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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 461
DEPARTMENT OF HUMAN SERVICES
SELF-SUFFICIENCY PROGRAMS

FILED: 10/28/2026 2:55 PM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Changes to Signature Requirements, Eligibility, and 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.

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Filed By:
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HEARING(S)
Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 11/24/2026
TIME: 11:00 AM - 12:00 PM
OFFICER: Jennifer Lay

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 669-254-5252
CONFERENCE ID: 1654363045
SPECIAL INSTRUCTIONS:
Passcode: 970849

NEED FOR THE RULE(S):

OAR 461-135-0850 about Specific Requirements; Repatriate Program needs to be amended to align the rule with federal policy. Currently, the rule does not include dependents of United States citizens in the definition of repatriate.

The rule also incorrectly identifies the Department of State's International Social Services Office as the agency responsible for determining eligibility for the program. The proposed rule change aligns with federal policy by adding dependents of United States citizens to the definition of repatriate and correctly identifying the Department of Health and Human Services' Office of Health, Safety, Emergency Preparedness and Response as the agency responsible for determining eligibility.

OAR 461-135-0900 about Specific Requirements; REF, REFM needs to be amended to align the rule with new guidance from the Federal Office of Refugee Resettlement (ORR). The amendment to the rule changes the eligibility period in the Refugee Assistance and Refugee Assistance Medical programs to 12 months for individuals whose date of eligibility is on or after January 1, 2026.

OAR 461-135-1200 about Specific Requirements; TA-DVS needs to be amended to alleviate barriers to accessing payments in the Temporary Assistance for Domestic Violence Survivors (TA-DVS) program. Currently, TA-DVS recipients may apply over the phone, and a verbal recorded signature is captured. Verbal recording software capabilities will no longer be available for those that determine eligibility for the TA-DVS program due to phone software changes. Allowing verbal attestation as a signature option when no other option is available ensures that survivors can apply for TA-DVS by phone when needed for their safety, while allowing the Oregon Department of Human Services (ODHS) to obtain the required signature. In addition, updates to the rule allow self-attestation for financial eligibility when verification is not available and not questionable. This creates more flexibility for survivors to access TA-DVS payments.

OAR 461-170-0011 about Changes That Must Be Reported needs to be amended to keep the threshold for required reporting of changes aligned with annual adjustments required by the United States Department of Agriculture Food and Nutrition Administration.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

For OAR 461-135-0850, the U.S. Repatriation Program Routine Repatriation Manual for States is available by request from the Refugee Program Policy Unit.

For OAR 461-135-0900:
https://acf.gov/orr/policy-guidance/refugees/policy-instructions/dcl-26-05#ftn1

For OAR 461-170-0011:
https://www.usda.gov/sites/default/files/guidance-documents/fna.snap-cola2027.pdf

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

The Department estimates that the change to the eligibility period in OAR 461-135-0900 may have a negative impact on racial equity in Oregon due to inequitable benefit delivery. The change establishes two different eligibility periods for Refugee Assistance (REF) and Refugee Assistance Medical (REFM), based on an individual's date of eligibility:

- Individuals whose date of eligibility falls between May 5, 2025, and December 31, 2025, may receive these benefits for up to four months.
- Individuals whose date of eligibility is on or after January 1, 2026, may receive these benefits for up to 12 months.

As a result, individuals with the same immigration status may be eligible to receive benefits for substantially different periods based solely on their dates of eligibility. For example, an individual whose eligibility begins on January 1, 2026, may receive benefits for up to three times as long as an individual who became eligible just one day before them. The Department cannot independently address this disparity because both eligibility and funding for these programs are set at the federal level.

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

FISCAL AND ECONOMIC IMPACT:

The Department estimates that changes to OAR 461-135-0850 will have a positive fiscal impact on dependents of United States citizens by including them in the definition of repatriate, thereby making them potentially eligible for the program. The Department estimates that the changes will have no fiscal impact on the Department, other state agencies, local government, or businesses, including small businesses.

