. This change permanently adopts temporary amendments that became effective June 3, 2021.

OAR 461-145-0910 about Self-Employment; General; Not OSIP, OSIPM, or QMB, needs to be amended to put into rule how the Department treats the income paid to providers considered an employee of a Developmental Disabilities Services or Oregon Health Authority benefit recipient.

OARs 461-155-0180 about Income Standards; Not OSIP, OSIPM, QMB, 461-155-0190 about Income and Payment Standards; SNAP and DSNAP, 461-160-0015 about Resource Limits, 461-160-0420 about Shelter Cost; SNAP, 461-160-0430 about Income Deductions; SNAP, and 461-165-0060 about Minimum Benefit Amount; REF, SNAP, TANF, need to be amended to align the rules with annual adjustments set forth by the Food and Nutrition Service and costs of standard utility allowances.

OAR 461-175-0210 about Notice Situation; Individual Moved or Whereabouts Unknown, needs to be amended align the rule for the TA-DVS program with ODHS practice and statute, and for the SNAP program with ODHS policy and federal regulation. For the TA-DVS program, this change adds the requirement in rule that ODHS will not close a TA-DVS case for whereabouts unknown or returned mail, which is best practice when supporting survivors that are fleeing a domestic violence situation. For the SNAP program, this change permanently adopts temporary amendments that became effective July 1, 2021.

OAR 461-180-0125 about Effective Dates; Reopen After Returned Mail; ERDC, needs to be amended to remove the SNAP program from the rule and use more rule-defined and referencing language. The changes align the rule with ODHS policy and rules.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

U.S. Department of Health and Human Services Poverty Guidelines, available here:
<https://aspe.hhs.gov/poverty-guidelines>

SNAP Cost of Living Adjustments (to be updated with new amounts effective 10/01/21), available here:
<https://www.fns.usda.gov/snap/cost-living-adjustment-cola-information>

The PUC data was used to project 2021 rates for phones, gas, and electricity. The EIA data was used for heating oil and

to split out the gas and electricity rates for heating costs and others. The PUC data used is available here:

<http://www.puc.state.or.us/Pages/Index.aspx>.

The EIA website is available here: <http://www.eia.doe.gov>.

Personal Support Worker (PSW) Provider Enrollment Application and Agreement, available here:

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/se0734.pdf>

Independent Choices Program Participant Handbook, available here:

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/de9386.pdf?CFGRIDKEY=DHS%209386>

For OAR 461-135-1270, any documents relied upon are available from TANF Policy Analyst Team.

For OAR 461-135-0660, documents relied upon, but not listed below and are available from the SNAP Policy Analyst Team.

United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) Month-To Month Contingent Approval to Continue Issuing Supplemental Nutrition Assistance Program (SNAP) Emergency Allotments (EA) Benefits under the Families First Coronavirus Response Act of 2020 for April 2021, available here: <https://fns-prod.azureedge.net/sites/default/files/resource-files/OR-SNAP-COVID-EA-Extension-April-2021-Acknowledged.pdf>

United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) Month-To Month Contingent Approval to Continue Issuing Supplemental Nutrition Assistance Program (SNAP) Emergency Allotments (EA) Benefits under the Families First Coronavirus Response Act of 2020 for May 2021, available here: <https://fns-prod.azureedge.net/sites/default/files/resource-files/OR-SNAP-COVID-EA-Extension-May-2021-Acknowledged.pdf>

Food and Nutrition Service SNAP Emergency Allotments Guidance, available here:

<https://www.fns.usda.gov/snap/emergency-allotments-guidance-040121>

FISCAL AND ECONOMIC IMPACT:

The Department estimates that amending OAR 461-135-0660, will have a monthly positive fiscal impact of up to \$95 on SNAP recipients who were not previously receiving at least \$95 in emergency allotment SNAP. The Department estimates a negative fiscal impact on those who are eligible for an open SNAP case but are eligible for no monthly SNAP allotment. The amount of monthly negative fiscal impact will depend on the size of the benefit group and could be at minimum \$616 monthly and greater. For the SNAP payment amount, please see OAR 461-155-0190. The exact impact on each benefit group will depend on the SNAP allotment for which they are eligible. The Department estimates no financial impact on the public, the Department, other state agencies, local government, and business, including small business. There is no cost of compliance for small businesses. No small businesses are subject to this rule.

The Department estimates that amending OAR 461-135-1270 will have a negative impact on the Department in the

amount of approximately \$6,975 to \$46,350 based on available data from October 2019 to June 2020. The Department estimates a positive fiscal impact on TANF JOBS volunteers who have become eligible for this payment. The exact amount is not available as there is no way to identify who would meet all the requirements and receive the employment payments. ODHS estimates no fiscal impact for the public, the Department, other state agencies, local government, and business, including small business. There is no cost of compliance for small businesses. No small businesses are subject to this rule.

The Department estimates that amending OARs 461-145-0910, 461-175-0210, and 461-180-0125 will have no fiscal impact on individuals receiving or applying for SSP programs, the public, the Department, other state agencies, local government, and business, including small business. There is no cost of compliance for small businesses. No small businesses are subject to this rule.

