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Revised

Issue Date: 04/01/2008

CAF Self-Sufficiency Programs

Authorized Signature

Topic: CAF Self-Sufficiency Programs Administrative Rules Manual Updates (including some Seniors and People with Disabilities programs)

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Other (please specify): All Users of the CAF Self-Sufficiency Programs Administrative Rules Manual |

Policy/Rule Title:	Various Self-Sufficiency and Seniors and People with Disabilities programs Administrative Rules		
Policy/Rule Number(s):	Various (see below)	Release No:	ARM-47
Effective Date:	March or April 1, 2008 (unless otherwise noted)	Expiration:	N/A
References:			
Web Address:	http://www.dhs.state.or.us/policy/selfsufficiency/ar_search.htm http://dhsmanuals.hr.state.or.us/Adminrules/ManualLetters/RulesMnl47.htm		

Discussion/Interpretation:

OAR 461-001-0000 (Definitions for Chapter 461) is being amended to make permanent a temporary amendment adopted October 1, 2007. The rule is being amended to state how the term "dependent child" is defined for rules about the REF (Refugee Assistance) program, state how the term "minor parent" is defined for rules about the REF and REFM (Refugee Assistance Medical) programs, state how the term "disability" is defined for REF, SFPSS, TA-DVS, and TANF programs, state how the term "family stability" is defined in the , Pre-TANF, Post-TANF, SFPSS, TA-DVS, and TANF programs, and state how the term "family stability activity" is defined in the Pre-TANF, Post-TANF, SFPSS, TA-DVS, and TANF programs. This rule is also being amended to add cross-references and follow standard formatting. (Effective March 1, 2008.)

OAR 461-001-0000 about definitions for terms used in OAR chapter 461 is being amended to change the definition of shelter-in-kind to include shelter provided by an agency or person outside of the financial group and to clarify what constitutes shelter-in-kind. Previously, shelter-in-kind only included shelter provided by an agency or person outside of the household group. Additionally, the rule is being amended for the Oregon Supplemental Income Program (OSIP), Oregon Supplemental Income Program Medical (OSIPM), and Qualified Medicare Beneficiary (QMB) program to remove certain types of shelter and situations where no shelter is being provided from the definition of shelter-in-kind. For OSIP, OSIPM, and QMB, shelter in-kind does not automatically apply in all situations where there are no shelter costs. (Effective April 1, 2008.)

OAR 461-001-0025 (Definitions of Terms, Components, and Activities; JOBS, Pre-TANF, Post-TANF, TANF) is being amended to make permanent a temporary amendment adopted October 1, 2007. The rule is being amended to revise the definitions of Job Opportunity and Basic Skills (JOBS) components and activities to conform to the interim final regulations issued by the Department of Health and Human Services. This rule classifies all JOBS activities as an activity or component of the JOBS program. Additional definitions are added for new JOBS activities (such as the Community Service Program), new components (such as Job Search and Job Readiness), and new JOBS policies (such as the Fair Labor Standards Act). This rule is also being amended to indicate that the definitions also apply in the Pre Temporary Assistance for Needy Families (Pre-TANF), Temporary Assistance for Needy Families (TANF), and Post Temporary Assistance for Needy Families (Post-TANF) programs. (Effective March 1, 2008.)

OAR 461-025-0310 (Hearing Requests) is being amended to make permanent a temporary amendment adopted October 1, 2007. The rule is being amended to increase the time limit for Temporary Assistance for Needy Families (TANF) and Refugee (REF) clients to request hearings related to disqualifications or penalties. This amendment gives clients the right to request a hearing within 90 days following the effective date of a reduction or termination of benefits as a result of JOBS disqualification or a penalty for failure to seek treatment for substance abuse or mental health. Currently, clients have a right to request a hearing within 45 days following the date of the decision notice to reduce or terminate benefits. This rule is also being amended to remove the section that stated that there is no right to a hearing to dispute a program requirement established by law. This rule is also being amended to remove old terminology and replace it with new terms. In addition, this rule is being amended to add cross-references to other rules and laws. (Effective March 1, 2008.)

OAR 461-025-0310 about requests for hearings in public assistance, medical, and food stamp programs is being amended to clarify that individuals have a right to a contested case hearing when the Department has issued a notice to an employer participating in the JOBS program seeking repayment under ORS 411.892. This rule is also being amended to clarify the circumstances when a client is entitled to a hearing when the Department has not acted on a request or application for public assistance. (Effective April 1, 2008.)

OAR 461-025-0350 about withdrawals of hearing requests is being amended to make permanent a temporary rule adopted on January 1, 2008, implement HB 2423 (2007 Or. Laws, ch. 288) and adjust the process that applies to a client withdrawal from contested case. This amendment specifies when an individual may withdraw a request for hearing, the actions taken after a withdrawal occurs, and how an individual may cancel a withdrawal of a request for hearing. (Effective April 1, 2008.)

OAR 461-101-0010 (Program Acronyms and Overview) is being amended to add the Post Temporary Assistance for Needy Families (Post-TANF), Pre-Temporary Assistance for Needy Families (Pre-TANF), and State Family Pre SSI/SSDI (SFPSS) programs to the rule. (Effective March 1, 2008.)

OAR 461-105-0010 (Rights of Clients) is being amended to make permanent a temporary amendment adopted October 1, 2007. This rule is being amended to add a provision that gives State Family Pre-SSI/SSDI (SFPSS), Temporary Assistance for Needy Families (TANF), Pre-TANF, and Refugee (REF) clients the right to be offered screenings or evaluations that identify barriers or disabilities unknown to the program. This rule is also being amended to give the clients in the REF, SFPSS, and TANF programs the right to decline such screenings and evaluations. This rule is being further amended to indicate that its discrimination prohibitions apply to state-funded programs. This rule is also being amended to add cross-references to other rules, Department procedures, and laws. (Effective March 1, 2008.)

OAR 461-110-0630 about the individuals considered part of the need group is being amended to make permanent a temporary rule amendment adopted October 1, 2007 and change the requirements that apply to the Oregon Health Plan - Children's Health Insurance Program (CHIP or OHP-CHP) need group. The need group is group is the individuals whose basic and special needs are used in determining eligibility and benefit level. Effective October 1, 2007, CHIP clients will be required to provide or apply for a social security number as part of the eligibility process. CHIP clients who do not provide or apply for a social security number will not be part of the CHIP need group. Individuals excluded from the need group for medical program benefits are not considered when determining eligibility. This rule is also being amended to make permanent the temporary rule effective October 1, 2007 to state that a Temporary Assistance for Needy Families (TANF) program client cannot be in the need group when the client has exceeded the 60-month time limitation and does not meet any of the time limit exceptions. (Effective March 1, 2008.)

