

461-120-0110**Effective 03-18-24 – Minor Correction****Citizenship and Noncitizen Status Requirements**

- (1) Except as provided in sections (4) and (5) of this rule, in all programs except the OSIPM-Healthier Oregon, REF, and REFM programs, to be a member of a *benefit group* (see OAR [461-110-0750](#)) an individual must meet the requirements of at least one of the following subsections:
 - (a) Be a citizen of the United States. Members or citizens of federally-recognized, sovereign American Indian and Alaska Native nations or tribes as defined in section (4)(e) of the Indian Self-Determination and Education Act (25 U.S.C. 450b(e)), are members or citizens of their sovereign nation or tribe and citizens of the United States.
 - (b) Meet the noncitizen status requirements in OAR [461-120-0125](#).
 - (c) Be a citizen of Puerto Rico, Guam, the Virgin Islands or Saipan, Tinian, Rota or Pagan of the Northern Mariana Islands.
 - (d) Be a national from American Samoa or Swains Islands.
- (2) In OSIPM-Healthier Oregon, to be a member of the *benefit group* an individual must meet the eligibility requirements of OAR [461-135-1080](#).
- (3) In the REF and REFM programs, to be a member of the *need group* and the *benefit group* an individual must meet the noncitizen status requirements of OAR [461-120-0125](#).
- (4) In the TA-DVS program, a survivor of *domestic violence* (see OAR [461-001-0000](#)) is not subject to section (1) of this rule when OAR [461-135-1200](#) applies.
- (5) In the TANF program, a survivor of *domestic violence* is not subject to section (1) of this rule when the individual is at risk of further or future *domestic violence*.

Statutory/Other Authority: ORS [411.060](#), [411.070](#), [411.404](#), [411.706](#), [411.816](#), [412.006](#), [412.014](#), [412.049](#), [412.124](#)

Statutes/Other Implemented: ORS [409.050](#), [411.060](#), [411.070](#), [411.404](#), [411.706](#), [411.816](#), [412.006](#), [412.014](#), [412.049](#), [412.072](#), [412.124](#), [414.231](#)

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