The Department anticipates that changes to OAR 461-135-0900 will have a positive fiscal impact on the Oregon Department of Human Services (ODHS) and individuals who receive Refugee Assistance (REF) and Refugee Assistance Medical (REFM) benefits. Extending the eligibility period from eight to 12 months allows eligible individuals to receive assistance for additional months, providing more time to acclimate to a new country and become self-sufficient. Additionally, the extended eligibility period is expected to increase funding for ODHS to administer the refugee program, including staffing costs. Other local government bodies, resettlement agencies, and community-based organizations may see a positive fiscal impact, as individuals eligible for the extended period of REF and REFM benefits may rely less on these resources. The Department estimates no fiscal impact on businesses, including small businesses.

The Department is unable to estimate the fiscal impact of changes to OAR 461-135-1200 because there is no way to estimate how many individuals will be approved for or receive payments from the Temporary Assistance for Domestic Violence Survivors (TA-DVS) program. The Oregon Department of Human Services may be negatively affected fiscally due to the verification requirement changes in section (8) of the rule, causing a potential increase in the number of individuals approved for TA-DVS payments. This impact is expected to be small, since there are already waivers in place regarding verification in certain instances such as hardship or immediate safety concerns. There may also be a positive fiscal impact on the Department due to reduced staff time in determining eligibility and payment processing. The rule changes are expected to positively impact survivors' access to TA-DVS by giving the Department more flexibility in capturing signatures and determining financial eligibility. The Department anticipates no fiscal impact to other state agencies, local government, or businesses including small businesses.

The Department estimates that the amendments to OAR 461-170-0011 will have a positive fiscal impact on Supplemental Nutrition Assistance Program (SNAP) recipients whose cases are in the change reporting system. Increasing the change-reporting threshold from $125 to $150 may allow these recipients to retain higher SNAP benefit amounts when they experience minor increases in income. The Department estimates that the changes will have no fiscal impact on the Department, other state agencies, local government, or businesses, 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?

Proposed rule changes in this filing were shared with Rules Advisory Committee (RAC) invitees unless they were exempt because the changes implemented federal legislation with no room for interpretation.

RULES PROPOSED:
461-135-0850, 461-135-0900, 461-135-1200, 461-170-0011

AMEND: 461-135-0850

RULE SUMMARY: OAR 461-135-0850 is being amended to add dependents of United States citizens to the definition of repatriate and replace the Department of State with the U.S. Department of Health and Human Services' Office of Health, Safety and Emergency Preparedness and Response as the agency responsible for determining eligibility for the repatriation program. These changes align the rule with current federal policy.

CHANGES TO RULE:

461-135-0850
Specific Requirements; Repatriate Program ¶

(1) For purposes of this rule, "repatriate" means a U~~S citizen~~nited States (US) citizen and their dependent who has returned, or been brought back to the US because of destitution, illness (including mental illness), war, threat of war, invasion, or a similar crisis.¶
(2) To be eligible for the Department's repatriation services, an individual must be identified by the Department of ~~State's International Social~~Health and Human Services ~~o~~' Office of Health, Safety, Emergency Preparedness and Response as a repatriate needing assistance.¶
(3) A repatriate may receive monthly loan assistance equal to the monthly Temporary Assistance for Needy Families (TANF) standard for the equivalent case size (see OAR 461-155-0030) for a duration of time determined by the federal agency. A Repayment Agreement must be signed prior to the first payment.
Statutory/Other Authority: ORS 411.060
Statutes/Other Implemented: ORS 411.060

AMEND: 461-135-0900

RULE SUMMARY: OAR 461-135-0900 is being amended to add a new eligibility period for individuals who become eligible on or after January 1, 2026, based on guidance from the Federal Office of Refugee Resettlement (ORR).

