

ORAR 461-101-0010 about program acronyms is being amended to comply with the Food, Conservation, and Energy Act of 2008. Changing this rule introduces the new federal name of the Food Stamp program. This rule is also being amended to remove references to Employment Related Day Care-Student Block Grant (ERDC-SBG) and Student Child Care Program to bring policies up to date as this program is no longer administered by the Department of Human Services. It was moved to Oregon Student Assistance Commission effective December 31, 2007.

ORAR 461-110-0370 about filing groups in the Food Stamp program, ORAR 461-155-0190 about income and payment standards in the Food Stamp program, and ORAR 461-160-0430 about income deductions in the Food Stamp program are being amended to comply with Food, Conservation, and Energy Act of 2008 by implementing the annual increase in the standards for the Food Stamp program.

ORAR 461-115-0015 and 461-135-0401 are being repealed and ORAR 461-115-0030, 461-120-0130, 461-135-0400, 461-155-0150, 461-160-0040, 461-170-0015, 461-170-0150, and 461-180-0070 are being amended to remove references to Employment Related Day Care-Student Block Grant (ERDC-SBG) and Student Child Care Program to bring policies up to date as this program is no longer administered by the Department of Human Services. This program was moved to Oregon Student Assistance Commission effective December 31, 2007.

ORAR 461-120-0510 about the age requirements for clients to receive benefits in the Department's public assistance, medical, and Food Stamp programs is being amended to restate the Department's policy regarding which individuals may be eligible for the Refugee Assistance (REF) program. This rule is being amended to add refugees who are part of an ineligible TANF filing group to the individuals who may be eligible for the REF program, and to clarify that in order to be eligible for the REF program a minor must be legally emancipated.

ORAR 461-130-0310 is about the participation categories of exempt mandatory and volunteer in the employment programs of the Department's Food Stamp, Pre-Temporary Assistance for Needy Families (Pre-TANF), Refugee Assistance (REF), and Temporary Assistance for Needy Families (TANF) programs. This rule is being amended to comply with federal regulations by removing the "not attending school full time" requirement from the parental exemption from participation when the parent is caring for a family member who lives at home and has a disability.

ORAR 461-135-0010 about assumed eligibility for medical programs is being amended to clarify the Department's policy and make the Department's policy consistent with the Department's practice. This rule is being amended to clarify that clients who receive Oregon Health Plan standard benefits (OHP-OPU) who become pregnant are assumed eligible for Medicaid once they have documented their pregnancy, and that OHP-OPU clients who become pregnant will be converted to OHP-OPP as an assumed eligible Medicaid client.

ORAR 461-135-0082 about the eligibility for the Refugee Case Services Program is being amended to replace old terminology with new terminology and eliminate unnecessary wording.

ORAR 461-135-0493 and 461-135-0494 are about the eligibility criteria and benefit amount for the Disaster Food Stamp program and how to treat households that are already receiving food stamp benefits. These rules are being amended to incorporate new guidance for the program received from the United States Department of Agriculture, Food and Nutrition Services (FNS). The list of disaster-related expenses in ORAR 461-135-0493 is being expanded and the cost of food as an expense is being removed. A cross reference for the replacement of destroyed food purchased with food stamp benefits is being added to ORAR 461-135-0494, which is also being amended to clarify the calculation of disaster benefits for households who are already receiving food stamp benefits.

OAR 461-135-0506 about the Transitional Benefits Alternative (TBA) is being amended to state that households that receive state-funded cash assistance from the Temporary Assistance for Needy Families (TANF) program are now eligible to receive TBA benefits when they leave TANF. Without this amendment, TBA eligibility is limited to households that received cash assistance funded by title IV-A of the Social Security Act.

OAR 461-135-0930 about the medical coverage for the Refugee Assistance Medical (REFM) program is being amended to replace old terminology with new terminology and eliminate unnecessary wording.

OAR 461-135-0990 about reimbursing clients in certain medical programs for the cost of health insurance premiums sponsored by the client's employer is being amended to change the Department's policy for the Refugee Assistance Medical (REFM) program. This rule is being amended so that the Department will not reimburse REFM clients for the cost of employer sponsored health insurance premiums.

OAR 461-135-1235 about hearing rights in the Temporary Assistance for Domestic Violence Survivors (TA-DVS) program is being amended to replace old terminology with new terminology.

OAR 461-140-0296 about the length of disqualification due to an asset transfer in the General Assistance (GA), General Assistance Medical (GAM), Oregon Supplemental Income Program (OSIP), and Oregon Supplemental Income Program Medical (OSIPM) programs is being amended to update the amount used to calculate the number of months of ineligibility due to a disqualifying transfer of assets. This amount is calculated by using the average monthly cost to a private patient of nursing facility services in Oregon.