The Department is unable to estimate the fiscal impact of amending OAR 461-155-0180, OAR 461-155-0190, OAR 461-160-0015, OAR 461-160-0420, OAR 461-160-0430, and 461-165-0060 on individuals receiving or applying for SSP programs because the annual adjustments set forth by the Food and Nutrition Service are not yet known. The Department estimates that these amendments will have no fiscal impact on the Department, other state agencies, local government, and business including small business. There is no cost of compliance for small business.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

See Fiscal and Economic Impact.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of these rules but are invited to provide input during the public comment period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

A Rule Advisory Committee, which included organizations representing populations ODHS believe will be impacted by the changes proposed in this filing, was consulted for all rule amendments except for the following rules being amended based upon routine annual adjustments set forth by the Food and Nutrition Service: 461-155-0180 about Income Standards; Not OSIP, OSIPM, QMB, 461-155-0190 about Income and Payment Standards; SNAP and DSNAP, 461-160-0015 about Resource Limits, 461-160-0420 about Shelter Cost; SNAP, 461-160-0430 about Income Deductions; SNAP, and 461-165-0060 about Minimum Benefit Amount; REF, SNAP, TANF.

RULES PROPOSED:

461-135-0660, 461-135-1270, 461-145-0910, 461-155-0180, 461-155-0190, 461-160-0015, 461-160-0420, 461-160-0430, 461-165-0060, 461-175-0210, 461-180-0125

AMEND: 461-135-0660

RULE SUMMARY: OAR 461-135-0660 is being amended to update and align the rule with Department policy and Federal regulations, flexibilities, and waivers regarding the SNAP program due to and during the COVID-19 pandemic.

CHANGES TO RULE:

461-135-0660

SNAP; COVID-19

The provisions in this rule apply to the SNAP program.¶

(1) The Department suspends the following rule sections regarding the SNAP program as provided in this rule:¶

(a) OAR 461-115-0230(3), and¶

(b) OAR 461-135-0520(2) and (6).¶

(2) The Department amends the following rules and rule sections regarding the SNAP program as provided in this rule:¶

(a) OAR 461-115-0020(2),¶

(b) OAR 461-115-0450(1) and (2),¶

(c) OAR 461-135-0570(3), and¶

(d) OAR 461-170-0102.¶

(3) Per the Families First Coronavirus Act, Title 3, Section 2301:¶

(a) SNAP time limit work requirements for ABAWDs (see OAR 461-135-0520) are temporarily waived.¶

(b) ABAWDs will not be subject to earning countable months (see OAR 461-135-0520). ¶

(4) An individual who the Department has determined is mandatory (see OAR 461-130-0305) will be granted "good cause" (see OAR 461-130-0327) if the reason for not accepting employment or for leaving a job was due to the individual's concerns regarding their health due to the COVID-19 pandemic. ¶

(5) Notwithstanding OAR 461-115-0450, the Department may extend a certification period (see OAR 461-001-0000) before the certification period ends: ¶

(a) Not to exceed 6 months, when the certification period ends in the months of March, April, May, or June of 2020.¶

(b) When the certification period ends in October or November 2020:¶

(A) The certification period is extended to April 30, 2021, for a filing group with a certification period of 12 or fewer months.¶

(B) The certification period is extended to October 31, 2021, for a filing group with a certification period of 24-months.¶

(c) When the Mid-Certification Review is due in the months of October, November or December 2020, the Department waives the requirement to submit the Review and:¶

(A) The certification period is extended to October 31, 2022 and the Mid-Certification Review is due in October 2021, for a filing group with a Review due in October or November 2020.¶

(B) The certification period is extended to December 31, 2022 and the Mid-Certification Review is due in December 2021, for a filing group with a Review due in December 2020.¶

(d) When the certification period ends in December 2020:¶

(A) The certification period is extended to June 30, 2021 for a filing group with a certification period of 12 or fewer months.¶

(B) The certification period is extended to December 31, 2021 for a filing group with a certification period of 24-months.¶

(e) When the certification period ends in the months of February or March 2021 and the certification period of the filing group has not been previously extended by the Department:¶

(A) Not to exceed 6 months when the only countable income is TANF program benefits or TANF program benefits and Social Security benefits.¶

(B) Not to exceed 12 months when the only countable income is Social Security benefits.¶

(f) When the certification period ends in the month of June 2021, the certification period of the filing group has not been previously extended by the Department, and the filing group is not Job Participation Incentive (see OAR 461-135-1260) eligible.¶

(6) Notwithstanding OAR 461-170-0102, the Department waives the requirement to submit an "Interim Change Report" or a "Mid-Certification Review" in order to continue receiving benefits: ¶