CHANGES TO RULE:

461-135-0900
Specific Requirements; REF, REFM ¶

(1) In addition to the eligibility (see OAR 461-001-0000) requirements in other rules in OAR chapter 461, an individual must meet all of the requirements in this rule to be eligible for the Refugee Assistance (REF) and Refugee Assistance Medical (REFM) programs.¶
(2) An individual must meet the noncitizen status requirements of OAR 461-120-0125 to be eligible for REF and REFM programs except as follows. In the REFM program, a newborn child (see OAR 461-001-0000) born in the United States to an individual in the REFM program is not required to meet the noncitizen status requirements for the REFM program as long as each parent (see OAR 461-001-0000) in the filing group (see OAR 461-110-0210) meets the noncitizen status requirements of OAR 461-120-0125.¶
(3) An individual is not eligible to receive REF and REFM program benefits if the individual is a full-time student of "higher education", unless such education is part of a cash assistance case plan. Any education or training allowable under an approved case plan must be less than one year in length. For the purposes of this rule, "higher education" means education that meets the requirements of one of the following subsections:¶
(a) Public and private universities and colleges and community colleges that offer degree programs regardless of whether a high school diploma is required for the program. However, GED, ABE, ESL, and high school equivalency programs at these institutions are not considered "higher education".¶
(b) Vocational, technical, business, and trade schools that normally require a high school diploma or equivalency certificate for enrollment in the curriculum or in a particular program at the institution. However, programs at those institutions that do not require the diploma or certificate are not considered "higher education".¶
(4) Eligibility for REF and REFM program benefits -¶
(a) For individuals whose date of eligibility is before October 1, 2021, is limited to the first eight months from the date the immigration status was granted. Months in the United States are counted as whole months. There is no prorating of months.¶
(b) For individuals whose date of eligibility is from October 1, 2021, through May 4, 2025, is limited to the first twelve months from the date the immigration status was granted, except for individuals that meet the criteria of paragraph (B) of this subsection.¶
(A) Months in the United States are counted as whole months. There is no prorating of months.¶
(B) The twelve-month period begins May 21, 2022, for an individual who is a citizen or national of Ukraine, or an individual who last habitually resided in Ukraine, who was paroled into the United States between February 24, 2022, and May 21, 2022.¶
(c) For individuals whose date of eligibility is ~~on or after Ma~~from May 5, 2025, through December 31, 2025, is limited to the first four months from the date the immigration status was granted. Months in the United States are counted as whole months. There is no prorating of months.¶
(d) For individuals whose date of eligibility is on or after January ~~5~~1, 202~~5~~6, is limited to the first ~~four~~12 months from the date the immigration status was granted. Months in the United States are counted as whole months. There is no prorating of months.¶
(5) In the REF and REFM programs, if an individual was originally resettled in Oregon through the federal refugee resettlement process, then the individual must provide the name of the local resettlement agency that resettled them.
Statutory/Other Authority: ORS 409.050, 411.060, 411.070, 411.116, 411.121, 411.404, 414.685
Statutes/Other Implemented: ORS 409.010, 411.060, 411.070, 411.116, 411.121, 411.404, 411.878, 412.049, 414.685, 45 CFR 400, H.R. 7691, 117th Cong. (2021-2022)

AMEND: 461-135-1200

RULE SUMMARY: OAR 461-135-1200 is being amended to add section (3) to allow an individual to provide a signature by verbal attestation to establish a filing date or to sign an application. In addition, section (8) is being amended to allow self-attestation for financial eligibility factors when verification is not available.

