

Policy Transmittal Office of Self-Sufficiency



Claire Seguin, Self-Sufficiency Program Deputy
Director

Authorized signature

Number: SS-PT-20-021

Issue date: 10/01/2020

Topic: Other

Due date:

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: Types A and B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input checked="" type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children’s Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children’s Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	Administrative Rules for Various Self-Sufficiency and Aging & People with Disabilities Programs		
Policy/rule number(s):	Various (see below)	Release number:	
Effective date:	October 1, 2020 unless otherwise noted	Expiration date:	N/A
References:			
Web address:	enter web address here		

Discussion/interpretation:

This transmittal provides a draft advance summary and link to SSP administrative rules (including many that apply to Aging and People with Disabilities (APD) programs) that will be effective October 1, 2020, unless otherwise noted. The final rule changes will be included in the rules site by October 1, 2020, and will also be at

<https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=90>

EFFECTIVE 10/01/2020

AMEND: 461-115-0071

RULE TITLE: Who Must Sign the Application and Complete the Application Process

RULE SUMMARY: OAR 461-115-0071 about who must sign the application and complete the application process is being amended to make permanent temporary changes to the rule which specifies that in the OSIPM and QMB programs, an application can be signed by anyone in the filing group and adds that the application may be signed by an individual acting responsibly on behalf of a child or an incapacitated individual. The rule is also being amended to correct a rule reference. This amendment brings the rule into alignment with guidance from Centers for Medicare & Medicaid Services.

EFFECTIVE 10/01/2020

AMEND: 461-115-0090

RULE TITLE: Authorized Representatives; General

RULE SUMMARY: OAR 461-115-0090 about authorized representatives; generally is being amended for all programs to permanently adopt temporary provisions which remove the ability of the Department to designate an authorized representative on someone's behalf. It also permanently adopts provisions that specify an authorized representative must be age 18 or older and removes a reference to a repealed OAR. These amendments are being made to align with Oregon Statute and guidance from Centers for Medicare & Medicaid Services. The rule is also being amended to permanently remove a rule reference that is no longer valid.

EFFECTIVE 10/01/2020

AMEND: 461-115-0700

RULE TITLE: Required Verification; GA, OSIP, OSIPM, and QMB

RULE SUMMARY: OAR 461-115-0700 about Required Verification; GA, OSIP, OSIPM, and QMB, is being amended to update information and requirements regarding asset verification for non-MAGI medical programs and remove repetitive language. This amendment will make verification process and requirements clearer.

EFFECTIVE 9/30/2020*

*To view multiple temporary changes from 4/17/2020 to 8/31/2020, see [Previous Rule Page](#)

ADOPT: 461-135-0220

RULE TITLE: REF, REFM, and TANF Programs; COVID-19

RULE SUMMARY: OAR 461-135-0220 about REF, REFM, and TANF Programs; COVID-19 is a recently adopted temporary rule that the Department intends to make permanent effective September 30, 2020, in order to allow special provisions regarding REF, REFM, and TANF Program rules, benefits, and eligibility; to be adopted during a pandemic. The rule also allows the suspension and modification of other rules in Chapter 461 that conflict with the provisions of this rule or that need to be altered due to a pandemic.

TEMPORARY EFFECTIVE 9/29/2020*

*To view multiple changes from 4/17/2020 to 9/28/2020, see [Previous Rule Page](#)

AMEND: 461-135-0440

RULE TITLE: Child Care Benefit Eligibility and Payment; COVID-19

RULE SUMMARY: OAR 461-135-0440 about Child Care Benefit Eligibility and Payment; COVID-19, is being changed to allow child care providers the ability to bill Oregon Department of Human Services (ODHS) for absent days due to temporary closures related to Oregon wildfires, to clarify other temporary closure billings must be COVID-19 related, and to allow back payment to providers going back to the date they are approved as Emergency Child Care (ECC) through the Office of Child Care (OCC).