- (a) When the Interim Change Report or Mid-Certification Review is due in the months of March, April, May, or June of 2020.¶
- (b) When the Interim Change Report is due in the months of October, November, or December of 2020.¶
- (7) Emergency allotments (supplements) are permitted through USDA waiver under Families First coronavirus Response Act of 2020. The Department may issue an emergency allotment of SNAP benefits for any months approved for an emergency allotment by the Food and Nutrition Service, with the following limitations:¶
- (a) The emergency allotment does not change the benefit level, calculated under OAR 461-160-0400, for the benefit group (see OAR 461-110-0750).¶
- (b) The emergency allotment shall be issued on a date determined by the Department, not subject to OAR 461-165-0100.¶
- (c) Beginning April 2020, and except as provided in paragraphs (A) and (B) of this subsection, the amount of the emergency allotment shall be the difference between the benefit level calculated under OAR 461-160-0400 and the maximum Payment Standard for the number of individuals in the benefit group. If there is no difference, no emergency allotment shall be issued. ¶
- (A) Beginning April 2021, if the difference calculated equals an amount less than \$95, the amount emergency allotment shall be \$95.¶
- (B) Beginning May 2021, if the benefit level calculated under OAR 461-160-of a benefit group is \$0, no emergency allotment shall be issued.¶
- (d) When the Food and Nutrition Service makes a change that ends, reduces, or suspends the emergency allotment:¶
- (A) No decision notice (see OAR 461-001-0000) is required. The Department is not required to mail a notice of intended action.¶
- (B) The Department shall publicize the change using one or more of the following methods: ¶
- (i) Informing the public through the news media. ¶
- (ii) Placing posters in the offices that serve affected individuals, in the locations where SNAP is issued, and at other sites frequented by individuals receiving SNAP. ¶
- (iii) Mailing a general notice to the households of affected recipients.¶
- (e) Excepting an overpayment (see OAR 461-195-0501), there is no right to hearing to dispute emergency allotment and no right to continuing benefits.¶
- (8) For applications with a filing date (see OAR 461-115-0040):¶
- (a) Established from March 23, 2020 to ~~February 28~~September 30, 2021, the Department waives the requirement under OAR 461-115-0020 section (1) to meet the interview requirements in order to complete the application process, and¶
- (b) Established from March 23, 2020 to ~~February 28~~September 30, 2021, the Department suspends the requirement under OAR 461-115-0230(3)(b) to grant a face-to-face interview at the applicant's request.¶
- (c) The provisions in this section are retroactively effective for applications with a filing date of March 23, 2020, and after.¶
- (9) Retroactively effective January 16, 2021: In addition to the provisions under section (3) of OAR 461-135-0570, to be eligible for SNAP benefits, a student of higher education (see OAR 461-135-0570) may also meet the requirements of one of the following subsections:¶
- (a) The student of higher education is eligible to participate in state or federally funded work study program during the regular school year.¶
- (b) The student of higher education has an Expected Family Contribution (EFC) of \$0 in the current academic year, as determined through the Free Application for Federal Student Aid (FAFSA). ¶
- (10) The provisions-- ¶
- (a) Listed in sections (3) and (4) of this rule end on the last day of the month in which the public health emergency declaration made by the Secretary of Health and Human Services under section 319 of the Public Health Service Act based on an outbreak of coronavirus disease 2019 (COVID-19) is lifted.¶
- (b) Listed in section (9) of this rule end 30 days after the day upon which the public health emergency declaration

made by the Secretary of Health and Human Services under section 319 of the Public Health Service Act based on an outbreak of coronavirus disease 2019 (COVID-19) is lifted.

Statutory/Other Authority: ORS 411.060, 411.070, 411.121, 411.816, ORS 409.050

Statutes/Other Implemented: ORS 409.010, ORS 411.060, 411.070, 411.121, 411.816, 411.825, 411.837, 7 USC 2015, 7 USC 2029, 7 CFR 273.7, 7 CFR 273.24, Pub. L. 116-127, ORS 409.050, 7 CFR 273.10, 7 CFR 273.14

AMEND: 461-135-1270

RULE SUMMARY: OAR 461-135-1270 is being amended to expand eligibility for TANF program employment payments to JOBS Volunteers who meet specific criteria, a provision that was adopted into rule temporarily on June 3, 2021.

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

AMEND: 461-145-0910

RULE SUMMARY: OAR 461-145-0910 is being amended to adopt into rule Department policy that providers considered an employee of a Developmental Disabilities Services or Oregon Health Authority benefit recipient are not self-employed.

CHANGES TO RULE:

461-145-0910

Self-Employment; General; Not OSIP, OSIPM, or QMB ¶

(1) Self-employment income is income resulting from an individual's business, trade, or profession, rather than from a salary or wage paid by an employer. An individual is considered self-employed if the individual meets the criteria in sections (2) or (3) of this rule. Except as noted in section (3) of this rule when an individual has established a corporation, determine if the individual is self-employed according to section (2) of this rule. If the individual has more than one self-employment business, trade, or profession, the income from each is determined separately.¶

(2) Except as provided in OAR 461-145-0250(1), an individual is self-employed for the purposes of this division of rules if the individual meets the requirements of one or more of (a), (b), or (c):¶

(a) Files taxes as self-employed for their business on their personal taxes.¶

(b) Is considered an independent contractor by the business.¶

(c) Meets all the following criteria:¶

(A) Is not required by the business to complete an IRS W-4 form;¶

(B) Is not required to pay federal income tax or FICA payments from their paycheck(s);¶

