

461-025-0315
Expedited Hearings

Effective 2-21-24 - Minor Correction

- (1) A claimant has the right to an expedited hearing in each of the following situations:
 - (a) The Department denies or fails to issue a timely decision on claimant's request for --
 - (A) Emergency assistance; or
 - (B) TA-DVS (see OAR [461-135-1235](#)).
 - (b) The claimant contests the form or amount of a TA-DVS or an emergency assistance payment.
 - (c) The claimant has the right to a hearing over a reduction, suspension, or closure and disagrees with the Department's decision to deny the continuation of one or more of the following pending a requested hearing:
 - (A) Cash benefits.
 - (B) Supplemental Nutrition Assistance Program benefits.
 - (C) Medical benefits.
 - (D) Nursing Home services or *home and community-based care* (see OAR [461-001-0030](#)) that have been reduced or closed as a result of a service re-assessment conducted in accordance with OAR Division 411-015.
 - (d) The claimant's request for expedited SNAP service or DSNAP is denied, or the claimant is aggrieved by an action of the Department that affects the expedited participation of the household in the SNAP program.
 - (e) In the JOBS program, the Department denies an application for a support service payment or a payment for a basic living expense authorized by OAR [461-190-0211](#), or the Department

reduces or closes a support service payment authorized by OAR [461-190-0211](#), or the Department does not issue a JOBS support service payment within the time frames required under OAR [461-115-0190](#).

- (f) In the OSIP, OSIPM, and QMB programs, when following the final order timeline in OAR [461-025-0375](#)(1)(a) could jeopardize the individual's life, health, or ability to attain, maintain, or regain maximum function.
- (2) Public assistance and medical assistance programs: An expedited hearing is a telephone hearing held within five working days of the Department's receipt of a properly submitted hearing request, unless the claimant requests more time. The claimant is entitled to reasonable notice of the hearing either through personal service, by overnight mail, or if the claimant agrees by electronic mail. The final order must be issued within three working days from the date the hearing closes.
- (3) Supplemental Nutrition Assistance Program: An expedited hearing is a telephone hearing held within five working days of the receipt of a verbal or written hearing request, unless the claimant requests more time. The claimant is entitled to reasonable notice of the hearing either through personal service, by overnight mail, or if the claimant agrees by electronic mail. Following the expedited hearing, a final order must be issued not later than the ninth working day after the hearing was requested.
- (4) If the Office of Administrative Hearings grants a face-to-face hearing, the hearing may be postponed or continued as necessary to accommodate the claimant. However, the hearing must be held not later than 21 days following the receipt by the Department of the request for hearing if the claimant lives within 100 miles of Salem, Oregon, and not later than 35 days in all other cases.

Statutory/Other Authority: ORS [409.050](#), [411.060](#), [411.095](#), [411.404](#), [411.816](#), [412.049](#), [413.085](#), [414.685](#)

Statutes/Other Implemented: ORS [409.010](#), [411.060](#), [411.095](#), [411.099](#), [411.103](#), [411.404](#), [411.816](#), [412.049](#), 412.072, 42 CFR 431.224

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