CHANGES TO RULE:

461-135-1200
Specific Requirements; TA-DVS ¶

(1) The Temporary Assistance for Domestic Violence Survivors (TA-DVS) program addresses temporary needs of individuals -- ¶
(a) Who are currently surviviors of domestic violence (see OAR 461-001-0000), have been survivors of domestic violence, or are at risk of further domestic violence; ¶
(b) Whose current or future safety is at risk because of domestic violence; and ¶
(c) Who meet the financial and non-financial requirements of this rule.¶
(2) An individual must complete the application process as defined in OAR 461-115-0020. The Department is to follow the application time frames outlined under OAR 461-115-0190.¶
(3) An individual may provide a signature through verbal attestation to: ¶
(a) Establish a filing date. A filing date is established when:¶
(A) The individual provides all the information required under OAR 461-115-0040(2); and ¶
(B) The Department documents that the individual states their full name as their signature. ¶
(b) Sign an application as required under OAR 461-115-0020. A verbal attestation signature is accepted when the Department documents that all the following requirements are met: ¶
(A) "Your Rights and Responsibilities" is reviewed with, and provided to, the individual.¶
(B) The individual affirms that they:¶
(i) Understand, agree to, and will comply with their rights and responsibilities; and ¶
(ii) Have given true, correct, and complete information to the Department.¶
(C) The individual states their full name as their signature.¶
(4) The Department is authorized by ORS 412.072 to waive or modify requirements of the Temporary Assistance for Needy Families (TANF) program that make it more difficult for individuals to escape domestic violence or put them at risk of further or future domestic violence.¶
(45) The Department waives the TANF requirement in OAR 461-135-0070(1)(a) for a pregnant individual to have reached late pregnancy if an individual is at risk of further or future domestic violence.¶
(~~5~~6) The filing group requirements in the TA-DVS program are the same as for the TANF program (see OAR 461-110-0330), except the abuser is not considered in the filing group.¶
(~~6~~7) The financial eligibility requirements in the TA-DVS program are the same as for the TANF program except that:¶
(a) A TANF grant does not count as income.¶
(b) Income received during the budget month (see OAR 461-001-0000) is not counted if the individual:¶
(A) Has already spent the money, does not have reasonable access to the money, or cannot access the money independently of the abuser;¶
(B) Needs the money for expenses made neccessary to flee from abuse; or¶
(C) Needs the money for anticipated budget month expenses, including but not limited to, rent or mortgage, utilities, childcare, medical, food, telephone, or transportation costs.¶
(c) There is no resource limit.¶
(d) The income limit is the applicable TANF Countable Income Limit Standard (OAR 461-155-0030), but the TA-DVS program uses net income, after expenses provided in subsection (6)(b) of this rule.¶
(e) SSI income is countable (see OAR 461-001-0000), if available in time to meet the emergent need (the immediate safety need) of the individual.¶
(~~7~~8) The non-financial requirements in the TA-DVS program are the same as for the TANF program except that:¶
(a) Citizenship and noncitizen status requirements (OAR 461-120-0110) are waived.¶
(b) There are no requirements to assign support rights.¶
(c) There are no requirements to pursue assets (see OAR 461-120-0330).¶
(d) There is no requirement of regular school attendance (OAR 461-120-0510), except that if the only dependent child (see OAR 461-001-0000) is at least the age of 18, the dependent child must meet requirements of OAR 461-120-0510.¶
(e) The individual is not required to participate in an employment program. ¶