(C) Liability or worker's compensation insurance for the individual is not paid by the business;¶

(D) Meets at least one of the following:¶

(i) Creates or provides the products or services they sell, or¶

(ii) Sets the price for the products or services they sell;¶

(E) Is responsible for the business expense and losses; and¶

(F) Receives profits from the business.¶

(3) Notwithstanding section (2) of this rule:¶

(a) Homecare Workers (see OAR 411-031-0020) paid by the Department are not self-employed.¶

(b) Providers considered an employee of a Developmental Disabilities Services or Oregon Health Authority benefit recipient, such as Independent Choices Program (see OAR 411-030-0100) providers and Personal Support Workers (see OAR 411-375-0000), are not self-employed.¶

(c) Child care providers (see OAR 461-165-0180) paid by the Department, adult foster home providers (see OAR 411-050-0602) paid by the Department, realty agents, and individuals who sell plasma, redeem beverage containers, pick mushrooms for sale, or engage in similar enterprises are considered to be self-employed.¶

(4) In the ERDC, REF, SNAP, and TANF programs, self-employment income is counted prospectively to determine eligibility (see OAR 461-001-0000) as follows:¶

(a) Self-employment income is annualized when it is:¶

(A) Received during less than a 12-month period but is intended as a full year's income.¶

(B) From a business that has operated for a full year and the previous year is representative of what the income and costs will be during the budget month.¶

(b) Except in the ERDC program, self-employment income is treated as anticipated income when a financial group (see OAR 461-110-0530) begins self-employment and is unable to determine what the income and costs will be during the budget month.¶

(5) In the REFM program:¶

(a) Self-employment income is counted only if received in the month of application.¶

(b) If self-employment income counted in the month of application puts the applicant over the income limits for REFM, the income is calculated according to section (4) of this rule.¶

(6) When determining the amount of countable (see OAR 461-001-0000) self-employment income, use gross receipts and sales, including mileage reimbursements, before costs.

Statutory/Other Authority: ORS 409.050, 411.060, 411.070, 411.404, 411.816, 412.006, 412.049, 413.085, 414.685

Statutes/Other Implemented: ORS 409.010, 409.050, 411.060, 411.070, 411.404, 411.816, 412.006, 412.049, 413.085, 414.685

AMEND: 461-155-0180

RULE SUMMARY: OAR 461-155-0180 is being amended effective October 1, 2021, to update a few federal poverty level income standards aligning the financial eligibility guidelines in the rule with the annual adjustments set forth by the Food and Nutrition Service.

CHANGES TO RULE:

461-155-0180

Income Standards; Not OSIP, OSIPM, QMB ¶

THE MONTHLY INCOME STANDARDS IN SECTIONS (2), (3), (4), AND (8) OF THIS RULE WILL BE AMENDED TO REFLECT FEDERAL COST OF LIVING ADJUSTMENTS PUBLISHED ANNUALLY. THE STANDARDS HAVE NOT YET BEEN PUBLISHED.¶

(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 ~~March~~October 1, 2021, except as provided otherwise.¶

(2) A monthly income standard set at 100 percent of the 20201 federal poverty level is set at the following amounts: ¶

Size of Group&&&&Standard to be determined¶

- 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 20201 federal poverty level is set at the following amounts:¶

Size of Group&&&&Standard to be determined¶

- 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 20201 federal poverty level is set at the following amounts: ¶

Size of Group&&&&Standard to be determined¶

- 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 2021 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 2021 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 2021 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 2020₁ federal poverty level is set at the following amounts: ¶

Size of Group&&&&Standard to be determined¶

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 2021 state median income is set at the following amounts:

¶
 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

AMEND: 461-155-0190

RULE SUMMARY: OAR 461-155-0190 is being amended effective October 1, 2021, to align the SNAP Payment Standard (Thrifty Food Plan) with annual adjustments set forth by the Food and Nutrition Service.

CHANGES TO RULE:

461-155-0190

Income and Payment Standards; SNAP and DSNAP ¶

THE SNAP PAYMENT STANDARD (THRIFTY FOOD PLAN) IN SECTION (2) OF THIS RULE WILL BE AMENDED TO REFLECT FEDERAL COST OF LIVING ADJUSTMENTS PUBLISHED ANNUALLY. THE STANDARDS HAVE NOT YET BEEN PUBLISHED.¶

(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 (see OAR 461-110-0630). 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 Payment Standard (Thrifty Food Plan) is:¶

No. in Benefit Group.....Monthly Amount to be determined¶

1.....	\$ 234¶
2.....	430¶
3.....	616¶
4.....	782¶
5.....	929¶
6.....	1,114¶
7.....	1,232¶
8.....	1,408¶
+1.....	+ 176¶

(3) The full-month Disaster SNAP (DSNAP) Payment Standard is: ¶

No. in Benefit Group.....Monthly Amount¶

1.....	\$ 204¶
2.....	374¶
3.....	535¶
4.....	680¶
5.....	807¶
6.....	969¶
7.....	1,071¶
8.....	1,224¶
+1.....	+ 153¶

(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

AMEND: 461-160-0015

RULE SUMMARY: OAR 461-160-0015 is being amended to align resource limit eligibility guidelines for SNAP with the annual adjustments set forth by the Food and Nutrition Service.

