

Enrolled
Senate Bill 225

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Department of Human Services)

CHAPTER

AN ACT

Relating to mass changes in supplemental nutrition assistance program; amending ORS 411.095; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 411.095 is amended to read:

411.095. (1)(a) Except as provided in [subsection (2) of this section] **paragraph (b) of this subsection**, when the Department of Human Services or the Oregon Health Authority changes a benefit standard that results in the reduction, suspension or closure of a grant of public assistance or a grant of medical assistance, the department or the authority shall mail a notice of intended action to each recipient affected by the change at least 30 days before the effective date of the action.

[2] (b) If the department or the authority has fewer than 60 days before the effective date to implement a proposed change described in [subsection (1) of this section] **paragraph (a) of this subsection**, the department or the authority shall mail a notice of intended action to each recipient affected by the change as soon as practicable but at least 10 working days before the effective date of the action.

(2) When the federal government changes a benefit or standard that results in the suspension or closure of supplemental nutrition assistance issued under ORS 411.806 to 411.845 or 413.500 for the entire caseload or a significant portion of the caseload of recipients in this state, the department and the authority are not required to mail a notice of intended action to each recipient affected by the change but shall publicize the change using one or more of the following methods:

(a) Informing the public through the news media.

(b) Placing posters in the offices that serve affected recipients, in the locations where supplemental nutrition assistance is issued to affected recipients and at other sites frequented by affected recipients.

(c) Mailing a general notice to the households of affected recipients.

(3) When the department or the authority conducts a hearing pursuant to ORS 416.310 to 416.340 and 416.510 to 416.830 and 416.990 or when the department or the authority proposes to deny, reduce, suspend or terminate a grant of public assistance, a grant of medical assistance or a support service payment used to support participation in the job opportunity and basic skills program, the department or the authority shall provide an opportunity for a hearing under ORS chapter 183.

(4) When emergency assistance or the continuation of assistance pending a hearing on the reduction, suspension or termination of public assistance, medical assistance or a support service payment used to support participation in the job opportunity and basic skills program is denied, and the applicant for or recipient of public assistance, medical assistance or a support service payment requests a hearing on the denial, an expedited hearing on the denial shall be held within five working days after the request. A written decision shall be issued within three working days after the hearing is held.

(5) For purposes of this section, a reduction or termination of services resulting from an assessment for service eligibility as defined in ORS 411.099 is a grant of public assistance.

(6) Adoption of rules, conduct of hearings and issuance of orders and judicial review of rules and orders shall be in accordance with ORS chapter 183.

SECTION 2. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by Senate March 17, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 27, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State