

**A-Engrossed**  
**Senate Bill 610**

Ordered by the Senate April 11  
Including Senate Amendments dated April 11

Sponsored by Senator CAMPOS, Representative RUIZ, Senators MANNING JR, GORSEK, Representatives BOWMAN, DEXTER, GAMBA; Senators DEMBROW, FREDERICK, JAMA, PATTERSON, WOODS, Representatives GRAYBER, HUDSON, NELSON, NERON, PHAM K (Pre-session filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes Food for All Oregonians Program in Department of Human Services to provide nutrition assistance to residents of this state who would qualify for federal Supplemental Nutrition Assistance Program but for immigration status **or lack of Social Security number. Requires department to implement program by January 1, 2025, and Oregon Health Authority to conduct statewide outreach, education and engagement to maximize enrollment in program.**

Requires Department of Human Services to convene advisory group to recommend metrics to evaluate success of department in treating all applicants for and recipients of public assistance in welcoming manner and with respect, courtesy, fairness and dignity.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to public assistance; creating new provisions; amending ORS 411.093, 411.806, 411.816,  
3 411.825, 411.827 and 413.201; and declaring an emergency.

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

5 **SECTION 1. (1) As used in this section:**

6 (a) **“COFA citizen” has the meaning given that term in section 1, chapter 87, Oregon**  
7 **Laws 2022.**

8 (b) **“Supplemental Nutrition Assistance Program” has the meaning given that term in**  
9 **ORS 411.806.**

10 (2) **The Food for All Oregonians Program is established in the Department of Human**  
11 **Services to provide nutrition assistance to residents of this state who would qualify for fed-**  
12 **eral Supplemental Nutrition Assistance Program benefits but for their immigration status**  
13 **or lack of a Social Security number, including COFA citizens.**

14 (3) **The department shall utilize the existing Supplemental Nutrition Assistance Program**  
15 **infrastructure and electronic benefit transfer delivery system, to the extent permitted by**  
16 **federal law, to create one seamless application process for federally funded and state-funded**  
17 **nutrition assistance.**

18 (4)(a) **The amount of benefits provided to a household participating in the program shall**  
19 **be the same amount that is provided to a household of equal size that is eligible for the**  
20 **Supplemental Nutrition Assistance Program.**

21 (b) **The Food for All Oregonians Program benefit amount for an individual who is a**  
22 **member of a household receiving Supplemental Nutrition Assistance Program benefits, but**  
23 **who is excluded from receiving Supplemental Nutrition Assistance Program benefits due to**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 the individual's immigration status or lack of a Social Security number, shall be the amount  
2 that would have been the individual's share of the household's Supplemental Nutrition As-  
3 sistance Program benefits if the individual had not been excluded.

4 (5) The following rules and processes related to the Supplemental Nutrition Assistance  
5 Program shall be used in the Food for All Oregonians Program except with respect to eligi-  
6 bility or verification requirements related to immigration status and Social Security num-  
7 bers:

- 8 (a) Eligibility and benefit determination rules;
- 9 (b) Reporting and recertification requirements;
- 10 (c) Verification requirements;
- 11 (d) Application processes; and
- 12 (e) Timeliness standards for the issuance of benefits.

13 (6) To the extent permitted by federal law, the income, resources and deductible expenses  
14 of an individual described in subsection (4)(b) of this section shall be excluded when deter-  
15 mining the amount of Supplemental Nutrition Assistance Program benefits for the other  
16 members of the household who qualify for Supplemental Nutrition Assistance Program ben-  
17 efits.

18 (7) The total amount of assistance from the Food for All Oregonians Program and the  
19 Supplemental Nutrition Assistance Program received by a household consisting of one or  
20 more members who are eligible for Supplemental Nutrition Assistance Program benefits and  
21 one or more members who qualify for Food for All Oregonians Program benefits may not  
22 exceed the Supplemental Nutrition Assistance Program benefit standard for a household of  
23 that size when all of the members applying for benefits qualify for Supplemental Nutrition  
24 Assistance Program benefits.

25 **SECTION 2.** (1) It is the policy of this state that all Oregonians, regardless of the primary  
26 languages they speak, should be treated in a way that is welcoming and with respect, fairness  
27 and dignity.

28 (2) The Department of Human Services shall convene an advisory group consisting of  
29 members of communities whose primary language is not English and representing  
30 community-based organizations that work with the communities to provide oversight of the  
31 Supplemental Nutrition Assistance Program and to recommend metrics to be adopted by the  
32 department that ensure that an applicant for and a recipient of public assistance whose pri-  
33 mary language is not English is treated in keeping with the state policy expressed in sub-  
34 section (1) of this section and in accordance with the requirements in ORS 411.093. The  
35 department shall apply the metrics no less frequently than once each calendar quarter and  
36 report the results from applying the metrics on the department's website.