CHANGES TO RULE:

461-160-0015

Resource Limits ¶¶

THE SNAP PROGRAM RESOURCE LIMIT IN SECTION (7) OF THIS RULE WILL BE AMENDED TO REFLECT FEDERAL COST OF LIVING ADJUSTMENTS PUBLISHED ANNUALLY. THE STANDARDS HAVE NOT YET BEEN PUBLISHED.¶¶

(1) In the EA program, all countable (see OAR 461-001-0000) resources must be used to meet the emergent need.¶¶

(2) In the ERDC program, the limit is \$1,000,000.¶¶

(3) In the OSIP and OSIPM programs, the resource limit is as follows:¶¶

(a) \$2,000 for a one-person need group (see OAR 461-110-0630) and \$3,000 for a two-person need group.¶¶

(b) \$5,000 for the OSIP-EPD and OSIPM-EPD programs (see OAR 461-001-0035 and 461-145-0025 for funds that may be excluded as approved accounts).¶¶

(4) In the QMB-BAS, QMB-SMB, and QMB-SMF programs, all resources are excluded.¶¶

(5) In the QMB-DW program, the resource limit is \$4,000 for a one-person need group and \$6,000 for a need group containing two or more individuals.¶¶

(6) In the REF and REFM programs, the resource limit is:¶¶

(a) \$2,500 for any of the following:¶¶

(A) A new REF or REFM applicant for benefits.¶¶

(B) In the REF program, the need group that has at least one mandatory (see OAR 461-130-0305) participant in an employment program who is:¶¶

(i) Receiving REF and not progressing in a required activity of an open case plan; or¶¶

(ii) Serving a current employment program disqualification (see OAR 461-130-0330).¶¶

(b) \$10,000 for an REF need group not covered under subsection (a) of this section.¶¶

(7) In the SNAP program, unless categorically eligible (see OAR 461-135-0505), ~~the program~~ the resource limit is TO BE DETERMINED:¶¶

(a) \$3,500 for a financial group (see OAR 461-110-0530) with at least one member who is elderly (see OAR 461-001-0015) or an individual with a disability (see OAR 461-001-0015).¶¶

(b) \$2,250 for all other financial groups.¶¶

(8) In the TANF program, the resource limit is:¶¶

(a) \$2,500 for any of the following:¶¶

(A) A new TANF applicant for benefits.¶¶

(B) TANF need group that does not have at least one caretaker relative (see OAR 461-001-0000) or parent (see OAR 461-001-0000) who is receiving TANF.¶¶

(C) TANF need group that has at least one JOBS participant who is serving a current JOBS disqualification (see OAR 461-130-0330).¶¶

(b) \$10,000 for a need group not covered under subsection (a) of this section.

Statutory/Other Authority: ORS 409.050, 411.060, 411.070, 411.083, 411.404, 411.706, 411.816, 412.049, 413.085, 414.685

Statutes/Other Implemented: ORS 409.010, 411.060, 411.070, 411.083, 411.404, 411.704, 411.706, 411.816, 411.837, 412.049, 413.085, 414.685, 414.839

AMEND: 461-160-0420

RULE SUMMARY: OAR 461-160-0420 is being amended October 1, 2021, to align the amount of shelter cost used to determine the shelter deduction for SNAP with the annual adjustments set forth by the Food and Nutrition Service.

CHANGES TO RULE:

461-160-0420

Shelter Cost; SNAP ¶

THE SHELTER COST STANDARDS IN SECTION (4) OF THIS RULE WILL BE AMENDED TO REFLECT FEDERAL COST OF LIVING ADJUSTMENTS PUBLISHED ANNUALLY. THE STANDARDS HAVE NOT YET BEEN PUBLISHED.¶

(1) This rule explains how to calculate the shelter cost. The shelter cost is used to determine the shelter deduction (see OAR 461-160-0430). The shelter cost is the sum of the filing group's cost of housing plus an allowance for utilities, if the individual incurs a utility cost. The shelter deduction is based on the shelter cost but is subject to a limitation described in OAR 461-160-0430.¶

(2) Cost of housing.¶

(a) The following comprise the cost of housing if they are incurred with respect to the filing group's current residence or the home described in section (5) of this rule:¶

(A) Regular, periodic charges for the shelter of the filing group (see OAR 461-110-0370), such as rent, mortgage payments, and condominium or association fees. Late fees charged because a mortgage or rent payment was made late are not deductible.¶

(B) Property taxes, state and local assessments, and property insurance on the structure.¶

(C) Costs for repairing a home substantially damaged or destroyed by a natural disaster (such as a fire or flood), if such costs are not reimbursed.¶

(D) If the filing group is homeless and living in a vehicle---vehicle payments and collision and comprehensive insurance premiums for the vehicle.¶

(b) If housing costs are billed on a weekly or biweekly basis, the monthly cost is the weekly cost multiplied by 4.3 or the biweekly cost multiplied by 2.15.¶

