

Notice Situation; Prior Notice

- (1) Except as provided in section (5) of this rule, when benefits in any Department program except a medical program and the SNAP program will end or be reduced after a specific period of time, the Department may issue a *decision notice* (see OAR [461-001-0000](#)) informing the *benefit group* (see OAR [461-110-0750](#)) of the date benefits will end or be reduced, and no further *decision notice* is required.
- (2) Except as provided in section (5) of this rule, in any Department program except a medical program and the SNAP program, if the *benefit group* was informed in writing when the benefits began that the *benefit group* would receive benefits only for a specific period of time a *basic decision notice* (see OAR [461-001-0000](#)) may be used to--
 - (a) Deny an application to start or continue benefits after the completion of a *certification period* (see OAR [461-001-0000](#)) or to approve benefits at a level lower than the prior *certification period*.
 - (b) Indicate that benefits have been ended or reduced when no timely application is submitted.
- (3) A *basic decision notice* is used when a special need allowance granted for a specific period of time is removed at the end of the specified period and the *benefit group* was informed of this in writing when the allowance began. A *timely continuing benefit decision notice* (see OAR [461-001-0000](#)) is required if stopping the special need allowance results in benefit closure.
- (4) In the JOBS Plus program, a *basic decision notice* is used if--
 - (a) An employer submits a wage reimbursement billing and the Department calculates a supplement (see OAR [461-190-0416](#) about supplements);
 - (b) The *benefit group* received a *timely continuing benefit decision notice* that the method of payment would be changed from cash to employer-paid wages; and

- (c) The notice specified the period of time that benefits would be diverted.
- (5) No additional *decision notice* is required when:
- (a) Notwithstanding OAR [461-115-0010](#)(6), when a *benefit group* submits an application for a program from which they currently are receiving benefits.
 - (b) In the OSIPM program:
 - (A) An individual's patient liability under OAR [461-160-0610](#) or *participant fee* (see OAR [461-001-0035](#)) returns to the previous amount after the Department sent the individual a *basic decision notice* for a decrease in the patient liability or *participant fee* due to a one-time allowable deduction and that notice also specified when the deduction no longer would apply causing the patient liability or *participant fee* to return to the previous amount; or
 - (B) An individual's benefits are being closed or reduced and the Department sent the individual a *basic decision notice* of eligibility and a simultaneous *continuing benefit decision notice* (see OAR [461-001-0000](#)) because the individual's circumstances changed between the date of the individual's application and the date of the Department's eligibility decision and the change caused the individual's benefits to be reduced or closed.
 - (c) A *decision notice* that included the eligibility begin and end dates for the three consecutive months of *Employment Payments* (see OAR [461-001-0025](#) and [461-135-1270](#)) was given and the three-month eligibility period ends.
 - (d) A *decision notice* that informed the JPI *benefit group* in writing, when their benefits began, that they would receive JPI (see OAR [461-135-1260](#)) benefits only for a specific period of time.

- (e) A *decision notice* that included the eligibility begin and end dates was given for TA-DVS program benefits and the 90-day eligibility period ends.
- (6) In the SNAP program:
 - (a) A *basic decision notice* is used to close benefits if the *benefit group* was informed in writing, when their benefits began, that they would receive benefits only for a specific period of time.
 - (b) No *decision notice* is required if the individual is provided a *decision notice* at the time of application or redetermination that —
 - (A) The allotment of the *benefit group* would vary from month to month and listed the anticipated changes;
 - (B) In the case the individual applied at the same time for both cash assistance and SNAP benefits, the SNAP benefits would be reduced or closed upon approval of the cash assistance; or
 - (C) In the case of a *benefit group* receiving benefits under expedited services with postponed verification:
 - (i) The expedited services benefits would close if the Department did not receive the postponed verification within the timeframe established under OAR [461-115-0690](#).
 - (ii) The expedited services benefits may be adjusted beyond the timeframe established under OAR [461-115-0690](#) based on the verified information provided to the Department without further notice.

Statutory/Other Authority: ORS [183.417](#), [411.060](#), [411.070](#), [411.404](#), [411.706](#), [411.816](#), [412.006](#), [412.014](#), [412.049](#), [412.072](#)

Statutes/Other Implemented: ORS [183.417](#), [411.060](#), [411.070](#), [411.404](#), [411.706](#), [411.816](#), [412.006](#), [412.014](#), [412.049](#), [412.072](#)

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