

CAF Self-Sufficiency Programs
 Authorized Signature

Number: SS-PT-04-004
Issue Date: March 31, 2004

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

| | | | |
|------------------------|---|-------------|--------|
| Policy/Rule Title: | Various Self-Sufficiency and Seniors and People with Disabilities programs Administrative Rules | | |
| Policy/Rule Number(s): | See Below | Release No: | ARM-30 |
| Effective Date: | April 1, 2004 | Expiration: | N/A |
| References: | | | |
| Web Address: | http://www.dhs.state.or.us/policy/selfsufficiency/ | | |

Discussion/Interpretation:

Rules 461-101-0010, 461-110-0390, 461-110-0630, 461-110-0750, 461-120-0125, 461-120-0345, 461-120-0510, 461-125-0510, 461-125-0600, 461-125-0610, 461-125-0650, 461-125-0660, 461-125-0690, 461-125-0890, 461-125-0910,

461-125-0930, 461-135-0700, 461-135-0701, 461-135-0705, 461-140-0120, 461-140-0130, 461-145-0040, 461-145-0050, 461-145-0150, 461-145-0320, 461-145-0360, 461-145-0530, 461-155-0010, 461-155-0210, 461-155-0526, 461-155-0551, 461-160-0015, 461-160-0060, 461-160-0500, 461-160-0510, 461-160-0520, 461-160-0550 governing the General Assistance program are being amended or repealed because the State of Oregon's legislature approved funding to restore a limited version of the former General Assistance program. This program provides cash assistance to individuals with severe physical or mental impairments who are waiting for their Supplemental Security Income (SSI) benefits to be approved by the Social Security Administration (SSA). The General Funds expenditures used to provide a monthly cash payment for indigent individuals with disabling conditions who meet the disability and financial requirements for GA are reimbursed to the State when the client becomes eligible for SSI.

Rule 461-461-110-0350 is being amended to exempt a child care provider from being counted in the filing group when a child is in full time care due to their caretaker being called to active duty for the National Guard or military reserve for more than 30 days.

Rules 461-115-0015, 461-135-0400 and 461-135-0401 are being amended to reinstate a student child care subsidy program authorized by the 2001-2003 Legislature. Because funding is limited and the number of student parents who may qualify is so large, a random selection and waiting list process is being established in rule. To qualify, students must be enrolled for at least 12 credits in a 2 or 4 year college eligible for federal financial aid. To remain in the program, students must earn 36 credits annually.

Rule 461-120-0125, in addition to being amended to implement the partial restoration of the GA program, is being amended to conform with the federal regulations regarding non-citizens. Specifically, non-citizens who meet the disability criteria for Supplemental Security Income (SSI) benefits are terminated from SSI after seven years if they have not attained citizenship status.

Rule 461-135-0301 is being amended to add new language that allows DHS to re-open the Emergency Assistance (EA) program.

Rule 461-135-0700, in addition to being amended to implement the partial restoration of the GA program, is being amended to allow GA for couples if one meets the impairment criteria for the GA program, and the spouse has a pending Title II claim and the Department has determined the spouse meets the disability criteria of the Social Security Administration.

Rule 461-135-0730 is being amended to add an enrollment cap for those QMB-SMB clients at the 121-135% FPL income level. We refer to these clients as SMF clients. The Federal term for them is QI-1s.

Rule 461-135-1130 is being amended to clarify that an Oregon Health Plan (OHP) disqualification is rescinded if the past due premium payment is received by the 20th of the month following the month for which the premium was billed. It is also being amended to clarify that an OHP disqualification period for not paying a premium on time starts the first of the month after the notice period ends. The clarification ensures that the disqualification policy will be consistently applied to all clients required to serve a penalty.

Rule 461-135-1220 is being amended to allow the Department additional time to determine eligibility for TA-DVS from 8 working hours up to 16 working hours.

Rule 461-135-1230 is being amended to state that more than one eligibility period for TA-DVS within a 12-month period must be jointly approved by the Department's field office and central office.

Rule 461-135-1235 is being amended to correct "second" business day to align with the proposed amendment in rule 461-135-1220.

Rule 461-145-0190 is being amended to exclude Nutrition Assistance program benefits received in Puerto Rico, American Samoa or the Commonwealth of the Northern Mariana Islands as income for the Food Stamp program.

Rule 461-155-0150 is being amended to add a monthly limit to child care subsidy when a child is in full-time care due to their caretaker being called to active duty for the National Guard or military reserve for more than 30 days.

Rules 461-155-0225, 461-155-0235, 461-155-0250, 461-155-0290, 461-155-0291 and 461-155-0295 are being amended to reflect the annual increase in the federal poverty levels when those levels are published in the Federal Register. These rules includes standards/allowances based on the federal poverty levels. Rule 461-155-0295 is also being amended to accurately reflect federal policy and close gaps in income that previously existed.

