

3-9

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

OR 5-2005 JCC

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on
March 9, 2007 by the
Date prior to or same as filing date.

Department of Human Services - Children, Adults and Families 461
Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address Telephone

to become effective March 9, 2007 through June 30, 2007
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Changing OARs affecting public assistance, medical assistance or food stamp clients
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

ADOPT:

AMEND: 461-155-0250

SUSPEND: 461-155-0250(T)

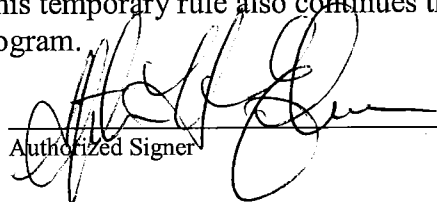
ORS 411.060, 411.070
Stat. Auth.

Other Authority

ORS 411.060, 411.070
Stats. Implemented

RULE SUMMARY

OAR 461-155-0250 about income standards for the Oregon Supplemental Income Program (OSIP) and the Oregon Supplemental Income Program – Medical (OSIPM) is being amended to adjust the standards used to determine eligibility for individuals who live in the household of another. These amounts are based on the Social Security Federal Benefit Amounts. This temporary rule also continues the changes made by temporary rule on March 1, 2007 for the OSIP-EPD program.


Authorized Signer
Stephen H. Elmore
Printed Name
3/9/06
Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in the Rulemaking Action, and electronic copy of rules.
ARC 940-2005

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Department of Human Services - Children, Adults and Families

461

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amending Rule

Rule Caption: Changing OARs affecting public assistance, medical assistance or food stamp clients

Statutory Authority: ORS 411.060, 411.070

Other Authority:

Statutes Implemented: ORS 411.060, 411.070

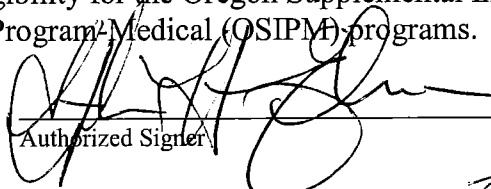
Need for the Temporary Rule(s):

OAR 461-155-0250 needs to be amended because the amounts listed for determining eligibility for individuals who live in the household of another were incorrect. These amounts are being corrected to match the Social Security Federal Benefit Amounts.

Documents Relied Upon (and where they are available):

Justification of Temporary Rule(s):

The Department finds that failure to act promptly will result in serious prejudice to the public interest served by the Department, including its clients because failure to adjust these standards may result in some clients being denied eligibility for the Oregon Supplemental Income Program (OSIP) and Oregon Supplemental Income Program Medical (OSIPM) programs.



Authorized Signer

Stephen H. Elmore

Printed Name

3/9/06
Date

461-155-0250**Income and Payment Standard; OSIP, OSIPM**

(1) For an OSIP (except OSIP-EPD) or OSIPM (except OSIPM-EPD) client in long-term care or in a waived *nonstandard living arrangement* (see OAR 461-001-0000), the countable income limit standard is 300 percent of the full SSI standard for a single individual. Other OSIP and OSIPM clients do not have a countable income limit.

(2) The non-SSI OSIP and OSIPM (except OSIP-EPD and OSIPM-EPD) adjusted income standard takes into consideration the need for shelter (housing and utilities), food, and other items. The standard is itemized as follows:

Non-SSI/OSIP and OSIPM Standards				
Items of Need				
	One Person in Need Group		Two People in Need Group	
Adjusted No. in Household	One	Two or More	Two	Three or More
Shelter	385.00	178.00	475.00	176.00
Food	150.70	150.04	289.00	276.67
Other	89.00	89.00	170.00	170.00

(3) The standard in this section is used as the adjusted income limit for non-SSI OSIP and OSIPM clients. The OSIP-AB and OSIPM-AB adjusted income standard includes a transportation allowance. See OAR 461-155-0020 for the adjusted number in the household. The total standard is:

Non-SSI/OSIP and OSIPM				
Adjusted Income Standards				
	One Person in Need Group		Two People in Need Group	
Adjusted No. in Household	One	Two or More	Two	Three or More
AD/OAA	624.70	417.04	934.00	622.67
AB	649.70	442.04	959.00	647.67

(4) To be eligible for OSIP (except OSIP-EPD or OSIP-IC), a person must be receiving SSI or be eligible for an ongoing special need. The payment standard for SSI/OSIP clients living in the community is the SIP (supplemental income payment) amount. The SIP is a need amount added to any other special or service needs to determine the actual payment. In some cases, the need amount is zero.

(a) For clients whose unearned income minus any SSI or Veterans Nonservice-Connected Disability Benefits is less than \$20:

SSI/OSIP and OSIPM Payment Standard		
(Unearned Income Less Than \$20)		
No. in Need Group	AD/OAA	AB
	SIP (need)	SIP (need)
1	1.70	26.70
2	0.00	25.60

(b) For clients whose unearned income minus any SSI or Veterans Nonservice-Connected Disability Benefits is \$20 or more:

SSI/OSIP and OSIPM Payment Standard (Unearned Income \$20 or More)		
No. in Need Group	AD/OAA	AB
	SIP (need)	SIP (need)
1	0.00	18.70
2	0.00	17.60

(c) The SSI/OSIP-AB standard includes a transportation allowance. The standard for two assumes one individual is blind and the other is not. If both are blind, \$20 is added to the SIP amount.

(d) For spouses who each receive SSI and live in an AFC, ALF or RCF, an amount is added to each person's SIP payment that equals the difference between the individual's income (including SSI and other income) and the OSIP standard for a one-person need group.

(e) For spouses who receive SSI as a couple and are not included in subsection (d) of this section, the two-person need group is used to determine their SIP amount. This amount is used even if one (or both) of the clients is receiving services and has a need group of one according to OAR 461-110-0630.

(5) For OSIP and OSIPM clients in long-term care, the following amounts are allowed for clothing and personal incidentals:

(a) For clients who receive a VA pension based on unreimbursed medical expenses (UME), \$90 is allowed.

(b) For all other clients, \$30 is allowed.

(6) In the OSIP-EPD and OSIPM-EPD programs, the adjusted earned income limit is 250 percent of the 2007 federal poverty level for a family of one. This 250 percent limit equals \$2,128 per month or \$25,536 per year.

(7) In the OSIP-EPD and OSIPM-EPD programs, \$1,000 in earnings is needed to meet the requirement in OAR 461-001-0035 for "sufficient earnings" in the definition of "attached to the workforce."

Stat. Auth.: ORS 411.060, 411.070

Stats. Implemented: ORS 411.060, 411.070