OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 461
DEPARTMENT OF HUMAN SERVICES
SELF-SUFFICIENCY PROGRAMS

FILED: 10/27/2026 7:30 AM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Annual Federal Adjustments

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 11/25/2026 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.
A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT:
Jennifer Lay
541-844-6136
RulesHearings.Ch461@odhsoha.oregon.gov
ODHS Self-Sufficiency Programs
500 Summer St. NE
Salem, OR 97301

Filed By:
Lay Jennifer
Rules Coordinator

NEED FOR THE RULE(S):

OAR 461-155-0290 about Income Standard; QMB, OAR 461-155-0291 about Income Standard; QDWI, and OAR 461-155-0295 about Income Standard; SLMB, QI need to be amended because the Department is required to adjust its eligibility standards as a result of congressionally approved changes. These amendments keep Oregon in line with current federal standards for Department Medicaid programs and changes in the federal poverty level.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

The Department estimates all rule changes in this filing will have no impact on racial equity in Oregon.

FISCAL AND ECONOMIC IMPACT:

The Department is unable to estimate the fiscal impact of amending OAR 461-155-0290, 461-155-0291, and 461-155-0295 on the Department and on individuals receiving benefits because the federal poverty levels (FPL) are not published until late January or February. In 2013, 2016, 2017, 2018, 2024, and 2025, the overall percentage of the federal poverty level increase exceeded the COLA increases. In 2019 – 2021, the results depended upon the household size. In 2022, 2023, and most recently 2026, the overall FPL levels increased less than the SSA COLA increase. In light of that, it is unclear whether the amendments will result in either individuals being eligible for a Medicare Savings Program (MSP), or better MSP benefits, for the first time, or whether their benefits will be closed or reduced. Net increases in Qualified Medicare Beneficiary (QMB) and Specified Low Income Medicare Beneficiary (SLMB) recipients result in a negative fiscal impact on the Department, while reduced or closed benefits (or fewer newly eligible individuals) results in a positive fiscal impact on the Department. The Department estimates no fiscal impact to local government or business, including small businesses.

COST OF COMPLIANCE:
(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

See fiscal impact.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of these rule changes but are invited to provide comment during the public comment period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The rules in this filing were exempted from Rules Advisory Committee consultation because the amendments are being made to implement federal changes without room for interpretation.

RULES PROPOSED:
461-155-0290, 461-155-0291, 461-155-0295

AMEND: 461-155-0290

RULE SUMMARY: OAR 461-155-0290 is being amended to reflect the annual updates to the federal poverty level that happen every March.

CHANGES TO RULE:

461-155-0290
Income Standard; QMB ¶

THIS RULE WILL BE AMENDED TO REFLECT FEDERAL POVERTY LEVEL STANDARDS PUBLISHED ANNUALLY¶
The adjusted income standard for the Qualified Medicare Beneficiary (QMB) program is 100 percent of the 2026 federal poverty level.¶
¶
[see attached QMB Adjusted Income Standard¶
~~No. in Need Group ..... Amount¶~~
~~1 ..... $1,330¶~~

~~2 ..... 1,804¶~~
~~3 ..... 2,277¶~~
~~4 ..... 2,750¶~~
~~5 ..... 3,224¶~~
~~6 ..... 3,697¶~~
~~7 ..... 4,170¶~~
~~8 ..... 4,644¶~~
~~9 ..... 5,117¶~~
~~10 ..... 5,590¶~~
~~Each additional person ..... + 474~~]
Statutory/Other Authority: ORS 411.060, 411.070, 411.404, ORS 409.050, 413.085, 414.685
Statutes/Other Implemented: ORS 411.060, 411.070, 411.404, ORS 409.010, 42 CFR 400.200, 42 USC 1396d(p)

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

NOTE: Attachments referenced are attached to this document. You may view the attachment 461-155-0290.pdf from the Attachments panel. Alternately, you may view the attachments at the following link: https://secure.sos.state.or.us/oard/viewAttachment.action?ruleVrsnRsn=339416

AMEND: 461-155-0291

RULE SUMMARY: OAR 461-155-0291 is being amended to reflect the annual updates to the federal poverty level that happen every March.