37 (3) Members of the advisory group are entitled to compensation and reimbursement for  
38 actual and necessary travel and other expenses incurred by them in the performance of their  
39 duties on the advisory group in the manner and amounts provided for in ORS 292.495.

40 **SECTION 3.** ORS 411.093 is amended to read:

41 411.093. (1) All applicants for and recipients of public assistance shall be treated in a courteous,  
42 fair and dignified manner by Department of Human Services personnel.

43 (2) Any applicant or recipient who alleges discourteous, unfair or undignified treatment by de-  
44 partment personnel or alleges that incorrect or inadequate information regarding public assistance  
45 programs has been provided by department personnel may file a grievance with the department. The

1 department shall publicize the grievance system in each local office. **The department shall provide**  
2 **an option for an applicant or recipient filing a grievance to do so anonymously.**

3 (3) *[The]* **A grievance that is not anonymous** shall be discussed first with the supervisor of the  
4 employee against whom the grievance is filed. If the grievance is not resolved, the applicant or re-  
5 cipient may discuss the grievance with the local office manager.

6 (4) The department shall compile a monthly report summarizing each grievance filed *[against*  
7 *department personnel]* and the action taken. The report shall identify each grievance by local office  
8 and indicate the number of grievances filed against individual employees. The report shall protect  
9 the anonymity of department personnel. The report shall be presented to the Family Services Review  
10 Commission and to all county public welfare boards.

11 **SECTION 4.** ORS 411.806 is amended to read:

12 411.806. As used in ORS 411.806 to 411.845, unless the context or a specially applicable statutory  
13 definition requires otherwise:

14 (1) “Administrative costs” means, but is not limited to, costs in connection with:

15 (a) Distributing supplemental nutrition assistance to recipients under the Supplemental Nutri-  
16 tion Assistance Program;

17 (b) The compensation of personnel while employed in carrying out ORS 411.806 to 411.845; and

18 (c) Reimbursement of the federal government for any loss described in ORS 411.830.

19 (2) “Household” means two or more related or nonrelated individuals who *[do not]* reside **to-**  
20 **gether not** in an institution.

21 (3) “Issuing agency” means the Department of Human Services.

22 (4) “Recipient” means an individual or household determined and certified, pursuant to ORS  
23 411.816 or 411.825, to be eligible to receive supplemental nutrition assistance under the Supple-  
24 mental Nutrition Assistance Program.

25 (5) “Supplemental Nutrition Assistance Program” means *[a program under which the federal*  
26 *government makes aid available to the state or its agencies for distribution through electronic benefits*  
27 *transfer or by check]* **aid provided** to individuals and households certified to be in economic need  
28 of and eligible to receive such aid for the purchase of food from retail food outlets, **farmer’s**  
29 **markets and roadside stands through the federal program established under 7 U.S.C. 2011 et**  
30 **seq. and the Food for All Oregonians Program established in section 1 of this 2023 Act.**

31 **SECTION 5.** ORS 411.816 is amended to read:

32 411.816. (1) The Department of Human Services shall adopt rules *[conforming to federal laws and*  
33 *regulations required to be observed in maintaining the eligibility of this state to receive from the federal*  
34 *government, and to issue]* **for the issuance of** supplemental nutrition assistance under the Supple-  
35 mental Nutrition Assistance Program. Rules adopted by the department pursuant to this section  
36 shall relate to and include, but shall not be limited to:

37 *[(1)]* (a) The classifications of and requirements of eligibility for individuals and households to  
38 receive supplemental nutrition assistance under the program. The limitations upon the income and  
39 resources of individuals and households established as requirements of eligibility under this section  
40 shall not exceed the maximum limitations on income and resources allowable under federal laws,  
41 rules and regulations;

42 *[(2)]* (b) The periods during which individuals and households shall be certified or recertified to  
43 be eligible to receive supplemental nutrition assistance under the program;

44 *[(3)]* (c) The amount of supplemental nutrition assistance to be issued or allotted to recipients,  
45 with respect to any period, under the program;

1        [(4) (d) Periodic redetermination and review of the eligibility of recipients to receive supple-  
2 mental nutrition assistance under the program;

3        [(5) (e) Cancellation of certifications issued for, and adjustment of the numbers of individuals  
4 in any household eligible to receive supplemental nutrition assistance issued to recipients under the  
5 program for any period in accordance with changes of circumstances in individual cases; and

6        [(6) (f) Procedures to review, on the basis of substantial hardship, request for such adjustments.

