

Enrolled
House Bill 3065

Sponsored by Representatives OLSON, BOONE; Representatives BUCKLEY, COWAN, FREEMAN,
HANNA, HUFFMAN, MAURER, READ, TOMEI, Senator MORRISSETTE

CHAPTER

AN ACT

Relating to the Oregon Supplemental Income Program; amending ORS 411.704 and 411.706.

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

SECTION 1. ORS 411.704 is amended to read:

411.704. As used in this section and ORS 411.120, 411.706 and 411.708:

(1) "Assistance" means:

(a) Cash payments [*made*] **or noncash benefits provided** under ORS 411.706 to or on behalf of a needy person who is a resident of this state and who is blind, has a disability or is 65 years of age or older; or

(b) Special need allowances for one-time or ongoing needs.

(2) "Blind" means having:

(a) Visual acuity with corrective lenses that does not exceed 20/200 in the better eye, or vision in the better eye that is restricted to a field that subtends an angle of not greater than 20 degrees; or

(b) An equivalent visual impairment, as determined by the Department of Human Services after examination by:

(A) An ophthalmologist licensed to practice medicine and surgery in Oregon or in another state or territory of the United States having qualifications substantially similar to those of the State of Oregon; or

(B) An optometrist licensed and practicing in Oregon or in another state or territory of the United States having qualifications substantially similar to those of the State of Oregon.

(3) "Disability" means a physical or mental impairment that:

(a) Is likely to continue without substantial improvement for no less than 12 months or to result in death; and

(b) Prevents performance of substantially all the ordinary duties of occupations in which a person not having the physical or mental impairment is capable of engaging, having due regard to the training, experience and circumstances of the individual with the physical or mental impairment.

(4)(a) "Income" means net income in cash or in kind available to the applicant or recipient, the receipt of which is regular and predictable enough to afford security in the sense that the applicant or recipient may rely upon it to contribute toward meeting the needs of the applicant or recipient.

(b) "Income" does not include:

(A) Earnings or other income that may be exempted in compliance with federal laws and regulations; or

(B) Premiums on life insurance policies, whether paid by the applicant, recipient or other person.

(5) "Recipient" means a person who is receiving assistance provided by the Oregon Supplemental Income Program.

(6) "Resources" means an asset that may be applied toward meeting the needs of the applicant or recipient, including real and personal property holdings contributing to the maintenance of the applicant or recipient or representing investments or savings that may be drawn upon for maintenance purposes.

SECTION 2. ORS 411.706 is amended to read:

411.706. (1) The Oregon Supplemental Income Program shall[.]

[(a) Provide supplemental cash payments to recipients of Supplemental Security Income; and]

[(b) Grant special need allowances for one-time or ongoing needs.]

[(2) The program shall grant assistance to eligible persons who are blind, have disabilities or are 65 years of age or older. Persons granted assistance under this section shall receive medical assistance as defined in ORS 414.025.]

[(3) The program shall grant] provide assistance according to the rules of the Department of Human Services and on the basis of need, taking into account the income and resources available to the applicant or recipient.

(2) Recipients of assistance under the Oregon Supplemental Income Program qualify for medical assistance as defined in ORS 414.025.

Passed by House June 11, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate June 23, 2009

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President of Senate

Received by Governor:

.....M.,....., 2009

Approved:

.....M.,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2009

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Secretary of State