OAR 461-115-0030 about the date of request is being amended to make permanent the temporary rule amendment adopted October 1, 2007 and add the State Family Pre-SSI/SSDI (SFPSS) program to the rule. The amendment to this rule specifies the date of request in the SFPSS program. (Effective March 1, 2008.)

OAR 461-115-0050 about when individuals must file an application for public assistance, medical and food stamp programs is being amended to support the OHP Reservation List process by specifying that in order to be eligible for OPU category of Oregon Health Plan (OHP-OPU or OHP Standard) benefits, certain individuals are required to use the OHP Standard Reservation List Application - OHP Application (OHP 7210R). The OHP Standard Reservation List process is being implemented to track requesters for the program. Currently OHP Standard program applicants whose children or spouse are already receiving medical benefits from the Department of Human Services are not required to complete a new application when requesting OHP Standard benefits for themselves. The rule is being amended to require completion of the OHP 7210R in order to be considered for OHP Standard. The OHP 7210R will be mailed to individuals on the OHP Standard Reservation List. Placement on the list is based on a first come, first served basis. Depending upon their placement on the list and the funds available for new enrollees, persons with a reservation may be mailed a DHS 7210R. Requesters who are mailed the DHS 7210R may be considered for the OHP Standard program. (Temporary rule effective January 28, 2008 through June 30, 2008.)

OAR 461-115-0190 about application processing time frames in programs other than food stamps or Pre-Temporary Assistance for Needy Families (Pre-TANF) is being amended to make permanent a temporary amendment filed October 1, 2007 and state when a new application is required to add an individual to a benefit group in the Refugee Assistance (REF) program. (Effective March 1, 2008.)

OAR 461-115-0430 about periodic redeterminations in programs other than Emergency Assistance (EA), Employment-Related Day Care (ERDC), Extended Medical Assistance (EXT), Food Stamp (FS), Oregon Health Plan (OHP), Refugee Program (REF), Refugee Program Medical (REFM), or Temporary Assistance to Domestic Violence Survivors (TA-DVS) is being amended to make

permanent a temporary amendment filed October 1, 2007, implement HB 2469 (2007 Oregon Laws Chapter 861), and state the eligibility redetermination time frames for the State Family Pre-SSI/SSDI (SFPSS) program. (Effective March 1, 2008.)

OAR 461-115-0610 about verification is being amended to make updates to terminology and language and to align with current policy and practice related to domestic violence verification. Program intent and practice does not require verification of the occurrence of domestic violence in any program. (Effective April 1, 2008.)

OAR 461-115-0705 about required verification in the Department's Breast and Cervical Cancer Medical program (BCCM), Medical Assistance Assumed (MAA), Medical Assistance to Families (MAF), Extended Medical Assistance (EXT), Oregon Health Plan (OHP) and Medical Coverage for Children in Substitute or Adoptive Care (SAC) programs is being amended to make the rule consistent with the Department's policy and practice by removing EXT from the programs that require individuals to provide documentation of citizenship/identity. The Department's policy is that clients who are transitioning from the MAA or MAF program to EXT do not require a full medical redetermination so are not required to provide documentation of citizenship/identity. (Effective April 1, 2008.)

OAR 461-115-0715 about required verification in the State Family Pre-SSI/SSDI Program (SFPSS) is being adopted to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Or. Laws ch. 861, and state the verification requirements for eligibility in the SFPSS (State Family Pre-SSI/SSDI) program. (Effective March 1, 2008.)

OAR 461-120-0120 about the alien status requirements in the Refugee Assistance (REF) and Refugee Assistance Medical (REFM); 461-120-0125 about the alien status requirements in the Department's cash, medical, food stamp and public assistance programs; 461-135-0082 about eligibility for Refugee case services, and 461-135-0900 about requirements for the REF and REFM programs are being amended to add Iraqi and Afghan special immigrants as eligible for REF, REFM, ERDC, TANF, and FS benefits and services. Such individuals may be eligible for a maximum of six months, and for the Food Stamp program, such individuals may not be eligible past September 30, 2008. (Temporary rules effective January 30, 2008 through July 28, 2008.)

OAR 461-120-0125 about the alien status requirements in the public assistance, medical and food stamp programs other than Refugee Assistance (REF) and Refugee Assistance Medical (REFM); OAR 461-135-0082 about eligibility for Refugee Case Services, and OAR 461-135-0900 about specific requirements for the Refugee Assistance (REF) and Refugee Assistance Medical (REFM) programs are being amended to comply with Section 1244 of Public Law 110-181 (the National Defense Authorization Act for Fiscal Year 2008) by changing the eligibility period for Iraqi special immigrants for REF, REFM, Employment- or Education-Related Day Care (ERDC), Temporary Aid for Needy Families (TANF), Medical benefits, and food stamp benefits and services from six months to eight months. (Temporary rules effective February 22, 2008 through July 28, 2008.)

OAR 461-120-0310 about clients who are required to assign support rights is being amended to include TANF programs who are partially funded by Title IV-A of the Social Security Act. This rule is also is being amended to state that filing groups in the EXT (Extended Medical Assistance), MAA (Medical Assistance Assumed), MAF (Medical Assistance to Families), OHP-OPC (Oregon Health Plan coverage for children who qualify under the 100 percent income standard) and OHP-OP6 (Oregon Health Plan coverage for children under age 6 who qualify under the 133 percent income standard) and OSIPM (Oregon Supplemental Income Program Medical) programs must assign to the state their right to receive, from any other person for any Medicaid-eligible child, cash medical support that has accrued or that accrues while the group receives assistance, not to exceed the total amount

of assistance paid. The filing group consists of the individuals from the household group (individuals who live together) whose circumstances are considered in the eligibility determination process. Cash medical support received by the Department will be retained by the Department as is necessary to reimburse the Department for program medical assistance payments made on behalf of the Medicaid-eligible child in the filing group. Once, yearly the remainder of the amount retained will be paid to the Medicaid-eligible child. (Effective March 1, 2008.)

ORAR 461-120-0340 (Clients Required to Help Department Obtain Support From Noncustodial Parent in the Temporary Assistance for Needy Families (TANF) program) is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and excuse from this requirement clients who receive benefits from state-only funded programs: Post-TANF, State Family Pre-SSI/SSDI (SFPSS), and two-parent families for which deprivation is based on unemployment or underemployment of both parents. This rule is also being amended to clarify terms and add cross references to other rules and laws. (Effective March 1, 2008.)