CHANGES TO RULE:

461-155-0291
Income Standard; QDWI ¶

THIS RULE WILL BE AMENDED TO REFLECT FEDERAL POVERTY LEVEL STANDARDS PUBLISHED ANNUALLY¶
The adjusted income standard for the Qualified Disabled and Working Individual (QDWI) program is 200 percent of the 2026 federal poverty level (see OAR 461-155-0290).¶
¶
~~No. in Need Group ..... Amount¶~~
~~1 ..... $2,660¶~~
~~2 ..... 3,607¶~~
~~3 ..... 4,554¶~~
~~4 ..... 5,500¶~~
~~5 ..... 6,447¶~~
~~6 ..... 7,394¶~~
~~7 ..... 8,340¶~~
~~8 ..... 9,287¶~~
~~9 ..... 10,234¶~~
~~10 ..... 11,180¶~~
~~Each additional person ..... + 947~~ [see attached QDWI Adjusted Income Standard]
Statutory/Other Authority: ORS 411.060, 411.070, 411.404, ORS 409.050, 413.085, 414.685
Statutes/Other Implemented: ORS 411.060, 411.070, 411.404, ORS 409.010, 42 CFR 400.200, 42 USC 1396d(s)

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

NOTE: Attachments referenced are attached to this document. You may view the attachment 461-155-0291.pdf from the Attachments panel. Alternately, you may view the attachments at the following link: https://secure.sos.state.or.us/oard/viewAttachment.action?ruleVrsnRsn=339417

AMEND: 461-155-0295

RULE SUMMARY: OAR 461-155-0295 is being amended to reflect the annual updates to the federal poverty level that happen every March.

CHANGES TO RULE:

461-155-0295
Income Standard; SLMB, QI ¶

THIS RULE WILL BE AMENDED TO REFLECT FEDERAL POVERTY LEVEL STANDARDS PUBLISHED ANNUALLY¶
(1) Eligibility for the Specified Low Income Medicare Beneficiary (SLMB) program requires income greater than 100 percent (see OAR 461-155-0290) but less than 120 percent of the federal poverty level. The adjusted income standard for SLMB is 120 percent of the 2026 federal poverty level.¶
~~SLMB Adjusted Income Standard¶~~
~~¶~~
~~No. in Need Group ..... Amount¶~~
~~1 ..... $1,596¶~~
~~2 ..... 2,164¶~~
~~3 ..... 2,732¶~~
~~4 ..... 3,300¶~~
~~5 ..... 3,868¶~~
~~6 ..... 4,436¶~~
~~7 ..... 5,004¶~~
~~8 ..... 5,572¶~~
~~9 ..... 6,140¶~~
~~10 ..... 6,708¶~~
~~Each additional person ..... + 568¶~~
~~(2) Eligibility for the Qualifying Individual (QI) program requires income equal to or greater than 120 percent (see section (1) of this rule) but less than 135 percent of the federal poverty level. The adjusted income standard for QI is 135 percent of the 2026 federal poverty level.¶~~
~~QI Adjusted Income Standard¶~~
~~¶~~
~~No. in Need Group ..... Amount¶~~
~~1 ..... $1,796¶~~
~~2 ..... 2,435¶~~
~~3 ..... 3,074¶~~
~~4 ..... 3,713¶~~
~~5 ..... 4,352¶~~
~~6 ..... 4,991¶~~
~~7 ..... 5,630¶~~
~~8 ..... 6,269¶~~
~~9 ..... 6,908¶~~
~~10 ..... 7,547¶~~
~~Each additional person ..... + 639~~ [see attached Table 1]¶
(2) Eligibility for the Qualifying Individual (QI) program requires income equal to or greater than 120 percent (see section (1) of this rule) but less than 135 percent of the federal poverty level. The adjusted income standard for QI is 135 percent of the 2026 federal poverty level. [see attached Table 2]
Statutory/Other Authority: ORS 411.060, 411.070, ORS 409.050, 413.085, 414.685
Statutes/Other Implemented: ORS 411.060, 411.070, ORS 409.010, 42 USC 1396a(10)(E)(iii)-(iv)

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

NOTE: Attachments referenced are attached to this document. You may view the attachment 461-155-0295.pdf from the Attachments panel. Alternately, you may view the attachments at the following link:
https://secure.sos.state.or.us/oard/viewAttachment.action?ruleVrsnRsn=339420