

461-025-0311
Continuation of Benefits

Effective 7-01-23

- (1) This rule explains who may receive continuing benefits until a final order is issued in a contested case.
- (2) Except as provided otherwise in this rule, an individual who is entitled to a *continuing benefit decision notice* (see OAR [461-001-0000](#)) or a *timely continuing benefit decision notice* (see OAR [461-001-0000](#)) under a rule in division 175 of this chapter of rules may, at the option of the individual, receive continuing benefits, in the same manner and same amount, until a final order resolves the contested case. To be entitled to continuing benefits, the individual must complete a *request for hearing* (see OAR [461-025-0305](#)) not later than the later of:
 - (a) The tenth day following the date of the notice; and
 - (b) The effective date of the action proposed in the notice.
- (3) The continuing benefits are subject to modification based on additional changes affecting the individual's eligibility or level of benefits.
- (4) In determining timeliness under section (2) of this rule, delay caused by circumstances beyond the control of the *claimant* (see OAR [461-025-0305](#)) is not counted.
- (5) In the REF and REFM programs, individuals are not entitled to continuing benefits when the issue in question is regarding the termination of benefits because the eligibility time period imposed by OAR [461-135-0900](#) has been reached.

Statutory/Other Authority: ORS [409.050](#), [411.060](#), [411.404](#), [411.408](#), [411.816](#), [412.014](#), [412.049](#)

Statutes/Other Implemented: ORS [409.010](#), [411.060](#), [411.404](#), [411.408](#), [411.816](#), [412.014](#), [412.049](#)

There are no previous rules later than January 1, 20214.

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