

461-110-0370
Filing Group; SNAP

Effective 1-01-20

In the SNAP program:

- (1) Except as provided in this rule, the filing group (see OAR [461-110-0370](#)) consists of members of a *household group* (see OAR [461-110-0210](#)) who choose to apply together or customarily purchase and prepare meals together.
- (2) Except as provided in sections (3) and (8) of this rule, the following *household group* members must be in the same filing group, even if they do not customarily purchase and prepare meals together:
 - (a) Each *spouse* (see OAR [461-001-0000](#)).
 - (b) A *parent* (see OAR [461-001-0000](#)) and their child under age 22 living with the *parent*.
 - (c) A *household group* member and any child under age 18 who lives with and is under "parental control" of that *household group* member. For the purposes of this subsection, "parental control" means the adult is responsible for the care, control, and supervision of the child or the child is financially dependent on the adult.
- (3) In the following specific situations, the Department forms a filing group as indicated:
 - (a) An individual is not included in the filing group if during the month the group applied for SNAP program benefits the individual received SNAP program benefits in another household and was not the head of household in the prior household. This exclusion applies only in the month the group applied and, if necessary to meet notice requirements, in the month following the month the group applied.
 - (b) An *elderly* (see OAR [461-001-0015](#)) individual and their *spouse* may be considered a separate filing group from others with whom the *elderly* individual purchases and prepares meals, if:

- (A) The *elderly* individual is unable to purchase or prepare food because of a permanent and severe disabling condition; and
 - (B) The combined income of the other members of the *household group* does not exceed the monthly income standard set at 165 percent of the federal poverty level under OAR [461-155-0180](#) for the number of other members in the household.
- (4) A paid live-in attendant may choose not to be in the filing group with the recipient of the services provided, unless required by section (2) of this rule to be in the same filing group.
- (5) An individual in foster care, the individual's *spouse*, and each child under age 22 living with the individual are not eligible to participate in the SNAP program independently of the care or service provider's filing group, but may be included in the provider's filing group if the provider applies for benefits.
- (6) Unless required under section (2) of this rule, the following *household group* members may form a separate filing group from other members of the *household group*:
- (a) A resident of a *drug and alcohol treatment and rehabilitation program* (see OAR [461-001-0015](#)) certified by the Department for which an employee of the facility is the authorized representative (see OAR [461-135-0510](#)). A resident's spouse in the same facility may be in a separate filing group, but a child of a resident must be in the same filing group as the resident.
 - (b) A resident in a *group living arrangement* (see OAR [461-001-0015](#)).
 - (c) A resident of a public or private non-profit *homeless or domestic violence shelter* (see OAR [461-135-0510](#)).
 - (d) An individual who is a resident of federally subsidized housing for the *elderly*, an individual with a disability, or blind recipient of

benefits under Title I, II, X, XIV, or XVI of the Social Security Act.

- (7) A member of the *household group* who pays the filing group for room and board (lodger) is treated as follows:
 - (a) A lodger may not participate in the SNAP program independently of the *household group*.
 - (b) A lodger may participate in the SNAP program with the *household group* when the lodger pays a reasonable amount (see subsection (d) of this section) for room and board.
 - (c) A lodger must participate in the SNAP program with the *household group* when the lodger does not pay a reasonable amount for room and board.
 - (d) A reasonable amount is:
 - (A) An amount that equals or exceeds the Thrifty Food Plan for the individual and anyone in that individual's filing group (see OAR [461-155-0190\(2\)](#)), if more than two meals per day are provided; or
 - (B) An amount that equals or exceeds two-thirds of the Thrifty Food Plan for the individual and anyone in the individual's filing group, if two or fewer meals per day are provided.
- (8) A *household group* member is not included in the filing group, if the member is:
 - (a) A resident of a commercial boarding house; or
 - (b) An ineligible student, as defined in OAR [461-135-0570](#).
- (9) A *household group* member may be included in two filing groups in the same month, if the member:
 - (a) Is a resident of a *domestic violence shelter* (see OAR [461-001-0000](#)) or *safe home* (see OAR [461-001-0000](#)); and

- (b) Recently left the *household group* containing the member's abuser.

Statutory/Other Authority: ORS [409.050](#), [411.060](#), [411.070](#), [411.816](#)
Statutes/Other Implemented: ORS [409.010](#), [409.050](#), [411.060](#), [411.070](#),
[411.816](#), [411.825](#), [411.837](#)

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