7        **(2) Rules adopted under this section must conform to 7 U.S.C. 2011 et seq. and regu-**  
8 **lations implementing 7 U.S.C. 2011 et seq. Federal restrictions based on 8 U.S.C. 1611, 1612**  
9 **and 1613 and 7 U.S.C. 2015(f), and similar restrictions that are based on immigration status,**  
10 **may not be applied to applicants or recipients of aid under the Food for All Oregonians**  
11 **Program.**

12        **SECTION 6.** ORS 411.825 is amended to read:

13        411.825. (1) The Department of Human Services shall determine and certify the eligibility of all  
14 individuals and households to receive supplemental nutrition assistance under the Supplemental  
15 Nutrition Assistance Program.

16        (2) The department shall:

17        (a) Issue to recipients supplemental nutrition assistance [*made available from the federal gov-*  
18 *ernment under the program*]; and

19        (b) Account to the federal government for all [*such*] supplemental nutrition assistance **that is**  
20 **federally funded.**

21        (3)(a) In order to carry out the provisions of ORS 411.806 to 411.845, the department is author-  
22 ized to contract with any governmental agencies or private agencies for distribution of supplemental  
23 nutrition assistance.

24        **(b) Any government agency or private agency that administers the Food for All**  
25 **Oregonians Program or that contracts with the department under this subsection is subject**  
26 **to the same prohibitions on the disclosure of information regarding applicants for and re-**  
27 **ipients of public assistance as apply to the department under ORS 180.805, 180.810 or**  
28 **181A.823 or similar provisions that prohibit, for immigration enforcement purposes, the use**  
29 **or disclosure of information about program applicants or recipients.**

30        **SECTION 7.** ORS 411.827 is amended to read:

31        411.827. All sums received by the Department of Human Services from the federal government  
32 to assist in meeting the costs of processing applications from, and of certifying and recertifying, in-  
33 dividuals and households under ORS 411.806 to 411.845 are hereby appropriated to the department  
34 for expenditure in meeting the costs of processing applications from, and making certifications and  
35 recertifications of, individuals and households for the benefits made available pursuant to ORS  
36 411.806 to 411.845 **that are federally funded.**

37        **SECTION 8.** ORS 413.201 is amended to read:

38        413.201. (1) The Oregon Health Authority is responsible for statewide outreach, education and  
39 engagement for the Cover All People program established in ORS 414.231 [*and administered by the*  
40 *authority*] **and the Food for All Oregonians Program established in section 1 of this 2023 Act,**  
41 **with the goal of enrolling in the [*program*] programs all eligible individuals residing in this state.**  
42 **The authority, in collaboration with the work group described in subsection (3) of this section, shall**  
43 **evaluate and implement the outreach, education and engagement strategies designed to most effec-**  
44 **tively encourage enrollment in the [*program*] programs.**

45        (2) To maximize the enrollment and retention of eligible individuals in the Cover All People

1 program **and the Food for All Oregonians Program**, the authority shall develop and administer  
2 a grant program to provide funding to organizations and community based groups to deliver cul-  
3 turally specific and targeted outreach, application assistance and navigation to:

4 (a) Members of racial, ethnic and language minority communities;

5 (b) Children and families living in geographic isolation; and

6 (c) Children and families with additional barriers to accessing health care, such as cognitive,  
7 mental health or sensory disorders, physical disabilities or chemical dependency or homelessness.

8 (3) The authority shall convene a work group, consisting of individuals with experience in con-  
9 ducting outreach to the individuals described in subsection (2)(a) to (c) of this section, to advise and  
10 assist the authority in carrying out its duties under this section and in developing an implementa-  
11 tion plan to ensure that community feedback is included from a health equity perspective.

12 (4) **The Department of Human Services shall provide to the authority guidance and**  
13 **technical assistance as needed for carrying out the authority's duties under this section with**  
14 **respect to the Food for All Oregonians Program.**

15 **SECTION 9. (1) The Department of Human Services shall implement the Food for All**  
16 **Oregonians Program established in section 1 of this 2023 Act to begin accepting applications**  
17 **and issuing benefits no later than January 1, 2025.**

18 (2) **If necessary to not exceed moneys appropriated to the department for carrying out**  
19 **section 1 of this 2023 Act, the department may prioritize the rollout of the program to indi-**  
20 **viduals based on age ranges, based on recommendations of a work group convened by the**  
21 **department and consisting of representatives from community organizations that work on**  
22 **addressing hunger issues in this state or in their communities. If the department restricts**  
23 **the initial rollout of the program, the department shall notify the Oregon Health Authority**  
24 **for purposes of outreach, education and engagement efforts under ORS 413.201.**

25 **SECTION 10. This 2023 Act being necessary for the immediate preservation of the public**  
26 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
27 **on its passage.**

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