(c) The filing group has the following choices about housing costs:¶

(A) The group may choose to apply the cost in the month it is billed or becomes due.¶

(B) The group may choose to have periodic costs averaged.¶

(C) For expenses that are billed less often than monthly, the group may choose to have them averaged over the period they are intended to cover.¶

(3) Shared housing. If the filing group shares housing costs with an individual in the dwelling who is not in the filing group, only the housing costs incurred by the filing group are included in the calculation. If the portion paid by an individual outside the filing group cannot be ascertained, the cost is apportioned among the individuals contributing to the cost. The pro rata share of those not in the filing group is deducted from the total, and the balance is considered a housing cost of the filing group.¶

(4) Cost for utilities TO BE DETERMINED.¶

(a) A filing group has a cost for utilities if it incurs a cost for heating or cooling; cooking fuel; electricity; water and sewerage; well installation and maintenance; septic tank system installation and maintenance; garbage and trash collection; service for a telephone, such as basic service fee, wire maintenance, subscriber line charges, relay center surcharges, 911 service, and taxes; or initial installation fees charged by a utility provider.¶

(b) If the group incurs no cost for utilities in either its current home or in the home described in section (5) of this rule, then the shelter cost is calculated without an allowance for utilities.¶

(c) If a homeless filing group uses a vehicle for shelter, the cost of fuel for the vehicle is considered a utility cost.¶

(d) If a filing group incurs a cost for utilities, then the utility allowance is one of the following:¶

(A) Allowance with heating or cooling. A full standard utility allowance of \$442 per month is used if the household group (see OAR 461-110-0210) is billed for heating or cooling costs for its dwelling. Charges for any fuel and for

electricity are considered heating costs if they are used for heating. A filing group who receives an energy assistance payment for the dwelling provided through the Low Income Energy Assistance Act of 1981 is eligible for the utility allowance established by this paragraph (A). This energy assistance payment must be greater than \$20 annually.¶

(B) Allowance without heating or cooling.¶

(i) A limited standard utility allowance of \$341 per month is used if the filing group is not billed for heating or cooling costs but is billed for at least two other costs enumerated in subsection (4)(a) of this rule.¶

(ii) An individual standard utility allowance of \$55 per month is used if the filing group is not billed for heating or cooling costs but is billed for only one of the costs enumerated in subsection (4)(a) of this rule other than the service cost for a telephone, including the related taxes or fees.¶

(iii) A telephone standard utility allowance of \$68 per month is used if the filing group is billed only for telephone service, such as basic service fee, wire maintenance, subscriber line charges, relay center surcharges, 911 service, and taxes.¶

(5) Housing costs for a home not occupied by the filing group. Housing and utility costs with respect to a home not currently occupied may be considered in calculating the shelter cost if--¶

(a) The home is temporarily unoccupied because of employment or training away from home, illness, or abandonment caused by casualty or natural disaster;¶

(b) The filing group intends to return to the home;¶

(c) No other, current occupant is claiming a deduction for shelter costs in the SNAP program; and¶

(d) The home is not leased during the household's absence.

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

Statutes/Other Implemented: ORS 409.010, 409.050, 411.060, 411.070, 411.816, 411.825, 411.837

AMEND: 461-160-0430

RULE SUMMARY: OAR 461-160-0420 is being amended effective October 1, 2021, to align income deductions used to determine adjusted income for SNAP with the annual adjustments set forth by the Food and Nutrition Service.

CHANGES TO RULE:

461-160-0430

Income Deductions; SNAP ¶¶

THE INCOME DEDUCTION STANDARDS IN SUBSECTION (1)(b) AND PARAGRAPH (1)(f)(B) OF THIS RULE WILL BE AMENDED TO REFLECT FEDERAL COST OF LIVING ADJUSTMENTS PUBLISHED ANNUALLY. THE STANDARDS HAVE NOT YET BEEN PUBLISHED. In the SNAP program:¶¶

(1) Deductions from income are subtracted from countable (see OAR 461-001-0000) income (see OAR 461-140-0010) in the following order to determine adjusted income (see OAR 461-001-0000) for the SNAP program:¶¶

(a) An earned income deduction of 20 percent of countable earned income. The 20 percent deduction is not taken from the wages funded by grant diversions such as Work Supplementation wages.¶¶

(b) A standard deduction TO BE DETERMINED of:¶¶

(A) \$167 per month for a benefit group (see OAR 461-110-0750) of one, two, or three individuals.¶¶

(B) \$181 per month for a benefit group of four individuals.¶¶

(C) \$212 per month for a benefit group of five individuals.¶¶

(D) \$243 per month for a benefit group of six or more individuals.¶¶

(c) A dependent care deduction for dependent care costs billed to a member of the filing group (see OAR 461-110-0370) and not paid for through any other program of the Department. For the cost to be deductible under this section, the care must be necessary to enable a member of the filing group to--¶¶

(A) Accept or continue employment;¶¶

(B) Seek employment, including a job search that meets the requirements of a case plan (see OAR 461-001-0020); or¶¶

