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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

SSP 51-2022

CHAPTER 461

DEPARTMENT OF HUMAN SERVICES

SELF-SUFFICIENCY PROGRAMS

FILED

10/13/2022 9:06 AM
ARCHIVES DIVISION
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& LEGISLATIVE COUNSEL

FILING CAPTION: Temporary Rules about The Confederated Tribes of Siletz Indians TANF and 2021/22 P-EBT

EFFECTIVE DATE: 10/15/2022 THROUGH 04/12/2023

AGENCY APPROVED DATE: 10/13/2022

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NEED FOR THE RULE(S):

OAR 461-135-0070 about Specific Requirements; TANF, needs to be amended to align the rule with a new grant agreement between ODHS and The Confederated Tribes of Siletz Indians about the eligibility of their Tribal Members for the ODHS TANF program.

OAR 461-135-1511 about Pandemic Electronic Benefits Transfer (P-EBT), OAR 461-135-1512 about Application and Eligibility; P-EBT, OAR 461-135-1513 about Benefit Amount and Issuance of Benefit; P-EBT, and OAR 461-135-1514 about Benefit Access and Use; P-EBT, need to be amended to implement the provisions that govern Pandemic EBT for the 2021-2022 school year.

JUSTIFICATION OF TEMPORARY FILING:

The Department finds that failure to act promptly by amending OAR 461-135-0070 will result in serious prejudice to the public interest, the Department, and Tribal Members of The Confederated Tribes of Siletz Indians who wish to apply for the ODHS TANF program. The Department needs to proceed by temporary rule due to the necessity to expand eligibility to Tribal Members, as stated in the rule, which allows The Confederated Tribes of Siletz Indians and ODHS to provide an additional layer of safety to applicants. Failure to act immediately will delay the implementation of these new safety measures for applicants and the Grant Agreement. This temporary rule amendment will enact these safety enhancements and the Grant Agreement upon its filing date.

The Department finds that failure to act promptly by amending OAR 461-135-1511, 461-135-1512, 461-135-1513, and 461-135-1514 will result in serious prejudice to the public interest, the Department, and individuals who receive SNAP, have received P-EBT in the past, and are hoping to receive P-EBT for the 2021/2022 school year program period. The Department needs to proceed by temporary rule due to the necessity to have rules in place governing P-EBT issuances and eligibility before the issuances are sent. Failure to act immediately will leave the program and issuances unsupported in rule, creating confusion and possibly errors as well. These temporary rule amendments clearly establish various details of the P-EBT 2021/2022 school year program period before issuances go out this month, hopefully making the program and benefits clear to ODHS staff, the public, and P-EBT recipients.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OAR 461-135-0070

Grant Agreement number 174732 is available from the TANF policy analyst team upon request.

OAR 461-135-1511, 461-135-1512, 461-135-1513, and 461-135-1514

- Pandemic EBT – State Plans for 2021-2022, available here: <https://www.fns.usda.gov/snap/pebt-state-plans-2021-2022>
- P-EBT Q&A P-EBT Assistance for Children in Schools and Child Care School Year 2021-2022, available here: <https://fns-prod.azureedge.us/sites/default/files/resource-files/Attachment-1-PEBT-QA-School-Year-2021-2022.pdf>
- State Plan for Pandemic EBT Children in School and Child Care, 2021-2022, available here: https://fns-prod.azureedge.us/sites/default/files/resource-files/PEBT_Oregon_Childcare_ODHS_Updates_7-26.pdf
- United States Department of Agriculture Pandemic Electronic Benefits Transfer Program (P-EBT) Approval of Oregon's State Plan for Children in Child Care, School Year 2021-2022, available here: https://fns-prod.azureedge.us/sites/default/files/resource-files/Oregon_P-EBT_Approval_Letter_SY_21-22_child_care_only_08-04-22.pdf

RULES:

461-135-0070, 461-135-1511, 461-135-1512, 461-135-1513, 461-135-1514

AMEND: 461-135-0070

RULE SUMMARY: OAR 461-135-0070 is being changed to allow members of The Confederated Tribes of Siletz Indians who live in their service area, choose to apply and receive ODHS TANF benefits when there are safety concerns in pursuing TANF from The Confederated Tribes of Siletz Indians.