(f) The Department waives the ineligibility of a parent (see OAR 461-001-0000) or caretaker relative (see OAR 461-001-0000) who is a striker (see OAR 461-130-0328).¶
(~~8~~9) Verification in the TA-DVS program is required as in the TANF program~~.~~ except that: ¶
(a) Verification of ~~financial or~~ non-financial eligibility factors is postponed if the delay in finding the individual eligible would prevent the individual from meeting an emergent need.¶
(~~9~~b) Self-attestation (see OAR 461-115-0610) may be accepted for financial eligibility factors when not questionable and income verification is unavailable. ¶
(10) No verification is required that the individual is a survivor of domestic violence or needs to flee from abuse unless:¶
(a) The individual has been arrested for or convicted of an act of domestic violence in the past and it is uncertain whether the individual is a survivor of domestic violence. In this situation, the Department verifies whether the individual is currently a survivor of domestic violence. ¶
(b) It is unclear who the survivor is because multiple individuals list each other as the survivor during overlapping applications or certification periods.¶
(1~~0~~1) Verification as needed in situations described in subsections (~~9~~10)(a) and (~~9~~10)(b) of this rule includes, but is not limited to, a statement from a law enforcement officer, a district attorney, the court, a batterer intervention program, a victim's advocate, a Child Welfare staff person, a mental health provider, a health care or other medical provider, a member of the clergy, or other professional from whom the individual has requested assistance to address the alleged domestic violence indicating that the individual is a survivor of domestic violence or is a self-defending survivor. This statement is adequate verification. If no verification is available, the Department's central office TA-DVS Policy Analyst may assist in determining what other verification is acceptable.¶
(1~~1~~2) The following TANF requirements remain in effect as described even if an individual is a survivor of domestic violence or at risk of further domestic violence:¶
(a) The TANF requirements in OAR 461-135-0070 to be a dependent child, a caretaker relative, or a parent.¶
(b) The TANF requirement in OAR 461-120-0630 that a dependent child live with a caretaker relative, except the latter requirement may be waived while the caretaker relative escapes from further or future domestic violence if the dependent child is expected to return within the 90-day certification period (see OAR 461-001-0000).¶
(c) The TANF requirement of residency (see OAR 461-120-0010) except when an individual does not intend to stay in Oregon if the reason for leaving is due to their current domestic violence situation.¶
(d) Income or resource limits except as specifically provided in OAR 461-140-0020 and OAR 461-140-0040.
Statutory/Other Authority: ORS 409.050, 411.060, 412.049, 412.072
Statutes/Other Implemented: ORS 409.010, 411.060, 412.049, 45 CFR 260.50 - 260.55, 412.072

AMEND: 461-170-0011

RULE SUMMARY: OAR 461-170-0011 is being amended to include new reporting requirement amounts for the change reporting system in the Supplemental Nutrition Assistance Program.

CHANGES TO RULE:

461-170-0011
Changes That Must Be Reported ¶

(1) A change in employment status is considered to occur as follows:¶
(a) For a new job, the change occurs the first day of the new job.¶
(b) For a job separation, the change occurs on the last day of employment.¶
(2) A change in source of income is considered to occur as follows:¶
(a) For earned income, the change occurs upon the receipt by the individual of the first paycheck from a new job or the first paycheck reflecting a new rate of pay.¶
(b) For unearned income, the change occurs the day the individual receives the new or changed payment.¶
(3) An individual must report, orally or in writing, the following changes:¶
(a) In the Supplemental Nutrition Assistance Program (SNAP):¶
(A) An individual participating in the Change Reporting System (CRS) must report any of the following changes within 10 days of occurrence:¶
(i) Effective October 1, 202~~1~~6, a change in earned income of more than $1~~2~~50.¶
(ii) Effective October 1, 202~~1~~6, a change in unearned income of more than $1~~2~~50.¶
(iii) An individual with an Able-Bodied Adults Without Dependents (ABAWD) status residing in one of the SNAP time limit areas (see OAR 461-135-0520) who is working, paid or unpaid, must report a change in work hours when work hours fall below 20 hours per week.¶
(iv) A change in source of income.¶
(v) A change in membership of the filing group (see OAR 461-110-0370) and any resulting change in income.¶
(vi) A change in residence and the shelter costs in the new residence.¶
(vii) A change in the legal obligation to pay child support.¶
(viii) When the sum of cash on hand, stocks, bonds, and money in a bank or savings institution account reaches or exceeds program resource limits.¶
(ix) Acquisition or change in ownership of a non-excluded vehicle.¶
(B) An individual participating in the Simplified Reporting System (SRS) must report by the tenth day of the month following the month of occurrence when:¶
(i) The monthly income of the filing group exceeds the SNAP countable (see OAR 461-001-0000) income limit.¶
(ii) A member of the financial group (see OAR 461-110-0530) has lottery or gambling winnings equal to or in excess of the amount listed as the resource limit in OAR 461-160-0015(6)(a).¶
(iii) An individual with an ABAWD status residing in one of the SNAP time limit areas who is working, paid or unpaid, has a change in work hours that fall below 20 hours per week.¶
(C) An individual participating in Transitional Benefit Alternative (TBA) is not required to report any changes. ¶
(b) For Employment Payments (see OAR 461-135-1270) an individual must report changes that may affect eligibility (see OAR 461-001-000) within 10 days of occurrence, including:¶
(A) A loss of unsubsidized paid employment.¶
(B) All dependent children (see OAR 461-001-0000) are out of the household.¶
(c) For General Assistance (GA), Medicare Savings Programs (see OAR 461-001-0000), and Oregon Supplemental Income Program Medical (OSIPM), an individual must report all changes that may affect eligibility or benefit level within 10 days of occurrence, including any of the following changes:¶
(A) A change in employment status.¶
(B) A change in health care coverage.¶
(C) A change in membership of the household group (see OAR 461-110-0210).¶
(D) A change in marital status.¶
(E) A change in residence.¶
(F) A change in resources.¶
(G) A change in source or amount of income.¶
(H) Except for Medicare Savings Programs, out-of-pocket medical expenses.¶
(d) In the Refugee Assistance (REF) program, an individual participating in CRS must report any of the following changes within 10 days of occurrence:¶
(A) Acquisition or change in ownership of a non-excluded vehicle.¶