(C) Attend vocational or educational training. A student receiving educational income is entitled to a deduction only for costs not excluded from educational income by OAR 461-145-0150.¶¶

(d) The medical deduction for elderly (see OAR 461-001-0015) individuals and individuals who have a disability (see OAR 461-001-0015) in the filing group. The deduction is calculated by determining the total of their deductible medical costs (see OAR 461-160-0415) and subtracting \$35. The Department uses the resulting amount to determine the allowable deduction as follows:¶¶

(A) For an amount less than \$0, no deduction is allowed.¶¶

(B) For an amount greater than \$0 but less than \$170.01, a deduction of \$170 is allowed.¶¶

(C) For an amount greater than \$170, a deduction of the amount determined under this subsection is allowed.¶¶

(e) A deduction for child support payments (including cash medical support) a member of the filing group makes under a legal obligation to a child (see OAR 461-001-0000) not a member of the filing group, including payments for the current month and for payments on arrearages. Child support is not deductible if collected by setoff through the Oregon Department of Revenue or by interception of a federal tax refund.¶¶

(f) A shelter deduction, calculated as follows:¶¶

(A) For SNAP filing group members required to pay room and board in a nonstandard living arrangement (see OAR 461-001-0000), the shelter deduction is:¶¶

(i) The cost of room and board, minus the payment standard for the benefit group; or¶¶

(ii) The actual room cost, if the individual can prove that the room cost exceeds the cost described in subparagraph (i) of this paragraph.¶¶

(B) For all other filing group members, the shelter deduction TO BE DETERMINED is calculated as follows:¶¶

(i) The standard deduction and the deductions of earned income, dependent care, court-ordered child support, and medical expenses are subtracted from countable income. Fifty percent of the remainder is subtracted from the shelter cost calculated in accordance with OAR 461-160-0420.¶¶

(ii) The rounded balance is the deduction, except the deduction is limited if the filing group has no member who has a disability or is elderly. The limit is \$586 per month.¶¶

(2) If an individual cannot verify a medical or court-ordered child-support expense or cannot verify any other expense when asked to do so, the unverified expense is not used to calculate the deduction. If the individual provides verification, the deduction is applied when calculating the next month's benefits. If verification is provided within the period authorized for processing applications (see OAR 461-115-0210), the benefits for the initial month (see OAR 461-001-0000) are recalculated using the deduction.

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

Statutes/Other Implemented: ORS 409.010, 409.050, 411.060, 411.070, 411.816, 411.825, 411.837

AMEND: 461-165-0060

RULE SUMMARY: OAR 461-165-0060 is being changed effective October 1, 2021 to align the minimum SNAP Payment Standards (Thrifty Food Plan) with annual adjustments set forth by the Food and Nutrition Service.

CHANGES TO RULE:

461-165-0060

Minimum Benefit Amount; REF, SNAP, TANF ¶

THE SNAP MINIMUM BENEFIT AMOUNTS IN SECTION (1) OF THIS RULE WILL BE AMENDED TO REFLECT FEDERAL COST OF LIVING ADJUSTMENTS PUBLISHED ANNUALLY. THE STANDARDS HAVE NOT YET BEEN PUBLISHED.¶

(1) In the SNAP program:¶

(a) A benefit group (see OAR 461-110-0750) is not eligible for benefits in the initial month (see OAR 461-001-0000) if the allotment is less than \$10.¶

(b) Except as provided otherwise in section (1) of this rule and in OAR 461-160-0070, minimum benefits TO BE DETERMINED are determined as follows:¶

(A) An eligible benefit group of one or two persons receives the monthly calculated benefit with a minimum monthly allotment of eight percent of the Thrifty Food Plan (TFP) (see OAR 461-155-0190), rounded to the nearest whole dollar, for one person as determined annually by FNS. MINIMUM AMOUNT MAY BE INSERTED HERE, IN ADDITION TO THE ALGORITHM.¶

(B) An eligible benefit group of three or more persons receives the monthly calculated benefit, except that a group whose calculated benefit is \$1, \$3, or \$5 receives instead an allotment of \$2, \$4, or \$6 respectively. A benefit group in a categorically eligible filing group may be eligible for zero benefits (\$0) for the certification period (see OAR 461-001-0000).¶

(2) In the REF and TANF programs, except as provided in section (3) of this rule, benefits are not issued if the monthly benefit is less than \$10. Individuals who do not receive a cash payment because the monthly benefit is less than \$10 may be eligible for medical benefits.¶

(3) The \$10 requirement in section (2) of this rule does not apply to any of the following:¶

(a) Special payments, such as one-time special needs, emergency assistance, supplements, or a benefit reduced from \$10 or more to under \$10 due to the recovery of an overpayment.¶

(b) Dual payee payments made in money management cases if the monthly benefit amount is \$10 or more.¶

(c) Wage supplements issued to JOBS Plus participants.