CHANGES TO RULE:

461-135-0070

Specific Requirements; TANF ¶¶

(1) To be eligible for TANF program benefits:¶¶

(a) An individual must be one of the following:¶¶

(A) A dependent child (see OAR 461-001-0000). However, a dependent child for whom foster care payments are made is not eligible while the payments are being made for the dependent child.¶¶

(B) A caretaker relative (see OAR 461-001-0000) of an eligible dependent child when the caretaker relative:¶¶

(i) Is receiving TANF program benefits for the dependent child, or¶¶

(ii) Is applying for TANF program benefits for the dependent child.¶¶

(C) A caretaker relative of a dependent child, when the dependent child is ineligible for TANF program benefits because of one of the following reasons:¶¶

(i) The child is receiving SSI.¶¶

(ii) The child is in foster care, but is expected to return home within 30 days.¶¶

(D) A parent (see OAR 461-001-0000) of an unborn, as follows:¶¶

(i) For the TANF program, any parent whose only child is an unborn child once the pregnancy has reached the calendar month before the month in which the due date falls.¶¶

(ii) For the TANF program, the parent of an unborn child, if there is another dependent child in the filing group.¶¶

(b) Unless the individual is exempt from JOBS participation and JOBS disqualification under OAR 461-130-0310, an individual must demonstrate two-consecutive weeks of cooperation in appropriate activities (see OAR 461-001-0025) if:¶¶

(A) TANF program benefits had closed within the prior three consecutive calendar months from the filing date (see OAR 461-115-0040) for TANF with an active level 1 through level 4 TANF program disqualification (see OAR 461-130-0330 and 461-135-0085); or¶¶

(B) The filing date for TANF program benefits is within the prior three consecutive calendar months after the end of a two consecutive month period of TANF ineligibility according to OAR 461-130-0330(5)(e).¶¶

(c) The TANF program monthly benefit amount determined under OAR 461-160-0100 must be \$10 or greater.¶¶

(2) As used in this rule:

(a) Except as provided otherwise in this section, "good cause" means a reasonable person of normal sensitivity, exercising ordinary common sense under similar circumstances, would have --

(A) Quit work, including in anticipation of discharge;

(B) Participated in behavior leading to the individual's discharge; or

(C) Voluntarily reduced work hours.

(b) For an individual with a physical or mental impairment (as defined at 29 CFR 1630.2(h)), except as provided otherwise in subsection (c) of this section, "good cause" for leaving work means that a reasonable person with the characteristics and qualities of such individual under similar circumstances would have --

(A) Quit work, including in anticipation of discharge;

(B) Participated in behavior leading to the individual's discharge; or

(C) Voluntarily reduced work hours.

(c) There is no "good cause" if the reason for separation from employment is a labor dispute.

(3) Except as provided under section (4) of this rule, a need group (see OAR 461-110-0630) is not eligible for TANF program benefits for 120 days from the date a parent or caretaker relative was separated from or voluntarily reduced work hours at their last employment in which a parent or caretaker relative in the need group was hired to work 100 or more hours per month or worked or was scheduled to work 100 or more hours in the last full calendar month of employment. This applies at initial certification, recertification, and is a condition of ongoing eligibility (see OAR 461-001-0000).

(4) A need group (see OAR 461-110-0630) may not be reduced or denied TANF program benefits based on section (3) of this rule if the parent or caretaker relative is one of the following:

(a) A teen parent (see OAR 461-001-0000) returning to high school or equivalent.

(b) An individual fleeing from or at risk of domestic violence (see OAR 461-001-0000).

(c) An individual who is pregnant and the pregnancy has reached the first of the calendar month prior to the month in which the due date falls.

(d) An individual who is pregnant and experiencing medical complications due to the pregnancy that prohibit participation in activities of the program and are documented by a qualified and appropriate professional.

(e) An individual unable to work due to a disability or medical condition documented by a qualified and appropriate professional, and which is expected to last for 30 days or more from the filing date for TANF program benefits.

(f) An individual who was separated from employment for a reason the Department determines is good cause as defined in section (2) of this rule.

(g) An individual who was separated from employment as a result of a layoff.

(5) Members of The Klamath Tribes may apply for either The Klamath Tribes TANF program or the ODHS TANF program.

(a) A Level 1 or Level 2 Klamath Tribes TANF program benefit disqualification does not establish an ODHS TANF program disqualification.