Rule 461-155-0526, in addition to being amended to implement the partial restoration of the GA program, is being amended to clarify that Community Transition Services payments are not to be used for temporary housing or medical supplies. In addition,

payments under this rule are only appropriate when the client is setting up housing in their own home or apartment.

Rule 461-160-0560 is being amended to include the federal language under the state can claim federal matching funds to purchase certain items for individuals who are being relocated from a nursing facility to home setting. State Medicaid Director Letter #02-008 from the Centers for Medicare and Medicaid Services provides for the availability of federal funds for those served under a home and community based waiver, if they are being relocated as part of comprehensive plan to provide services at home.

Rule 461-195-0531 is being amended to include specific language about when to establish overpayments in TA-DVS cases.

Rule 461-195-0551 is being amended to include a distraint warrant as a method to collect a liquidated claim. This method was added with the passage of HB 3629.

Rule 461-195-0601 is being amended to include a specific section on Temporary Assistance for Domestic Violence Survivor's (TA-DVS). Current rule does not separate TA-DVS from TANF. TA-DVS will only pursue intentional program violation (IPV) in TA-DVS cases when coercion from the abuser wasn't present.

Rule 461-195-0621 is being amended to include specific language around the TA-DVS program. It includes language around liability in repayment situations and actions for staff to take if a person who has been found responsible for a IPV applies for TA-DVS in the future. Current rule language does not provide IPV information in the TA-DVS program.

Implementation/Transition Instructions:

Training/Communication Plan:

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

Central Office Action Required:

Field/Stakeholder review: 9 Yes 9 No
If yes, reviewed by:

Filing Instructions:

Please file this material, dated April 1, 2004, in your *CAF Administrative Rules Manual*.
Record the insertion date on the ML record sheet.

| Remove | Insert |
|-----------------------------------|-----------------------------------|
| 461-101-0010 | 461-101-0010 |
| 461-110-0350 | 461-110-0350 |
| 461-110-0390 | 461-110-0390 |
| 461-110-0630 | 461-110-0630 |
| 461-110-0750 | 461-110-0750 |
| 461-115-0015 | 461-115-0015 |
| 461-120-0125 | 461-120-0125 |
| 461-120-0345 | 461-120-0345 |
| 461-120-0510 | 461-120-0510 |
| 461-125-0510 | 461-125-0510 |
| 461-135-0301 | 461-135-0301 |
| 461-135-0400 and 461-135-0401 | 461-135-0400 and 461-135-0401 |
| 461-135-0700 through 461-135-0705 | 461-135-0700 through 461-135-0705 |
| 461-135-0730 | 461-135-0730 |
| 461-135-0845 | 461-135-0845 |
| 461-135-1120 and 461-135-1130 | 461-135-1120 and 461-135-1130 |
| 461-135-1215 and 461-135-1220 | 461-135-1215 and 461-135-1220 |
| 461-135-1230 and 461-135-1235 | 461-135-1230 and 461-135-1235 |
| 461-140-0120 | 461-140-0120 |
| 461-140-0130 | 461-140-0130 |
| 461-145-0040 and 461-145-0050 | 461-145-0040 and 461-145-0050 |
| 461-145-0150 | 461-145-0150 |
| 461-145-0190 | 461-145-0190 |
| 461-145-0320 | 461-145-0320 |

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|-----------------------------------|-----------------------------------|
| 461-145-0360 | 461-145-0360 |
| 461-145-0530 | 461-145-0530 |
| 461-155-0010 | 461-155-0010 |
| 461-155-0150 | 461-155-0150 |
| 461-155-0210 through 461-155-0250 | 461-155-0210 through 461-155-0250 |
| 461-155-0290 through 461-155-0295 | 461-155-0290 through 461-155-0295 |
| 461-155-0526 | 461-155-0526 |
| 461-155-0551 | 461-155-0551 |
| 461-160-0015 | 461-160-0015 |
| 461-160-0060 | 461-160-0060 |
| 461-160-0500 | 461-160-0500 |
| 461-160-0550 and 461-160-0560 | 461-160-0550 and 461-160-0560 |
| Division 195 TOC | Division 195 TOC |
| 461-195-0531 | 461-195-0531 |
| 461-195-0551 | 461-195-0551 |
| 461-195-0601 | 461-195-0601 |
| 461-195-0621 | 461-195-0621 |

If you have any questions about this policy, call:

| | | | |
|-------------|--|------|--|
| Contact(s): | <i>See the Contact List in the <i>Family Services Manual</i> (section C of the Introduction chapter) for the appropriate analyst to contact on policy.</i> | | |
| Phone: | | Fax: | |
| E-mail: | | | |

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