ORAR 461-120-0345 about clients who are required to cooperate in obtaining medical coverage from a non-custodial parent is being amended to state that clients are required to cooperate for obtaining both health coverage and cash medical support from a non-custodial parent. This rule is also being amended to clarify that clients in the OHP-CHP (Oregon Health Plan coverage for persons under age 19 who qualify under the 185 percent income standard for medical assistance authorized by the Children's Health Insurance Program provision of the 1997 Balanced Budget Act) and TANF programs are exempt from the requirements to assist public agencies in establishing paternity, obtaining an order directing the non-custodial parent to provide health care coverage or cash medical support for that child, and make a good faith effort to obtain available coverage under Medicare. This rule is being further amended to clarify the rule generally, clarify the clients to which the rule applies, and remove clients in the REFM (Refugee Medical) program from employer insurance requirements. This rule is also being amended to remove old terminology and replace it with new terms. In addition, this rule is being amended to add cross-references to other rules and laws. (Effective March 1, 2008.)

ORAR 461-125-0130, about evidence of deprivation based on continued absence in the Medical Assistance Assumed (MAA), Medical Assistance for Families (MAF), and Temporary Assistance for Needy Families (TANF) programs is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and to add a provision providing from HB 2469 that there is evidence of deprivation if the absent parent is not living in the same home as the dependent child and the visits of the absent parent with the child in the child's home do not exceed four times per week or a total of 30 hours per week (instead of the current 12 hours per week). This rule is also being amended to add cross-references to other rules and laws. (Effective March 1, 2008.)

ORAR 461-125-0260 about the impairment criteria in the State Family Pre-SSI/SSDI Program (SFPSS) is being adopted to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the impairment criteria for eligibility purposes for the SFPSS (State Family Pre-SSI/SSDI) program. (Effective March 1, 2008.)

ORAR 461-125-0310 about the basis of need in the OSIP (Oregon Supplemental Income Program) and OSIPM (OSIP Medical) programs is being amended to clarify that the blindness, old age, or disability basis of need applies to OSIPM (as well as to OSIP) and that children are not eligible for the \$1.70 SIP payment. This rule is also being amended to remove old terminology and replace it with new terms. In addition, this rule is being amended to add cross-references to other rules and laws. (Effective April 1, 2008.)

OAR 461-125-0810 is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement HB 2469, 2007 Oregon Laws Chapter 861, and add the SFPSS (State Family Pre-SSI/SSDI) program to this rule about the use of administrative medical examinations when determining disability for program eligibility. (Effective March 1, 2008.)

OAR 461-130-0305 about general provisions for client participation in the employment programs of the Food Stamp (FS), Post-Temporary Assistance for Needy Families (Post-TANF), Pre-Temporary Assistance for Needy Families (Pre-TANF), Refugee (REF), and Temporary Assistance for Needy Families (TANF) programs is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the requirements for clients in the Pre-TANF and Post-TANF programs to participate in employment programs. This rule is also being amended to state that the necessary information that clients must provide to the Department includes information needed to help the Department assess the client's level of participation in the employment programs. In addition, this rule is being amended to remove unnecessary information and to add cross-references to other laws. (Effective March 1, 2008.)

OAR 461-130-0310 about participation classifications in the employment programs of the Food Stamp (FS), Pre-Temporary Assistance for Needy Families (Pre-TANF), and Temporary Assistance for Needy Families (TANF) programs is being amended to make permanent a temporary rule amended October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and revise who is exempt from disqualification from the Job Opportunity and Basic Skills (JOBS) program to conform to new state laws and federal regulations. This amendment extends the exemption of clients with a newborn from three months to six months (for clients 20 years of age or older) and 16 weeks (for clients 19 years of age or younger). This amendment also exempts a parent who is providing care for a family member who has a disability. This rule is also being amended to indicate that the classification descriptions also apply in the Pre-TANF program. (Effective March 1, 2008.)

OAR 461-130-0315 about general requirements in the Pre-Temporary Assistance for Needy Families (Pre-TANF), Refugee (REF), Temporary Assistance for Needy Families (TANF) programs is being amended to make permanent a temporary adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the general requirements for mandatory clients in the Pre-TANF program. This rule is also being amended to clarify that a mandatory client is subject to disqualification only after the re-engagement process has been completed. This rule is being further amended to add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-130-0323 about general provisions in the State Family Pre-SSI/SSDI program (SFPSS) is being adopted to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, state participation requirements in the SFPSS (State Family Pre-SSI/SSDI) program, state the information that an applicant for SFPSS must provide to the Department, and state that SFPSS clients may participate in JOBS activities. (Effective March 1, 2008.)

OAR 461-130-0325 about participation requirements in the Food Stamp (FS), Refugee (REF), Temporary Assistance to Needy Families (TANF) programs is being amended to make permanent a temporary amendment adopted October 1, 2007 and change JOBS participation requirements by stating that a client must provide verifiable documentation of JOBS participation hours, including paid work, job search, and educational participation hours. This rule is also being amended to replace add cross-references to other rules and laws and to follow standard formatting. (Effective March 1, 2008.)

OAR 461-130-0327 about good cause is being amended to make permanent a temporary amendment adopted October 1, 2007. The rule is being amended to state that clients have good cause when participation is likely to cause undue hardship for the child or the client and when the client participates in suitable activities for the number of hours required each month to satisfy federally required participation rates. This rule is also being amended to state that clients have good cause when the client's prospective employer illegally discriminates based on sexual orientation. This rule is being further amended to state the good cause criteria in the Pre-TANF and State Family Pre-SSI/SSDI (SFPSS) programs. In addition, this rule is being reorganized to make it easier to follow and it is being amended to add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-130-0330 about disqualifications is being amended to make permanent a temporary rule amended October 1, 2007, implement the provisions of HB 2469, Oregon Laws Chapter 861, make permanent the new statutory disqualification structure (described in HB 2469) for clients in the Temporary Assistance for Needy Families (TANF) and Refugee (REF) programs. This rule is being amended to add new steps required of the Department before a disqualification can be applied, remove the current six-month disqualification structure, and establish a four-month disqualification structure. Under this amendment, the current penalty for the first two months of \$50 and loss of cooperation incentive (COI) will be removed. Under this rule as amended, the penalty for the first three months is that the needs of the non-cooperating adult are removed in addition to the COI. The penalty for the fourth month is that the benefit group will receive no cash. This rule is also being amended to remove old terminology and replace it with new terms. In addition, this rule is being amended to add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-130-0335 about removing disqualifications and the resulting effect on benefits is being amended to make permanent a temporary rule amended October 1, 2007, to implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, incorporate the new statutory disqualification structure (described in HB 2469) for clients in the Temporary Assistance for Needy Families (TANF) and Refugee (REF) programs. Under the new structure, clients in active disqualification status will be required to cooperate for a two-week period before cash benefits can be restored. This rule is also being amended to revise its description of the conditions in which disqualifications can be removed and to replace old terminology with new terms. In addition, this rule is being amended to clarify the rule and make it easier to understand and to add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-135-0010 about assumed eligibility for medical programs is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state that two-parent families for whom deprivation is based on unemployment or underemployment of both parents are not assumed eligible for the Medical Assistance Assumed (MAA) program, which provides medical assistance to people who are eligible for Temporary Assistance for Needy Families (TANF) or Pre-Temporary Assistance for Needy Families (Pre-TANF) programs. The MAA eligibility for these families will be based on the standard eligibility requirements. This rule is also being amended to update program names. (Effective March 1, 2008.)