EFFECTIVE 10/01/2020*

*To view multiple temporary changes from 4/17/2020 to 9/30/2020, see [Previous Rule Page](#)

ADOPT: 461-135-0660

RULE TITLE: SNAP; COVID-19

RULE SUMMARY: OAR 461-135-0660 about SNAP; COVID-19, is being adopted permanently to allow the Department to adopt rule provisions regarding the SNAP program in the event of a pandemic.

EFFECTIVE 10/01/2020*

*To view multiple temporary changes from 6/16/2020 to 9/30/2020, see [Previous Rule Page](#)

ADOPT: 461-135-0880

RULE TITLE: OSIPM and QMB Programs; COVID-19

RULE SUMMARY: OAR 461-135-0880 about OSIPM and QMB programs; COVID-19, is being adopted permanently to allow the Department to permanently adopt temporary rule provisions regarding the OSIPM and QMB programs in the event of a pandemic.

EFFECTIVE 10/01/2020*

*To view multiple temporary changes from 4/10/2020 to 9/30/2020, see [Previous Rule Page](#)

ADOPT: 461-135-1240

RULE TITLE: TA-DVS Program; COVID-19

RULE SUMMARY: OAR 461-135-1240 about TA-DVS; COVID-19 is being amended to serve as a rule placeholder in the event of a future pandemic. The provisions in the rule, with the exception of the provision for the rule to sunset at the end of the Governor's Executive Order 20-03, are being absorbed into OAR 461-135-1200.

EFFECTIVE 10/01/2020

AMEND: 461-140-0296

RULE TITLE: Length of Disqualification Due to an Asset Transfer; OSIP and OSIPM

RULE SUMMARY: OAR 461-140-0296 about Length of Disqualification Due to an Asset Transfer; OSIP and OSIPM, in the Oregon Supplemental Income Program (OSIP) and Oregon Supplemental Income Program Medical (OSIPM) programs is being amended to make permanent a temporary rule update of 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 a nursing facility services in Oregon.

EFFECTIVE 10/01/2020

ADOPT: 461-145-0087

RULE TITLE: Coronavirus Aid, Relief, and Economic Security (CARES) Act

RULE SUMMARY: OAR 461-145-0087 about Coronavirus Aid, Relief, and Economic Security (CARES) Act, is being permanently adopted in order to provide guidance regarding how programs will treat certain types of CARES Act payments. This permanent adoption of a temporary rule will provide ongoing clarity and transparency to the Department and the public.

EFFECTIVE 10/01/2020

AMEND: 461-155-0180

RULE TITLE: Income Standards; Not OSIP, OSIPM, QMB

RULE SUMMARY: OAR 461-155-0180 about income standards affecting self-sufficiency programs is being amended for a few federal poverty level income standards to align financial eligibility guidelines with the annual adjustments set forth by Food and Nutrition Services.

EFFECTIVE 10/01/2020

AMEND: 461-155-0190

RULE TITLE: Income and Payment Standards; SNAP and DSNAP

RULE SUMMARY: OAR 461-155-0190 about Income and Payment Standards; SNAP and DSNAP, is being amended to update SNAP and DSNAP income and payment standards with the annual adjustments set forth by Food and Nutrition Services.

EFFECTIVE 10/01/2020

AMEND: 461-160-0420

RULE TITLE: Shelter Cost; SNAP

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

EFFECTIVE 10/01/2020

AMEND: 461-160-0430

RULE TITLE: Income Deductions; SNAP

RULE SUMMARY: OAR 461-160-0430 about income deductions, SNAP, is being amended to align income deductions used to determine adjusted income for SNAP with the annual adjustments set forth by Food and Nutrition Services.

Implementation/transition instructions:

Training/communication plan:

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: Most of these rules were reviewed by a Rules Advisory Committee (RAC) for Self-Sufficiency Programs (SSP) or Aging and People with Disabilities (APD)

Filing instructions: N/A

If you have any questions about this policy, contact:

Contact(s): Policy specific questions: Contact the policy box for the specific program. Questions about the rules site, filing dates, or this transmittal: Contact Meorah Solar, Manager of SSP and APD Medical Program Hearings & Rules Affairs.

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