

Senate Bill 610

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 **as introduced**.

Establishes Food for All Oregonians Program within Supplemental Nutrition Assistance Program to provide nutrition assistance to residents of this state who would qualify for federal Supplemental Nutrition Assistance Program but for immigration status.

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 and 411.827; and declaring an emergency.

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

5 **SECTION 1. (1) The Food for All Oregonians Program is established in the Department**
6 **of Human Services to provide aid for the purchase of food by residents of this state who**
7 **would qualify for the federal Supplemental Nutrition Assistance Program but for their im-**
8 **migration status.**

9 **(2) The program shall be integrated into the application process used by the department**
10 **for the federal Supplemental Nutrition Assistance Program to create one seamless applica-**
11 **tion process for federally funded and state-funded nutrition assistance and medical assist-**
12 **ance.**

13 **(3) The department shall conduct statewide outreach, education and engagement for the**
14 **Food for All Oregonians Program with the goal of enrolling in the program all eligible indi-**
15 **viduals residing in this state. The department shall integrate the department's outreach and**
16 **enrollment efforts with the efforts of the Oregon Health Authority under ORS 413.201. The**
17 **department shall evaluate and implement the outreach, education and engagement strategies**
18 **designed to most effectively encourage enrollment in the program.**

19 **(4) To maximize the enrollment and retention of eligible individuals in the Food for All**
20 **Oregonians Program, the department shall provide funding to organizations and**
21 **community-based groups to deliver culturally specific and targeted outreach, application as-**
22 **sistance and navigation to:**

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

24 **(b) Children and families living in geographic isolation; and**

25 **(c) Children and families with additional barriers to accessing food and proper nutrition,**
26 **such as cognitive, mental health or sensory disorders, physical disabilities, chemical de-**
27 **pendency or homelessness.**

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 (5) **Individuals providing navigation services must be:**

2 (a) **Paid equitably;**

3 (b) **Sufficiently trained and have access to the department's databases to conduct intake**
4 **and eligibility screenings; and**

5 (c) **Represent to the greatest extent possible the populations identified in subsection (4)**
6 **of this section.**

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

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

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

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

23 411.093. (1) All applicants for and recipients of public assistance shall be treated in a courteous,
24 fair and dignified manner by Department of Human Services personnel.

25 (2) Any applicant or recipient who alleges discourteous, unfair or undignified treatment by de-
26 partment personnel or alleges that incorrect or inadequate information regarding public assistance
27 programs has been provided by department personnel may file a grievance with the department. The
28 department shall publicize the grievance system in each local office. **The department shall provide**
29 **an option for an applicant or recipient filing a grievance to do so anonymously.**

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

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

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

39 411.806. As used in ORS 411.806 to 411.845, unless the context or a specially applicable statutory
40 definition requires otherwise:

41 (1) "Administrative costs" means, but is not limited to, costs in connection with:

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

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

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

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

3 (3) "Issuing agency" means the Department of Human Services.

4 (4) "Recipient" means an individual or household determined and certified, pursuant to ORS
 5 411.816 or 411.825, to be eligible to receive supplemental nutrition assistance under the Supple-
 6 mental Nutrition Assistance Program.

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

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

14 411.816. (1) The Department of Human Services shall adopt rules [*conforming to federal laws and*
 15 *regulations required to be observed in maintaining the eligibility of this state to receive from the federal*
 16 *government, and to issue*] **for the issuance of** supplemental nutrition assistance under the Supple-
 17 mental Nutrition Assistance Program. Rules adopted by the department pursuant to this section
 18 shall relate to and include, but shall not be limited to:

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

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

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

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

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

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

34 (2) **Rules adopted under this section must conform to 7 U.S.C. 2011 et seq. and regu-**
 35 **lations implementing 7 U.S.C. 2011 et. seq. Federal restrictions based on 8 U.S.C. 1611 and**
 36 **1612, and similar restrictions that are based on immigration status, may not be applied to**
 37 **applicants or recipients of aid under the Food for All Oregonians Program.**

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

39 411.825. (1) The Department of Human Services shall determine and certify the eligibility of all
 40 individuals and households to receive supplemental nutrition assistance under the Supplemental
 41 Nutrition Assistance Program.

42 (2) The department shall:

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

45 (b) Account to the federal government for all [*such*] supplemental nutrition assistance **that is**

1 **federally funded.**

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

5 **(b) Any government agency or private agency that contracts with the department under**
6 **this subsection is subject to the same prohibitions on the disclosure of information regarding**
7 **applicants for and recipients of public assistance as apply to the department under ORS**
8 **411.320, which includes any disclosure of immigration status to federal agencies that are re-**
9 **sponsible for enforcing immigration laws.**

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

11 411.827. All sums received by the Department of Human Services from the federal government
12 to assist in meeting the costs of processing applications from, and of certifying and recertifying, in-
13 dividuals and households under ORS 411.806 to 411.845 are hereby appropriated to the department
14 for expenditure in meeting the costs of processing applications from, and making certifications and
15 recertifications of, individuals and households for the benefits made available pursuant to ORS
16 411.806 to 411.845 **that are federally funded.**

17 **SECTION 8.** In addition to and not in lieu of any other appropriation, there is appropri-
18 ated to the Department of Human Services, for the biennium beginning July 1, 2023, out of
19 the General Fund, the amount of \$_____, which may be expended for carrying out the
20 provisions of sections 1 and 2 of this 2023 Act.

21 **SECTION 9.** This 2023 Act being necessary for the immediate preservation of the public
22 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
23 on its passage.

24 _____