OAR 461-135-0070 about specific requirements in the Medical Assistance Assumed (MAA), Medical Assistance to Families (MAF), and Temporary Assistance for Needy Families (TANF) programs is being amended to implement the new statutory disqualification structure (described in HB 2469, 2007 Oregon Laws Chapter 861) and make permanent a temporary rule amendment adopted October 1, 2007. This amendment removes a provision that allows for children to be disqualified from TANF for failure to comply with the requirements of the Job Opportunity and Basic Skills (JOBS) program or requirements related to mental health and drug and alcohol treatment. In addition, this rule is being amended to align the rule with Siletz Tribes TANF program eligibility and to clarify the situations in

which Siletz tribal families are ineligible for TANF through the Department because they are eligible for tribal TANF with the Siletz Tribe. (Effective March 1, 2008.)

OAR 461-135-0075 about the eligibility period limitation in the Temporary Assistance for Needy Families (TANF) program is being amended to make permanent a temporary rule amended October 1, 2007 and implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861. This rule is also being amended to add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-135-0085 about requirements to seek treatment is being amended to make permanent a temporary rule amendment adopted October 1, 2007 and implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, which contains the new statutory disqualification structure. This rule is also being amended to apply these requirements to clients in the Pre-Temporary Assistance for Needy Families (Pre-TANF) and State Family Pre-SSI/SSDI Program (SFPSS) programs. This rule is also being amended to state that clients may be penalized under this rule only after the re-engagement process is complete. In addition, this rule is being amended to add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-135-0089 about demonstrating compliance with substance abuse and mental health requirements and restoring cash benefits is being amended to make permanent a temporary rule amendment adopted October 1, 2007 and implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, which contains the new statutory disqualification structure adopted by the 2007 legislature through HB 2469. This rule is being amended to specify when benefits can be restored at each level of disqualification. In addition, this rule is being amended to follow standard formatting and add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-135-0200 about multiple disqualifications is being amended to make permanent a temporary rule amendment adopted October 1, 2007, and be consistent with the new statutory disqualification structure adopted by the 2007 legislature through HB 2469, 2007 Oregon Laws Chapter 861. This rule is also being amended to remove a reference to an adult losing eligibility for medical benefits. In addition, this rule is being amended to add cross-references to other rules and laws. (Effective March 1, 2008.)

OAR 461-135-0475 about specific requirements in the Pre-TANF program is being amended to make permanent a temporary amendment adopted October 1, 2007. The rule is being amended to remove references to the Assessment Program and replace them with Pre-TANF program. This rule is also being amended to revise the description of program purposes. This rule is being further amended to clarify that once the client is found eligible, the client participates in initial screenings to determine the client's employment strengths and any barriers to employment. This rule is also being amended to state that being enrolled in the Post-TANF program is a reason to close the Pre-TANF program. This rule is also being amended to remove old terminology and replace it with new terms. In addition, this rule is being amended to add cross-references to other rules and laws. (Effective March 1, 2008.)

OAR 461-135-0505 is being amended to revise the requirements for categorical eligibility in the Food Stamp program, make permanent a temporary rule change adopted October 1, 2007, and respond to the provisions of HB 2469, 2007 Oregon Laws Chapter 861. Categorical eligibility does not assume the person is eligible for benefits but it does allow the Department to simplify the eligibility determination process. The rule is being amended to include in categorical eligibility clients who are authorized to receive cash, in-kind benefits, or services funded either under Title IV-A of the Social Security Act or by the state as part of the TANF maintenance of effort are categorically eligible for food stamps. Previously, OAR 461-135-0505 stated that clients who are authorized to receive in-kind benefits, or services funded by TANF are categorically eligible for food stamps. This rule is also being

amended to replace old terminology with new terminology, to add cross-references to other rules and laws and to follow standard formatting. (Effective March 1, 2008.)

OAR 461-135-0506 is being amended to make permanent the temporary rule amendment from October 1, 2007 that changes the TANF cases eligible to receive transitional food benefits. This rule is being amended to state that in order for an individual to receive transitional benefits, the individual must have received cash benefits through a program funded in whole or in part under Title IV-A of the Social Security Act. Under this amendment, clients in state-only funded programs, such as SFPSS (the State Family Pre-SSI/SSDI program) and TANF UN (two-parent households) will not be eligible for higher transitional benefits during the five-month transition period. (Effective March 1, 2008.)

OAR 461-135-0833, about the treatment of burial expenses in the Department's Estates Administration Unit, is being renumbered from OAR 461-006-0452 and is being amended to increase the allowance for the average cost of a plain and decent funeral to \$3,500 for those recipients of public assistance who die on or after, April 1, 2008. In addition, those funeral items not considered professional services or merchandise are being clarified. This rule is being renumbered to 461-135-0833 because currently it is the only rule in OAR chapter 461, division 006 and it is being renumbered to be adjacent to the Department's other rules used in its estate recovery process. (Effective April 1, 2008.)

OAR 461-135-0910 about the eligibility for the Department's public assistance, medical, and food stamp programs of refugees in the Unaccompanied Minors Program is being amended to clarify the programs for which such refugees are not eligible. Currently, the rule states that such individuals are not eligible for any cash assistance program. This rule is being amended to specify that such individuals are not eligible for the Refugee Assistance (REF) and Refugee Assistance Medical (REFM) programs. This rule is being amended to make it consistent with Department practice. (Effective April 1, 2008.)

OAR 461-135-1102 about the effective dates for the OPU category of Oregon Health Plan (OHP-OPU or OHP Standard) is being amended to support the OHP Reservation List process. The OHP-OPU program is currently closed to new applicants unless they meet the provisions of OAR 461-135-1102. The OHP Standard Reservation List process is being implemented to track requesters for the program so that the Department may consider individuals for the OHP-OPU program as a new applicant at such times as the Department determines that new applicants may be added to the program. The reservation list is used to manage enrollment of new applicants into the OHP-OPU program within the limits of program authority and funding. (Temporary rule effective January 28, 2008 through June 30, 2008.)