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 being amended to implement the provisions of HB 2469, 2007 Or. Laws ch. 861, by restating the treatment of child support in the Food Stamp, Medical Assistance Assumed (MAA), Medical Assistance to Families (MAF), Oregon Health Plan (OHP), Refugee Assistance (REF), Refugee Assistance Medical (REFM), Medical Coverage for Children in Substitute or Adoptive Care (SAC), and Temporary Assistance for Needy Families (TANF) programs. This rule is also being amended to define the terms "pass through" and "disregard" and state when clients may receive a pass-through or disregard of their child support.

OAR 461-145-0130 about the treatment of earned income in the Department's public assistance, medical, and Food Stamp programs is being amended to restate the Department's policy on the treatment of the income of temporary employees of the U.S. Census Bureau employed to assist in taking the census. This rule is also being amended to restate the Department's policy regarding the treatment of earned income in the Medical Assistance Assumed (MAA) and Medical Assistance to Families (MAF) programs. This rule is being amended to implement the provisions of HB 2469 (2007 Or Laws Ch 861) by clarifying that an increase in hours of employment or increased earnings is excluded for individuals who are currently receiving MAA or MAF medical benefits and who go over the income limit prior to meeting three of six months MAA or MAF eligibility. Currently, an individual must meet the last three of six months MAA or MAF eligibility in order to be eligible for EXT. With the new amendment, the Department can exclude income in order for the client to be eligible for EXT. This will allow at least six months extended medical benefits.

OAR 461-145-0150 about the treatment of educational income is being amended to state the Department's policy for the treatment of educational income for the Parents as Scholars (PAS) component of the Job Opportunity and Basic Skills Program (JOBS) program.

OAR 461-145-0265 about the treatment of educational accounts is being amended and renumbered as 461-145-0145 to comply with the Food, Conservation, and Energy Act of 2008 by restating the Department's policy on the treatment of Educational Accounts in the Food Stamp program.

OAR 461-145-0330 about the treatment of loans and interest on loans in the Department's public assistance, medical, and Food Stamp programs is being amended to align the Department's policy with federal policy by restating the Department's policy on the treatment of loans and interest on loans.

OAR 461-145-0380 about the treatment of pension and retirement plans is being amended to comply with the Food, Conservation, and Energy Act of 2008 by restating the Department's policy on the treatment of pension and retirement plans in the Food Stamp program.

OAR 461-145-0410 about the treatment of program benefits is being amended to revise the Department's policy on the treatment of Oregon Supplemental Income Program-Independent Choices (OSIP-IC) benefits in the Food Stamp program.

OAR 461-145-0470 about the treatment of shelter-in-kind income is being amended to restate the Department's policy related to counting shelter-in-kind income when prorated standards are used in the Oregon Supplemental Income Program (OSIP), Oregon Supplemental Income Program Medical (OSIPM), and Qualified Medicare Beneficiary (QMB) programs. This rule is being amended to clarify that shelter-in-kind income is not counted in situations where prorated standards are used.

OAR 461-145-0490 about the treatment of Social Security Benefits is being amended to restate the Department's policy on the treatment of representative payee fees in the Food Stamp program. This rule is being amended to restate the Department's policy and make the Department's policy consistent with the Department's practice by restoring wording present in the rule prior to April 1, 2008. This change will clarify that the representative payee fee paid by a client who is required by the Social Security Administration to receive payments through a representative payee is excluded for food stamps.

OAR 461-145-0600 about the treatment of work-related capital assets, equipment and inventory in the Department's public assistance, medical and Food Stamp programs is being amended to restate the Department's policy on the treatment of capital assets in the Refugee Assistance (REF) and Refugee Assistance Medical (REFM) programs.

OAR 461-155-0020 about prorated standards based on the adjusted number in the household in the Oregon Supplemental Income Program (OSIP), Oregon Supplemental Income Program Medical (OSIPM), and the Temporary Assistance to Needy Families (TANF) programs is being amended to align the Department's policy with federal policy by restating the Department's policy regarding the use of prorated standards to determine eligibility for OSIP, OSIPM, and TANF. This rule is also being amended to clarify current policy by stating that even when prorated standards do not apply in the OSIP and OSIPM programs, shelter-in-kind (see OAR 461-145-0470) may still be applicable, and by stating additional requirements for determining the adjusted number in the household.

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 restate the Department's policy on the income standards that apply to clients in the Oregon Supplemental Income Program (OSIP) and Oregon Supplemental Income Program Medical (OSIPM) programs. OAR 461-155-0250 is being amended to specify that the non-SSI OSIP and OSIPM standard in section (3) of the rule does not apply to clients 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. The rule specifies that the income standard in section (6) of the rule applies to clients in the OSIP-EPD and OSIPM-EPD programs.

OAR 461-155-0360 about determining the cost-effectiveness of employer-sponsored health insurance plans in certain medical programs is being amended to change the Department's policy for the Refugee Assistance Medical (REFM) program. This rule is being amended so that the Department will not reimburse REFM clients for the cost of employer sponsored health insurance premiums.

OAR 461-155-0660 regarding accommodation allowance special need for individuals under the Oregon Supplemental Income Program Medical (OSIPM, aid to the elderly and people with disabilities) is being amended to clarify the eligibility criteria for the accommodation allowance special need. The intent of the rule has always been to provide funds to maintain an individual's home when the individual is or will be receiving in-home long term care services, and the rule is being amended to clarify this coverage.