(B) A change in earned income more than $100.¶
(C) A change in employment status (see section 1 of this rule).¶
(D) A change in marital status or other changes in membership of the filing group (see OAR 461-110-0430).¶
(E) A change in immigration or citizenship status for any member of the filing group.¶
(F) A change in mailing address or residence.¶
(G) A change in pregnancy status of any member of the filing group.¶
(H) A change in source of income.¶
(I) A change in unearned income more than $50.¶
(J) A change in who pays the shelter costs if the costs will be paid by a non-custodial parent.¶
(K) Sale or receipt of a resource that causes total resources to exceed program resource limits.¶
(e) In the Refugee Assistance Medical (REFM) program, an individual must report the following changes within 10 days of occurrence:¶
(A) A change in membership of the household group.¶
(B) A change in residence.¶
(C) A change in pregnancy status of any member of the filing group (see OAR 461-110-0430).¶
(D) A change in immigration status for any member of the filing group.¶
(f) In the State Family Pre-SSI/SSDI (SFPSS), and Temporary Assistance for Needy Families (TANF) programs, an individual participating in CRS must report any of the following changes within 10 days of occurrence:¶
(A) Acquisition or change in ownership of a non-excluded vehicle.¶
(B) A change in earned income more than $100.¶
(C) A change in employment status (see section 1 of this rule).¶
(D) A change in membership of the household group.¶
(E) A change in marital status or other changes in membership of the filing group (see OAR 461-110-0330).¶
(F) A change in immigration or citizenship status for any member of the filing group. ¶
(G) A change in employment authorization status for any member of the filing group that is Job Opportunity and Basic Skills (JOBS) eligible or a JOBS volunteer (see OAR 461-130-0310).¶
(H) A change in mailing address or residence.¶
(I) A change in pregnancy status of any member of the filing group.¶
(J) A change in source of income.¶
(K) A change in unearned income more than $50.¶
(L) A change in who pays the shelter costs if the costs will be paid by a non-custodial parent.¶
(M) Sale or receipt of a resource that causes total resources to exceed program resource limits.
Statutory/Other Authority: ORS 409.050, 411.060, 411.070, 411.404, 411.706, 411.816, 412.014, 412.049, 413.085, 414.685
Statutes/Other Implemented: ORS 409.010, 409.050, 411.060, 411.070, 411.081, 411.404, 411.704, 411.706, 411.816, 411.825, 411.837, 412.014, 412.049, 413.085, 414.685, 414.826