OAR 461-135-1125 about the reservation list and eligibility for the OPU category of the Oregon Health plan (OHP-OPU or OHP Standard) is being adopted in order to reopen OHP-OPU to a limited number of new applicants, by specifying the Department's procedures for placing individuals on and selecting individuals from a reservation list. A reservation is a list of individuals who may be considered for the OHP-OPU program as a new applicant at such times as the Department determines that new applicants may be added to the program. The list would be used to manage enrollment of new applicants into the program within the limits of program authority and funding. (Temporary rule effective January 28, 2008 through June 30, 2008.)

OAR 461-135-1175 about the Senior Farm Direct Nutrition Program (SFDNP) is being amended to clarify that the Department uses countable income to determine eligibility for the Senior Farm Direct Nutrition Program and that the Department may not issue more than one voucher per case per year. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-135-1195 is being adopted to make permanent a temporary rule adopted October 1, 2007 and outline specific eligibility requirements for the SFPSS (State Family Pre-SSI/SSDI) program. (Effective March 1, 2008.)

OAR 461-135-1250 about specific requirements for the Post - Temporary Assistance for Needy Families (Post-TANF) program is being adopted to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state specific requirements for the new Post-TANF program. This program provides payments to TANF clients who have become ineligible for the TANF or Pre-TANF programs due to income from employment. This rule sets out the eligibility and reporting requirements for a Post-TANF client to receive a payment. (Effective March 1, 2008.)

OAR 461-140-0040 about determining the availability of income in the public assistance, medical, and food stamp programs is being amended to specify that expenses incurred to secure a payment, such as Workers Compensation or damages from an accident, are not countable. This rule is also being amended to clarify that not only earned income but also unearned income that is diverted at the request of the individual who owns it is considered available income. This rule is also being amended to cross-reference to OAR 461-150-0020 for purposes of clarity. In addition, OAR 461-140-0040 is being amended to clarify that for all programs, when a client receives money that is intended and used for the care of someone that does not live with the client, the money used for the care of the person not living with the client does not count as income to the client. This rule is also being amended to clarify that income is not considered available in the Medical Assistance Assumed (MAA), Refugee Assistance (REF), Refugee Assistance Medical, (REFM), and Temporary Aid for Needy Families (TANF) programs when the income is controlled by the client's abuser, if the client is a victim of domestic violence, the client's abuser controls the income, and the abuser is not in the client's filing group. (Effective April 1, 2008.)

OAR 461-145-0080 about the treatment of child support payments in the eligibility process for public assistance and the Food Stamp program is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861 and HB 2125, 2007 Oregon Laws Chapter 878, and state how cash medical support is treated. This rule is also being amended to change references to JOBS Plus agreements to TANF JOBS Plus agreements. This rule is also being amended to state how child support payments are treated in the SAC program (Medical Coverage for Children in Substitute or Adoptive Care). This rule is being further amended to add cross-references and follow standard formatting. (Effective March 1, 2008.)

OAR 461-145-0080 about the treatment of child support and cash medical support in the Department's public assistance, medical and food stamp programs is also being amended to state the Department's policy on how child support and cash medical support is counted for on-going eligibility and benefit determination for Temporary Aid for Needy Families (TANF) clients in the State Family Pre-SSI/SSDI Program (SFPSS) and for TANF clients for whom deprivation is based on the unemployment or underemployment of both parents. (Temporary rule effective March 21, 2008 through September 17, 2008.)

OAR 461-145-0120 regarding the definition of earned income for the public assistance, medical, and food stamp programs is being amended to clarify that earned income includes representative payee fees. (Effective April 1, 2008.)

OAR 461-145-0370 about the treatment of income from the Older Americans Act in public assistance, medical, and food stamp programs is being amended to clarify the treatment of income that is not a

wage or a salary under Title V of the Older Americans Act of 1965 by specifying that payments to an individual 55 years of age and older under Title V of the Older Americans Act of 1965 that are not a wage or salary are excluded for all programs. (Effective April 1, 2008.)

OAR 461-145-0410 about how program benefits are treated in Food Stamp and public assistance programs is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, remove the exclusion in the Oregon Health Plan (OHP) program for administrative error overpayments, and state how TA-DVS program payments are treated. This rule is also being amended to exclude Refugee (REF) program support service payments and count REF program client incentive payments to the extent that Temporary Assistance for Needy Families (TANF) client incentive payments are counted. This rule is being further amended to state that all policies about the treatment of TANF benefits apply to tribal TANF benefits and to state that the current exclusion for JOBS Plus support services payments applies to TANF JOBS Plus support services payments. In addition, the rule is being amended to state that TANF client incentive payments currently counted if received as cash are counted if the payments are not in kind. The rule is also being amended to add the Post-TANF and State Family Pre-SSI/SSDI (SFPSS) programs to the rule and specify how benefits from these programs are counted in other programs. This rule is also being amended to reorder and reorganize its sections, update terminology, add cross-references and follow standard formatting. (Effective March 1, 2008.)

OAR 461-145-0450 about the treatment of representative payee fee payments in the public assistance, medical, and food stamp programs is being repealed. Section (1) is being incorporated into OAR 461-145-0120 and section (2) is being deleted because representative payee fees are never unidentifiable and are not intended for more than one beneficiary. (Effective April 1, 2008.)

OAR 461-145-0470 about the treatment of shelter-in-kind income in the Department's public assistance, medical, and food stamp programs is being amended to change the treatment of shelter-in-kind for the Oregon Supplemental Income Program (OSIP), Oregon Supplemental Income Program Medical (OSIPM) and Qualified Medicare Beneficiary (QMB) programs and to clarify current policy regarding the treatment of shelter-in-kind in these programs. Previously the rule required that in all situations where a client had no shelter costs the shelter-in-kind standard for total shelter applied. This rule is being amended to specify that shelter-in-kind does not apply to all situations where the client has no shelter costs. If the shelter is provided by certain nonprofit organizations or in situations where the shelter does not have any market value, the shelter is not considered shelter-in-kind. Shelter-in-kind standards only apply in situations where the client's shelter is considered shelter-in-kind as that term is defined in OAR 461-001-0000. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-145-0490 about the treatment of Social Security benefits in public assistance, medical, and food stamp programs is being amended to be consistent with federal requirements in 42 USC 405(j)(4) and Public Law 103-296. Previously, representative payee fees were excluded from countable Social Security income. This amendment makes representative payee fees countable as unearned income. (Effective April 1, 2008.)

OAR 461-145-0500 is being amended to remove language that indicates that money remaining from Social Security death benefits after the payment of burial costs can be considered "periodic income" and to correct current language. The rule will add a cross-reference to OAR 461-140-0120 about treatment of lump sum income. (Effective April 1, 2008.)