OAR 461-160-0200 about the unearned income exclusion for child support and spousal support payments in the Medical Assistance to Families (MAF) and Substitute and Adoptive Care (SAC) programs is being amended to support program alignment. Effective October 1, 2008, the TANF program (as required by HB 2469) will implement a child support disregard by excluding up to \$50 per dependent child or minor parent per financial group per month, not to exceed \$200 per financial group per month. To support program policy alignment, the Department needs to amend this rule to match the TANF child support disregard program policy change. Additionally, this rule is being amended to clarify that the child support disregard is excluded income rather than a deduction and therefore not included in the countable income calculation. This rule is also being amended to include all child support exclusions affecting the MAF and SAC programs in the same rule.

OAR 461-160-0420 about how to calculate the shelter cost in the Food Stamp program is being amended to reflect the annual change in the Standard Utility Allowances. Each year Oregon surveys utility companies and the general public about increases in utility costs. The utility allowances are derived from these surveys and approved by the Food and Nutrition Service in the Food Stamp Program State Plan. There are four utility allowances. The full utility allowance (FUA) is for those households that have heating and cooling costs. The limited utility allowance (LUA) is for those households with more than one non-heating/cooling utility costs. The individual utility allowance (IUA) is for those households with a single non-heat cost. The single utility allowance (TUA) is for those households with only a telephone cost.

OAR 461-160-0610 regarding which individuals must pay a liability in order to receive long term care services under the Oregon Supplemental Income Program Medical (OSIPM, aid to the elderly and people with disabilities) is being amended to delete the cross-reference to OAR 461-135-0811 because that rule has been repealed.

OAR 461-165-0060 about minimum benefit amounts is being renamed and is being amended to restate how the minimum benefit amount for the Food Stamp program is determined.

OAR 461-170-0020 about changes that must be reported in the Food Stamp, Medical Assistance Assumed (MAA), Medical Assistance to Families (MAF), Refugee Assistance (REF), Refugee Assistance Medical (REFM), and Medical Coverage for Children in Substitute or Adoptive Care (SAC) programs is being amended to comply with the Food, Conservation, and Energy Act of 2008. This rule is being amended to restate the reporting requirements for clients in the Food Stamp program who are assigned to the simplified reporting system. This rule is being amended to remove the

requirement to report income over 185 percent of the federal poverty level for households in which all members are elderly or have disabilities and there is no earned income. This rule is also being amended to restate the reporting requirements for clients in the REFM program.

OAR 461-170-0100 about the criteria for using the monthly reporting system is being amended to change the Department's policy for using the monthly reporting system for the Refugee Assistance Medical (REFM) program. This rule is being amended to remove REFM from the list of programs that can be assigned to the monthly reporting system.

OAR 461-170-0101 is about the simplified reporting system (SRS) used in the Food Stamp program. This rule is being amended to restate the Department's policy on the length of time that households containing migrant or seasonal farm workers or homeless individuals may be certified for food stamps in the simplified reporting system. This amendment allows such households to be certified for 12 months. Prior to this change these groups were limited to six-month certifications.

OAR 461-175-0340 about the type of decision notice that is required when an individual makes a voluntary decision to withdraw, reduce, or end benefits is being amended to restate the Department policy about what type of decision notice is required when an individual makes a voluntary decision to withdraw, reduce, or end benefits in programs other than the Food Stamp 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.

OAR 461-190-0195 about the Degree Completion Initiative (DCI) component of the Job Opportunity and Basic Skills Program (JOBS) is being repealed because this rule is no longer necessary as DCI is a pilot program and will be replaced by Parents as Scholars (PAS) component of the JOBS program.

OAR 461-190-0199 about the Parents as Scholars (PAS) component of the Job Opportunity and Basic Skills Program (JOBS) is being adopted to implement 2003 Or. Laws ch. 212 and 2007 Or. Laws ch. 861 by establishing eligibility criteria for the PAS component of the JOBS program. PAS will replace the Degree Completion Initiative (DCI) component of the JOBS Program on October 1, 2008. PAS will allow the Department to support clients eligible for Temporary Assistance for Needy Families (TANF) who are or will be undergraduates in beginning or continuing a two- or four-year degree program at an approved school.

OAR 461-190-0211 about the standards for support service payments is being amended to restate the Department's policy on paying for books and supplies for educational needs.

OAR 461-190-0231 about the re-engagement process 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) programs is being amended to state the Department's policy regarding the consequences of unsuccessful reengagement for a participant in the Parents as Scholars (PAS) component of the JOBS program.

Implementation/Transition Instructions:

Training/Communication Plan:

Local/Branch Action Required:

Central Office Action Required:

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions: N/A

If you have any questions about these draft rules, contact:

Contact(s):	Annette Tesch		
Phone:	(503) 945-6067	Fax:	503-373-7032
E-mail:	annette.tesch@state.or.us		