Statutory/Other Authority: ORS 411.060, 411.816, 412.049

Statutes/Other Implemented: ORS 411.060, 411.816, 412.049

AMEND: 461-175-0210

RULE SUMMARY: OAR 461-175-0210 is being amended to align rule with federal regulation and Oregon policy that have prohibited, for some time, closure of SNAP cases certified in Simplified Reporting System or Transitional Benefit Alternative, when the Department receives returned mail. It is also being amended to restructure the rule to make clear the unique returned mail and moved out of state rules that apply to the SNAP program. Lastly, it is being amended for the TA-DVS Program to cease case closure when mail is returned or whereabouts become unknown. ODHS is making this change because they are aware that in the TA-DVS Program, survivors may decide it is best to flee from a residence, which results in a change in address or whereabouts.

CHANGES TO RULE:

461-175-0210

Notice Situation; ~~Client~~Individual Moved or Whereabouts Unknown ¶

~~(1) ¶~~In all programs except the SNAP program, to end benefits for an individual who has moved out of Oregon and no longer meets residency requirements under OAR 461-120-0010, the Department sends the following decision notice (see OAR 461-001-0000):¶

~~(a) In the ERDC, OSIP, OSIPM, QMB, REF, REFM, and TANF programs:¶~~

~~(A) The Department sends a timely continuing benefit decision notice (see OAR 461-001-0000) to the individual who has moved out of Oregon.¶~~

~~(B) The Department sends a basic decision notice (see OAR 461-001-0000) if the individual becomes eligible for benefits in another state.¶~~

~~(b) In the GA program:¶~~

~~(A) No decision notice is required to end housing assistance payments.¶~~

~~(B) The Department sends a timely continuing benefit decision notice to end Personal Incidental Fund and utility assistance payments.¶~~

~~(c) For Employment Payments (see OAR 461-001-0025 and 461-135-1270), and JPI (see OAR 461-135-1260), and the SNAP program, no decision notice is required if the Department determines that the benefit group (see OAR 461-110-0750) has moved out of Oregon.¶~~

~~(2) In all programs except the SNAP and TA-DVS programs, if Department mail or benefits have been returned with no forwarding address, the Department gives the individual the benefits if the individual's whereabouts become known during the period covered by the returned benefits. See OAR 461-165-0130 for when SNAP.¶~~

~~(3) In all programs except the SNAP and TA-DVS programs, if Department mail or benefits may be sent out of Oregon. If have been returned with no forwarding address, and the individual's whereabouts are main unknown, the Department ends benefits by sending the following decision notice to their last known address:¶~~

~~(a) Except for Employment Payments, and JPI, and the SNAP program, a basic decision notice.¶~~

~~(b) For Employment Payments, JPI, and the SNAP program, no decision notice is required basic decision notice.¶~~

~~(b) For Employment Payments and JPI, no decision notice is required.¶~~

~~(4) In the SNAP program,¶~~

~~(a) When the filing group is participating in the Change Report System (CRS) and:¶~~

~~(A) Department mail or benefits have been returned with no forwarding address, or with an Oregon address not yet reported to ODHS, the Department shall allow the filing group 10 days to meet residence and shelter cost reporting requirements under OAR 461-170-0011. If the information is not provided, the Department sends a timely continuing benefit decision notice.¶~~

~~(B) Department mail or benefits have been returned with an address outside of Oregon, no decision notice is required to end benefits.¶~~

~~(b) When the filing group is participating in the Simplified Reporting System (SRS) or Transitional Benefit Alternative (TBA).¶~~

~~(A) The Department shall not end SNAP program benefits when Department mail or benefits have been~~

returned.

(B) The Department shall end benefits when the head of household (see OAR 461-001-0015) reports they moved out of Oregon and no longer meet residency requirements under OAR 461-120-0010, or when they are applying for benefits in another state. No decision notice is required.

(5) In the TA-DVS program, the Department shall not end benefits when Department mail or benefits have been returned with no forwarding address and the individual's whereabouts remain unknown.

(6) See OAR 461-165-0130 for when benefits may be sent out of Oregon.

Statutory/Other Authority: 411.060, 411.070, 411.404, 411.816, 412.014, 412.049, ORS 329A.500, 409.050, 413.085, 414.685

Statutes/Other Implemented: 411.060, 411.070, 411.404, 411.816, 412.014, 412.049, ORS 329A.500, 409.010

AMEND: 461-180-0125

RULE SUMMARY: OAR 461-180-0125 is being changed to remove the SNAP program from the rule and to make remaining language more accurate and respectful.

CHANGES TO RULE:

461-180-0125

Effective Dates; Reopen After Returned Mail; ERDC, ~~SNAP~~

In the ERDC and ~~SNAP~~ programs, benefits may be reopened effective the first of the month when mail is returned by the U.S. Post Office marked and benefits are closed "undeliverable, no forwarding address" OAR 461-175-0210 in the following situation:

- (1) Benefits ended as of the last calendar day of the prior month;
- (2) The reason for the case closure was mail returned, no forwarding address; and
- (3) ~~The client~~ A responsible member of the filing group (see OAR 461-110-0350) contacted the Department within the first calendar month following the case closure with a new mailing address.

Statutory/Other Authority: 411.060, 411.816

Statutes/Other Implemented: ORS 411.060, 411.816