(b) For families whose Klamath Tribes TANF program benefits have been closed due to failure to comply with program requirements:

(A) The Klamath Tribes TANF program shall decide if the family may receive TANF from the ODHS TANF program (if eligible under Chapter 461).

(B) If the Klamath Tribes TANF program decides the family may receive TANF from ODHS, the ODHS TANF benefits shall be initially approved with no ODHS TANF program disqualification.

(6) For the Confederated Tribes of Siletz Indians of Oregon, a family is ineligible for ODHS TANF program benefits if all of the following subsections apply to the family:

(a) A parent, caretaker relative, or child is a member of The Confederated Tribes of Siletz Indians of Oregon and lives in one of the eleven service area counties: Benton, Clackamas, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, or Yamhill counties.

(b) The family includes members who are living in the same household and at least one of the following paragraphs applies:

(A) A two-parent family with one enrolled Siletz tribal member with a shared dependent child.

(B) A single-parent family with one enrolled Siletz tribal member.

(C) A non-needy caretaker relative or essential person with one enrolled Siletz tribal member who is a minor.

(D) A pregnant enrolled Siletz tribal member in their eighth month of pregnancy.

(c) The family is eligible for the Siletz Tribes TANF program or would be eligible for the Siletz Tribes TANF program if not for the failure of the family to cooperate with Siletz TANF program requirements.

(7) If a parent or caretaker relative covered by section (6) of this rule fails to follow through with a Department referral to The Confederated Tribes of Siletz Indians of Oregon TANF program, the entire filing group is ineligible for ODHS TANF program benefits.

(8) Notwithstanding sections (6) and (7) of this rule, a family who requests to apply for TANF through the ODHS TANF program rather than The Confederated Tribes of Siletz Indians TANF program due to a safety concern is not ineligible for ODHS TANF program benefits.

Statutory/Other Authority: ORS 409.050, 411.060, 411.070, 411.400, 411.404, 412.006, 412.016, 412.049, 412.124

Statutes/Other Implemented: ORS 409.010, 411.060, 411.070, 411.400, 411.404, 412.006, 412.016, 412.049, 412.064, 412.124

AMEND: 461-135-1511

RULE SUMMARY: OAR 461-135-1511 is being changed to update rule provisions to support the P-EBT program period September 2021 through May 2022.

CHANGES TO RULE:

461-135-1511

Pandemic Electronic Benefits Transfer (P-EBT) ¶¶

(1) OARs 461-135-1511 through 461-135-1515 apply to Pandemic Electronic Benefits Transfer (P-EBT). Except as provided for in OARs 461-135-1511 through 461-135-1515, P-EBT is not subject to Chapter 461 rules.¶¶

(2) P-EBT is a food benefit intended to reimburse eligible individuals for the value of the free or reduced-priced meals and snacks usually provided at ~~school or~~ child care centers. Any person using an Electronic Benefits Transfer (EBT) card issued on behalf of a P-EBT eligible individual shall spend the P-EBT benefits to provide meals and snacks to the P-EBT eligible individual.¶¶

(3) Although P-EBT benefits are issued to an EBT account linked to an EBT card, P-EBT is separate and apart from the SNAP program.¶¶

(4) P-EBT is administered in partnership between ODHS and the Oregon Department of Education Child Nutrition Program.¶¶

(5) The following definitions apply to OAR 461-135-1511 to 461-135-1515:¶¶

(a) "FNS" refers to the Food and Nutrition Service, United States Department of Agriculture.¶¶

(b) ~~"NSLP" refers to the National School Lunch Program.¶¶~~

(c) ~~"NSLP school" refers to an Oregon public school, nonprofit private school, or residential child care institution that is a sponsor of the National School Lunch Program (NSLP).¶¶~~

(d) ~~"NSLP students" refers to individuals enrolled in Oregon public schools, nonprofit private schools, or residential child care institutions that provide meal service as a sponsored National School Lunch Program (NSLP) school.¶¶~~

(e) "ODE" refers to the Oregon Department of Education.¶¶

(f) "P-EBT" refers to Pandemic Electronic Benefits Transfer.¶¶

(g) "SNAP participants" refers to individuals who are a member of a SNAP ~~benefit~~filing group (see OAR 461-110-03750) that received more than \$0 in SNAP benefits.