OAR 461-145-0505 about the treatment of spousal support in public assistance, medical, and food stamp programs is being amended to clarify how spousal support is treated. This rule is also being

amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-145-0520 about the treatment of stocks, bonds, and other securities in the public assistance, medical, and food stamp programs is being amended to clarify what is counted as a resource for stocks, bonds, and other securities. This rule is also being amended to remove a reference to hardship waivers for savings bonds, and adds a cross reference to OAR 461-145-0108 for types of resources not covered in section (1) of this rule. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-145-0530 about the treatment of tax refunds in the Department's public assistance, medical, and food stamp programs is being amended to state that any income tax refunds are counted as a resource and to update statutory references. This rule is also being amended as a temporary rule to state the Department's policy on the treatment of Federal income tax rebates pursuant to the Economic Stimulus Act of 2008 and to make the Department's rules consistent with the provisions of the Economic Stimulus Act of 2008 by excluding income tax rebates received in the month of receipt and the following two months. (Temporary rule effective April 1, 2008 through September 26, 2008.)

OAR 461-145-0550 about the treatment of unemployment compensation benefits in the Department's public assistance, medical, and food stamp programs is being amended to clarify the treatment of unemployment compensation benefits by removing a reference to monthly unemployment compensation benefits, adding a reference to disaster unemployment benefits, and adding a cross reference to the disaster assistance rule (OAR 461-145-0100). The amended rule also clarifies that retroactive payments are counted as periodic or lump sum income. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-145-0585 about the treatment of vocational rehabilitation payments in the Department's public assistance, medical, and food stamp programs is being amended to clarify the treatment of vocational rehabilitation payments. The treatment of vocational rehabilitation payments is being clarified by specifying that educational income that is not a training allowance or stipend is treated as provided in OAR 461-145-0150. The treatment of vocational rehabilitation payments is also being clarified by specifying that benefits from the United States Veterans Administration are treated as provided in OAR 461-145-0580. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-145-0910 about the definition and treatment of self-employment income in public assistance, medical, and food stamp programs is being amended to revise the policy on identifying self-employment by removing one criterion from a list of six, changing the criteria from meeting five out of a list of six criteria to meeting four out of a list of five criteria. The Department is also amending this rule by adding independent contractor status to the criteria for determining self-employment, and clarifying that the amount of countable income considered available is gross receipts and sales before costs. The Department is eliminating the criterion "contracts for a site or works out of another's business location." This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-155-0150 about child care rates in the Employment Related Day Care (ERDC), Job Opportunity and Basic Skills (JOBS), JOBS Plus, and Temporary Assistance for Needy Families (TANF) programs is being amended to make permanent a temporary rule change made on

October 1, 2007 that implemented a legislatively approved increase to restore the Employment Related Day Care (ERDC) program income limit to 185 percent of the federal poverty level (FPL), reduce ERDC copayments by an average of 20 percent, and increase child care reimbursement rates to closer to the 75th percentile of the 2006 Child Care Market Rate Study (bringing state payments into alignment with rates charged by the majority of providers). This amendment will increase reimbursement rates to 88 percent of the 75th percentile for license-exempt providers, 95 percent of the 75th percentile for license-exempt providers who are eligible for the enhanced rate, and the 75th percentile for licensed providers. This amendment sets a minimum co-pay of \$25 per month. For families whose income is at or below 50 percent of the 2007 Federal Poverty Level, the co-pay is \$25 or 1.5% of monthly income (whichever is greater). The co-pay percentage increases from 1.5 by 0.12 for each 1 percent increase in Federal Poverty Level. This rule is also being amended to remove old terminology and replace it with new terms. In addition, this rule is being amended to add cross-references to other rules and laws. (Effective March 1, 2008.)

OAR 461-155-0180, about poverty related income standards for certain Oregon Health Plan (OHP) Medicaid and SCHIP medical programs and OAR 461-155-0235, about OHP-OPU (usually referred to as OHP Standard) premium requirements are being amended to reflect the annual increase in the federal poverty levels published in the Federal Register. (Temporary rules effective January 24, 2008 through June 30, 2008.)

OAR 461-155-0250 about the income and payment standards in the Oregon Supplemental Income Program (OSIP) and Oregon Supplemental Income Program Medical (OSIPM) programs is being amended to increase the income standard for the OSIP-EPD and OSIPM-EPD (Employed Persons with Disabilities) programs. The amended rule will raise the adjusted income standard for the EPD program from \$2,128 per month to \$2,167 per month. (Temporary rule effective March 1, 2008 through August 28, 2008.)

OAR 461-155-0290, 461-155-0291, and 461-155-0295 about the income standards for the QMB-BAS, QMB-DW, and QMB-SMB programs (Qualified Medicare Beneficiaries - Basic, Disabled Worker, Special Medicare Beneficiaries) are being amended to base their income standards on the 2008 Federal Poverty Level. Currently, these rules are based on the 2007 Federal Poverty Level. These amendments will make permanent temporary rule changes planned to be adopted by March 1, 2008. (Effective April 1, 2008.)

OAR 461-155-0320 about the payment standard in the State Family Pre-SSI/SSDI (SFPSS) program is being adopted to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and adopt the payment standards in the SFPSS program. (Effective March 1, 2008.)

OAR 461-155-0670 about special needs and special diet allowances is being amended to make permanent a temporary rule change adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and describe the eligibility of SFPSS (State Family Pre-SSI/SSDI) clients for special dietary allowances. (Effective March 1, 2008.)

OAR 461-160-0030 about the treatment of costs in the Department's public assistance, medical, and food stamp programs is being amended to comply with federal guidance on the use of medical costs in the determination of an individual's liability as stated in the State Medicaid Manual 3701.3, published by United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. This rule is being amended to clarify how medical expenses are used to calculate the long-term care liability by adding a section that provides how to determine the medical deduction in the Oregon Supplemental Income Program (OSIP) and Oregon Supplemental Income Program

Medical (OSIPM) programs. This rule is being amended to codify current practice that has not previously been codified in an administrative rule. (Effective April 1, 2008.)

OAR 461-160-0430 about the income deductions allowed in the eligibility process for the Food Stamp program is being amended to make permanent a temporary rule change adopted October 1, 2007 and clarify that the deduction for payment of court-ordered child support includes cash medical support. A reduction in countable income may result in an increase in Food Stamp benefits for a Food Stamp household. (Effective March 1, 2008.)

OAR 461-160-0800 about participant fees in the Oregon Supplemental Income Program Employed Persons with Disabilities (OSIP-EPD) and Oregon Supplemental Income Program Medical Employed Persons with Disabilities (OSIPM-EPD) programs is being amended to eliminate the current cost share and premium calculation for the OSIP-EPD and OSIPM-EPD programs and create a four-tiered participant fee structure based on the OSIP-EPD and OSIPM-EPD participant's countable income and the federal poverty level. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws and follow standard formatting. (Temporary rule effective March 1, 2008 through August 28, 2008.)