Statutory/Other Authority: ORS 411.806 - 411.845

Statutes/Other Implemented: ORS 411.806 - 411.845

AMEND: 461-135-1512

RULE SUMMARY: OAR 461-135-1512 is being amended to adopt provisions about application and eligibility for the P-EBT program that support P-EBT program period September 2021 through May 2022.

CHANGES TO RULE:

461-135-1512

Application and Eligibility; P-EBT

(1) ~~Apart from applying for free or reduced meals through ODE or an NSLP school, there is no application for P-EBT program period October 2020 through May 2021.~~

(2) ~~P-EBT eligibility is based upon and evaluated under two separate criteria, NSLP students and SNAP participants.~~

(a) ~~Individuals who were homeschooled or enrolled in a school that does not participate in the NSLP are not eligible for P-EBT.~~

(b) ~~NSLP students who were determined eligible for free or reduced meals under Oregon's Extended Income Limits, and were not SNAP participants, are not eligible for P-EBT.~~

(c) ~~NSLP student-based P-EBT: P-EBT eligibility for NSLP students is determined by the NSLP school and is based on the individual meeting one of the following criteria, or receiving services from one of the following programs, for any months beginning October 2020 through the 2020-21 school year:~~

~~2 based on the following criteria:~~

(Aa) ~~Determined income eligible based on NSLP eligibility criteria as determined by ODE, the local education agency, or a state agency that ODE has designated to determine student eligibility for P-EBT;~~

(B) ~~SNAP participant or a member of a TANF program benefit group (see OAR 461-110-0750);~~

(C) ~~Placement in foster care;~~

(D) ~~Food Distribution Program on "Indian" Reservations (FDPIR);~~

(E) ~~Migrant Education Program (MEP); or~~

(F) ~~McKinney-Vento Act's Education of Homeless Children and Youth Program.~~

(d) ~~SNAP Participant-based P-EBT: P-EBT eligibility for children ages six years old and younger is determined by ODHHS and evaluated in two separate age groups, children ages five and younger and children age six years old. P-EBT eligibility begins the month the child became a SNAP participant.~~

(A) ~~Children ages five years and younger are eligible for P-EBT if they were a SNAP participant for at least one month between October 2020 and May 2021.~~

(B) ~~Children age six years old are eligible for P-EBT by meeting the following for at least one month between October 2020 and May 2021:~~

(i) ~~SNAP participant;~~

(ii) ~~Not enrolled in school (except for an NSLP school, and in such case, eligibility is determined under subsection (c) of this rule), and~~

(iii) ~~Enrolled in a child care center that reduced hours or attendance due to a designated public health emergency. A caretaker of the child shall provide verification of the enrollment and child care center's reduced hours or attendance. A verbal statement is acceptable verification.~~

(b) ~~Under six years of age.~~

Statutory/Other Authority: ORS 411.816

Statutes/Other Implemented: ORS 411.816, PL 116-127, PL 116-159, PL116-260, PL 117-2

AMEND: 461-135-1513

RULE SUMMARY: OAR 461-135-1513 is being amended to adopt P-EBT benefit amount and issuance provisions to support the program period September 2021 through May 2022.

CHANGES TO RULE:

461-135-1513

Benefit Amount and Issuance of Benefit; P-EBT

~~(1) P-EBT Benefit Standard and Determination~~

~~(a) The full monthly P-EBT benefit standard is \$136 monthly.~~

~~(b) The partial P-EBT benefit standard is \$75 monthly.~~

~~(c) The P-EBT benefit amount is evaluated on a month-by-month basis and may vary from month to month. The September 2020 P-EBT benefit amount is evaluated under subsection (2)(d) of this rule is \$63 for each month a child is eligible within the program period September 2021 through May 2022.~~

~~(d) NSLP students—Each NSLP school determines a P-EBT benefit amount for each month. This amount applies to all NSLP students of the school who are P-EBT eligible (see OAR 461-135-1512) during that month.~~

~~(e) SNAP participants—Children ages six and younger shall receive, for each month they are P-EBT eligible (see OAR 461-135-1512), the greater of the P-EBT benefit amount determined by any NSLP school in the county in which the child:~~

~~(A) Resided, or~~

~~(B) Attended child care, unless a statewide order is present which closed or reduced attendance statewide at child care centers.~~

~~(2) P-EBT Benefit Amount; Program Period October 2020 through May 2021 and September 2020 Supplement—P-EBT benefits will be issued to the SNAP case of which the child was a household member.~~

~~(a) Full P-EBT benefit of \$136—An NSLP school shall determine a full P-EBT benefit amount for a month in which the majority of NSLP students attended comprehensive distance learning, or breakfast and lunch meal service was not provided on-site will be issued through a batch issuance.~~

~~(b) Partial P-EBT benefit of \$75—An NSLP school shall determine a partial P-EBT benefit amount for a month in which 75 percent or greater of NSLP students attended both onsite and virtual through a hybrid learning model and breakfast and lunch meal service was provided on-site will be issued according to the following schedule:~~

~~(c) No P-EBT benefit—An NSLP school shall determine a zero P-EBT benefit amount when NSLP students attended school on-site and breakfast and lunch meal service was provided.~~

~~(d) The P-EBT benefit supplement for September 2020 is evaluated by subtracting the P-EBT benefit amount issued during September 2020 from \$136. The difference is the supplement. If the difference is negative, the supplement is zero. Initial issuance no later than October 31, 2022.~~

~~(b) A resolution issuance, for children who did not receive is zero, or less than zero, no P-EBT benefit supplement is issued.~~

~~(3) P-EBT benefits for program period October 2020 through May 2021, and the September 2020 supplement, shall be issued as follows on a date determined by ODHS:~~

~~(a) P-EBT benefits for the months of October, November, and December 2020 shall be issued in July 2021.~~

~~(b) P-EBT benefits for the months of January, February, and March 2021 shall be issued in August 2021.~~

~~(c) P-EBT for the months of April and May 2021, and the supplement for September 2020, shall be issued in September 2021; the initial issuance, no later than December 31, 2022.~~

~~(c) There will be no additional reconciliation or issuance of benefits for children who were not issued P-EBT during the dates in subsections (a) or (b) of this section.~~

~~(d) P-EBT benefits, once issued, shall not be transferred to another EBT account.~~

Statutory/Other Authority: ORS 411.816

Statutes/Other Implemented: ORS 411.816, PL 116-127, PL 116-159, PL 116-260, PL 117-2

RULE SUMMARY: OAR 461-135-1514 is being amended to adopt P-EBT benefit access and use provisions to support the P-EBT program period September 2021 to May 2022.

CHANGES TO RULE:

461-135-1514

Benefit Access and Use; P-EBT

(1) P-EBT benefit eligibility is based solely on the individual circumstances of the ~~student or child~~, therefore, P-EBT benefits issued to an EBT account are to be used to provide meals and snacks for the P-EBT eligible individual, except for,¶

(a) When the P-EBT eligible individual has passed away, or¶

(b) When the P-EBT eligible individual is a SNAP participant at the time of P-EBT issuance, but not residing with the ~~benefit filing~~ group (see OAR 461-110-03750).¶

(2) P-EBT benefits, once issued, shall not be transferred to a new EBT account.¶

(3) ~~P-EBT benefit EBT accounts that are not also the EBT account of a SNAP case, shall have only one active EBT card at a time. When a new EBT card is issued, the previous EBT card shall be cancelled.¶~~

~~(4) When an individual age six and younger is found eligible for "SNAP participant-based P-EBT" under subsection (2)(d) of OAR 461-135-1512, EBT accounts and EBT cards are handled as follows:¶~~

~~(a) When a child is found eligible for P-EBT, P-EBT benefits are issued to the existing EBT account of the SNAP benefit group, and¶~~

~~(b) No additional EBT card is issued, unless¶~~

~~(c) A primary person (see OAR 461-001-0015) in the SNAP benefit group requests ~~filing~~ group of the child.¶~~

~~(4) For P-EBT benefits be issued separately. When this occurs:¶~~

~~(A) An EBT account is established in the name of the P-EBT eligible child, and by EBT.¶~~

~~(B) An EBT card linked to the EBT account is sent to the address of the primary person.¶~~

~~(5) When an individual is found eligible for "NSLP student-based P-EBT" under subsection (2)(c) of OAR 461-135-1512, EBT accounts and EBT cards are handled as follows:¶~~

~~(a) NSLP students who are also SNAP participants-¶~~

~~(A) P-EBT The Department considers benefits are issued to the existing EBT account of the SNAP benefit group, and¶~~