OAR 461-160-0810, 461-160-0820, and 461-160-0850 are being suspended. OAR 461-160-0810 is about determining the cost share and room and board payments for Oregon Supplemental Income Program Medical Employed Persons with Disabilities (OSIPM-EPD) clients residing in a community-based care facility. OAR 461-160-0820 is about determining the cost share for OSIPM-EPD clients residing in a nursing facility. OAR 461-160-0850 is about determining the premiums for clients in the Oregon Supplemental Income Program Employed Persons with Disabilities (OSIP-EPD) and OSIPM-EPD programs. (Temporary rules effective March 1, 2008 through August 28, 2008.)

OAR 461-165-0030 about concurrent and duplicate program benefits is being amended to make permanent a temporary rule change adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and remove a reference to the Assessment Program, replacing it with the Pre-TANF program. (Effective March 1, 2008.)

OAR 461-170-0020 about changes that must be reported in public assistance and food stamp programs is being amended to make permanent a temporary rule change adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the changes that clients in the State Family Pre-SSI/SSDI Program (SFPSS), program must report. This rule is also being amended to add cross-references and follow standard formatting. (Effective March 1, 2008.)

OAR 461-170-0030 about changes that must be reported in certain programs is being amended to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and clarify that the reporting requirements in this rule do not apply in the SFPSS (State Family Pre-SSI/SSDI) program. This rule is also being amended to follow standard formatting. (Effective March 1, 2008.)

OAR 461-175-0050 about the notice period used to determine the effective date for taking action when the Department sends a decision notice is being amended to remove a cross-reference to the computation method in the rules for the Office of Administrative Hearings. (Effective April 1, 2008.)

OAR 461-175-0200 about the types of decision notices that are required in certain circumstances is being amended to implement HB 2423, 2007 Or. Laws, Ch. 288, and restate the Department's policy about amending a decision notice, when a decision notice becomes void, and when no decision notice is needed. This amendment will make permanent a temporary rule amendment from

January 1, 2008. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective April 1, 2008.)

OAR 461-175-0340 about the type of decision notice that is required when an individual makes a voluntary decision to withdraw the individual's application or make a voluntary withdrawal or reduction in benefit amount is being amended to implement HB 2423, 2007 Or. Laws Ch. 288, make permanent a temporary rule amended January 1, 2008, and clarify Department policy when an individual notifies the Department that the individual wishes to withdraw his or her application for benefits or wishes to reduce or to no longer receive benefits. This amendment specifies that the Department sends a basic decision notice when a client withdraws a request for benefits. This amendment also states that to voluntarily reduce or close benefits, the individual completes a voluntary agreement. This amendment also specifies that the voluntary agreement is a final order, and states the grounds and time limits to set aside the agreement. (Effective April 1, 2008.)

OAR 461-180-0010 about the effective dates when adding a new person to an open case is being amended to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the effective date in the SFPSS (State Family Pre-SSI/SSDI) program for adding a new person to an open SFPSS program case. (Effective March 1, 2008.)

OAR 461-180-0020 about the effective date when changes in income or income deductions cause increases in program benefits is being amended to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the effective date for changes not reported through the monthly reporting system for clients in the SFPSS (State Family Pre-SSI/SSDI) program. (Effective March 1, 2008.)

OAR 461-180-0070 about effective dates for the initial month cash benefits is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the effective date for the initial month of cash benefits for clients in the SFPSS (State Family Pre-SSI/SSDI) program. (Effective March 1, 2008.)

OAR 461-180-0081 about effective dates for cases receiving Transitional Benefit Alternative (TBA) is being amended to make permanent a temporary rule adopted October 1, 2007, respond to the provisions of HB 2469, 2007 Oregon Laws Chapter 861, revise the effective dates that apply to changes after a household is already receiving transitional food stamp benefits, and clarify when TBA benefits will change based with the revisions to OAR 461-135-0506. (Effective March 1, 2008.)

OAR 461-190-0151 about case planning in the Job Opportunity and Basic Skills (JOBS), Pre-Temporary Assistance for Needy Families (Pre-TANF), Refugee Assistance (REF), State Family Pre-SSI/SSDI Program (SFPSS) and Temporary Assistance for Domestic Violence Survivors (TA-DVS) is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and describe case planning in the Pre-TANF, Refugee (REF), State Family Pre-SSI/SSDI (SFPSS), and Temporary Assistance for Domestic Violence Survivors (TA-DVS) programs. This rule had covered employment planning in the Job Opportunity and Basic Skills (JOBS) program. This rule is also being amended to specify when the case plan is complete and binding in the JOBS program. In addition, this rule is being amended to add cross-references to other rules and follow standard formatting. (Effective March 1, 2008.)

OAR 461-190-0163 about restrictions on On-the-Job training, Unpaid Employment, and Work Supplementation in the Job Opportunity and Basic Skills program (JOBS) is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of

HB 2469, 2007 Oregon Laws Chapter 861, and change the JOBS term "work experience" to "unpaid employment." This change is being made to follow new federal definitions. (Effective March 1, 2008.)

OAR 461-190-0171 about education requirements for teen parents in the Job Opportunity and Basic Skills (JOBS) program is being amended to make permanent a temporary rule adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and change the exemption rule for teen parents enrolled in JOBS educational programs. This amendment extends the exemption of a client with a newborn from three months to 16 weeks for clients 19 years of age or younger, except that the teen parent may be required to participate in suitable activities with a preference for educational activities, parenting classes, and family stability activities. (Effective March 1, 2008.)

OAR 461-190-0201 about job search in the Job Opportunity and Basic Skills (JOBS) program is being repealed. (Effective March 1, 2008.)

OAR 461-190-0211 about standards for support services is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the standards for support service payments for clients in the Pre-Temporary Assistance for Needy Families (Pre-TANF), Post-Temporary Assistance for Needy Families (Post-TANF) and State Family Pre-SSI/SSDI (SFPSS) programs. This rule is also being amended to expand the clients potentially eligible for the payments to include recipients of Supplemental Security Income (SSI) and non-needy caretaker relatives who volunteer. This rule is being further being amended to add tuition for vocational training as a potential payment, state the criteria for making such payments. This rule is being further being amended to clarify that not all support services are related to the Job Opportunity and Basic Skills (JOBS) program, and add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-190-0231 about re-engagement is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, change the title of the rule, and describe the re-engagement process for clients in the Pre-Temporary Assistance for Needy Families (Pre-TANF), Refugee (REF), State Family Pre-SSI/SSDI (SFPSS), and Temporary Assistance for Domestic Violence Survivors (TA-DVS) programs. This rule is also being amended to provide more detail and clarification about the re-engagement process, incorporating requirements of HB 2469 that also apply to clients in the JOBS program. (Effective March 1, 2008.)