~~(B) No additional EBT card is issued, unless¶~~

~~(i) The Department determines an EBT card shall be issued to a different caretaker of the NSLP student under section (6) of this rule, or¶~~

~~(ii) A primary person (see OAR 461-001-0015) in the SNAP benefit group requests P-EBT benefits be issued separately.¶~~

~~(C) When paragraph (B) of this subsection occurs,¶~~

~~(i) An EBT account is established in the name received when an EBT card and personal identification number (PIN) have been issued in person to the client, of the P-EBT eligible child, and¶~~

~~(ii) An EBT card linked to the EBT account is sent to the caretaker or primary person, as determined appropriate by ODHS.¶~~

~~(b) All other NSLP students-¶~~

~~(A) An EBT account is established in the name of the NSLP student,¶~~

~~(B) An EBT card linked to the EBT account is sent to the address (reported to ODHS by ODE) of the NSLP student,¶~~

~~(C) Caretakers of the NSLP student will ensure the EBT card follows the P-EBT eligible individual, and¶~~

~~(D) No additional EBT card is issued, unless the Department determines an EBT card shall be issued to a different caretaker of the NSLP student under section (6) of this rule EBT card has been received and a PIN selected, and the benefits have been made available to the client in their EBT account.¶~~

~~(6b) The Department may issue a new EBT card when a caretaker reports to ODHS they are the primary caretaker and meal provider of an NSLP student and requests access to the individual's P-EBT benefits, as follows:¶~~

~~(a) The Department shall only make Unused benefits remain available for client access for 9 calendar month this evaluation and new EBT card issuance for individuals with NSLP student-based P-EBT (see OAR 461-135-1512(2)(c)).¶~~

~~(b) NSLP students whose P-EBT (274 days) from the date the benefits were issued to the EBT account of a SNAP benefit group:¶~~

~~(A) Access to remaining P-EBT benefits issued to the EBT account of a SNAP benefit group is not permitted.¶~~

~~(B) Access to future P-EBT benefit issuances shall begin when the Department establishes an EBT account in the name of the NSLP student, issues a new EBT card to the primary caretaker, and completes all required changes in~~

the system.¶

(C) A request for P-EBT benefit access made by the 10th of a month may result in access to the P-EBT benefits issued in the following month.¶

(c) NSLP students whose P-EBT benefits are issued to an EBT account in the student's name:¶

(A) Access to remaining P-EBT benefits begins on the date the Department issues the new EBT card. When a new EBT card is issued to a caretaker under this section, the previous EBT card is cancelled and access to any remaining P-EBT benefits through the cancelled card ends immediately. Unused benefits are expunged by the oldest benefit allotment after 9 calendar months (274 days) if none of the benefits have been used during 9 calendar months (274 days). "Used" includes a purchase or withdrawal of any amount.¶

(Bd) Access to future P-EBT benefit issuances shall begin on the date the Department issues the new EBT card.¶

(d) Evaluating a caretaker request for access to NSLP student-based P-EBT:¶

(A) There is a rebuttable presumption that the below individuals are the primary caretaker and meal provider:¶

(i) A caretaker granted sole legal custody,¶

(ii) An individual who has adopted the child,¶

(iii) The parent or guardian of a student temporarily away at school (e.g. attending boarding school) or a child attending but not residing at a Residential Child Care Institution, or¶

(iv) An emancipated child or a child independently responsible for their basic needs.¶

(B) When a request to access P-EBT comes from parents granted joint custody or an individual not listed in subsection (e) of this section, the Department shall request reasonable verification to assist in determining who is the primary caretaker and meal provider of the NSLP student. This may include, but is not limited to, parenting time schedules, statement from a healthcare or other professional, or a written affidavit from the caretaker.¶

(e) No notice is sent when access to the P-EBT benefits of an NSLP student is changed. If benefit expungement is delayed past the required 9 calendar months (274 days) for any reason, all unused benefits that have reached or exceeded the 9 calendar months (274 days) shall be expunged at the earliest date possible.¶

(e) Expunged benefits shall not be restored to the client.

Statutory/Other Authority: ORS 411.816

Statutes/Other Implemented: ORS 411.816, PL 116-127, PL 116-159, PL116-260, PL 117-2