OAR 461-190-0241 about transition services in the Job Opportunity and Basic Skills (JOBS) program is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, update program names, and add cross-references to other rules. (Effective March 1, 2008.)

OAR 461-190-0426 is being amended to include in rule the requirements that JOBS Plus employers must comply with to be eligible to receive JOBS Plus payments from the Department. This rule is also being amended to remove old terminology and replace it with new terms. (Effective April 1, 2008.)

OAR 461-195-0501 about definitions related to overpayments in programs covered by Chapter 461 of the Oregon Administrative Rules other than child care programs is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state how the terms "overpayment" and "client error" are defined in the SFPSS (State Family Pre-SSI/SSDI) program. This rule is also being amended to remove old terminology and replace it with new terms. This rule is being amended to add cross-

references to other rules and laws. This rule is being amended to follow standard formatting. (Effective March 1, 2008.)

OAR 461-195-0521 about calculating an overpayment in the Department's public assistance, medical, and food stamp programs is being amended to remove a reference to the Department's spend down program, which has been eliminated. (Effective April 1, 2008.)

OAR 461-195-0551 about, methods of recovering overpayments is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state when the Department may reduce current benefits in the SFPSS (State Family Pre-SSI/SSDI, Temporary Assistance for Needy Families (TANF) and Refugee Assistance (REF) programs to collect an overpayment. This rule is also being amended to remove old terminology and replace it with new terms. This rule is being amended to add cross-references to other rules and laws. This rule is being amended to follow standard formatting. (Effective March 1, 2008.)

OAR 461-195-0561 about the compromise of overpayment claims is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state the Department policy for the compromise of overpayment claims in the SFPSS (State Family Pre-SSI/SSDI) program. This rule is also being amended to remove old terminology and replace it with new terms. This rule is being amended to add cross-references to other rules and laws. This rule is being amended to follow standard formatting. (Effective March 1, 2008.)

OAR 461-195-0601 about the definition of Intentional Program Violations in the Food Stamp, State Family Pre-SSI/SSDI Program (SFPSS), Temporary Assistance for Domestic Violence Survivors (TADVS), and Temporary Assistance for Needy Families (TANF) programs is being amended to make permanent a temporary rule amendment adopted October 1, 2007, implement the provisions of HB 2469, 2007 Oregon Laws Chapter 861, and state what constitutes an Intentional Program Violation in the SFPSS (State Family Pre-SSI/SSDI) program. This rule is also being amended to replace old terminology with new terminology, add cross-references to other rules and laws, and follow standard formatting. (Effective March 1, 2008.)

Implementation/Transition Instructions: N/A

Training/Communication Plan: N/A

Local/Branch Action Required: Review changes with staff who determine eligibility.

Central Office Action Required: N/A

Field/Stakeholder review: Yes No

If yes, reviewed by:

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Remove

461-001-0000
461-001-0025
Division 006 Divider Tab and 461-006-0452
461-025-0310
461-025-0350
461-101-0010
461-105-0010
461-110-0630
Division 115 TOC
461-115-0030
461-115-0050
461-115-0190
461-115-0430
461-115-0610
461-115-0705 and 461-115-0715
461-120-0120 and 461-120-0125
461-120-0310
461-120-0340 and 461-120-0345
Division 125 TOC
461-125-0130
461-125-0260 and 461-125-310
461-125-0810
461-130-0305 through 461-135-0315
461-130-0323 through 461-130-0327
461-130-0330 and 461-130-0335
Division 135 TOC
461-135-0010 through 461-135-0075
461-135-0082 and 461-135-0085
461-135-0089
461-135-0200
461-135-0475
461-135-0505 and 461-135-0506
N/A
461-135-0900 through 461-135-0920
461-135-1102
N/A
461-135-1175
461-135-1195
461-135-1250
461-140-0040
Division 145 TOC
461-145-0080
461-145-0120
461-145-0370
461-145-0410
461-145-450
461-145-0470 through 461-145-0505
461-145-0520

Insert

461-001-0000
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461-025-0310
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461-115-0030
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461-115-0430
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461-120-0340 and 461-120-0345
Division 125 TOC
461-125-0130
461-125-0260 and 461-125-0310
461-125-0810
461-130-0305 through 461-135-0315
461-130-0323 through 461-130-0327
461-130-0330 and 461-130-0335
Division 135 TOC
461-135-0010 through 461-135-0075
461-135-0082 and 461-135-0085
461-135-0089
461-135-0200
461-135-0475
461-135-0505 and 461-135-0506
461-135-0833
461-135-0900 through 461-135-0920
461-135-1102
461-135-1125
461-135-1175
461-135-1195
461-135-1250
461-140-0040
Division 145 TOC
461-145-0080
461-145-0120
461-145-0370
461-145-0410
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461-145-0470 through 461-145-0505
461-145-0520

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461-145-0530
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 461-155-0290 through 461-155-0295
 461-155-0320
 461-155-0670
 Division 160 TOC
 461-160-0030
 461-160-0430
 461-160-0800
 461-165-0030
 Division 170 TOC
 461-170-0020
 461-170-0030
 461-175-0050 and 461-175-0200
 461-175-0340
 461-180-0010 and 461-180-0020
 461-180-0070
 461-180-0081
 461-190-0151 through 461-190-0171
 461-190-0211 through 461-190-0241
 461-190-0426
 461-195-0501
 461-195-0521
 461-195-0551 through 461-195-0601

461-145-0530
 461-145-0550
 461-145-0585
 461-145-0910
 461-155-0150
 461-155-0180
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 461-155-0320
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 Division 160 TOC
 461-160-0030
 461-160-0430
 461-160-0800
 461-165-0030
 Division 170 TOC
 461-170-0020
 461-170-0030
 461-175-0050 and 461-175-0200
 461-175-0340
 461-180-0010 and 461-180-0020
 461-180-0070
 461-180-0081
 461-190-0151 through 461-190-0171
 461-190-0211 through 461-190-0241
 461-190-0426
 461-195-0501
 461-195-0521
 461-195-0551 through 461-195-0601

If you have any questions about this policy, contact:

Contact(s):	See the Contact List in the Family Services Manual (section C of the Introduction chapter) for the appropriate analyst to contact with policy questions (http://www.dhs.state.or.us/policy/selfsufficiency/em_firstpage.htm). (If you have questions about the filing instructions, please contact Annette Tesch at 503-945-6067)		
Phone:		Fax:	
E-mail:			