461-135-0075 **Effective 3-18-24 – Minor Correction**
TANF Time Limit; Exemptions

(1) The following months do not count toward the accrual of the time limit in OAR 461-135-0071:

(a) Months prior to July 1, 2003 in which a *minor parent* (see OAR 461-001-0000) head of household or an adult received a TANF grant in Oregon or another state.

(b) Months between July 1, 2003 and September 30, 2007 in which a *minor parent* head of household or adult received TANF in Oregon; and

(A) Participated in required JOBS activities or other education, employment, or job training program including *teen parent* (see OAR 461-001-0000) programs; or

(B) Was not required to participate in JOBS activities or other education, employment, or job training program including *teen parent* programs.

(c) Months between October 1, 2007 and June 30, 2009 and months between October 1, 2011 and April 30, 2012 in which the filing group (see OAR 461-110-0330) is a two-parent family receiving cash assistance in Oregon for which deprivation is based on unemployment or underemployment.

(d) Months beginning October 1, 2007 in which a *minor parent* head of household or adult received aid in Oregon and is a participant in the *Degree Completion Initiative (DCI) activity* (see OAR 461-001-0025) enrolled in an educational institution.

(e) Months beginning October 1, 2008 in which a *minor parent* head of household or adult received aid in Oregon and is a participant in the *Parents as Scholars (PAS) activity* (see OAR 461-001-0025) enrolled in an *educational institution* consistent with OAR 461-190-0199.

(f) Months between October 1, 2007 and March 31, 2016 in which the individual is unable to obtain or maintain employment for a sufficient number of hours in a month to satisfy the *federally required participation rates* (see OAR 461-001-0025) because the individual:

(A) Was a survivor of *domestic violence* (see OAR 461-001-0000);

(B) Had a certified learning disability;

(C) Had a verified alcohol and drug or mental health condition;

(D) Had a *child* (see OAR 461-001-0000) with a *disability* (see OAR 461-001-0000), which prevented the *parent* (see OAR 461-001-0000) from obtaining or keeping employment;

(E) Was an individual with a *disability*;

(F) Was providing care for a family member who lived in the home and was an individual with a *disability*;

(G) Was deprived of needed medical care; or

(H) Was subjected to battery or extreme cruelty. For purposes of this rule, an individual was subjected to battery or extreme cruelty if the individual was subjected to one or more of the following:

(i) Physical acts that resulted in, or threatened to result in, physical injury to the individual.

(ii) Sexual abuse.

(iii) Sexual activity involving a *dependent child*.

(iv) Being forced as the *caretaker relative* (see OAR 461-001-0000) of a *dependent child* (see OAR 461-

001-0000) to engage in nonconsensual sexual acts or activities.

(v) Threats of, or attempts at, physical or sexual abuse.

(vi) Mental abuse.

(vii) Neglect or deprivation of medical care.

(g) Months beginning July 1, 2003 in which the *parent* or needy *caretaker relative* resided in Indian Country (as defined in 18 U.S.C. 1151) and 50 percent or more of the adult residents of that area were unemployed. The Department considers an individual to meet the requirements of this subsection if –

(A) The individual resides on an Indian reservation, tribal allotment, or Dependent Indian Community as defined by the Bureau of Indian Affairs; or

(B) The individual is a member of one of the nine federally-recognized tribes in Oregon and resides in a county listed in subparagraph (ii) of this paragraph.

(i) The nine federally-recognized tribes in Oregon are Burns Paiute Tribe; Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians; Confederated Tribes of the Grand Ronde Community of Oregon; Confederated Tribes of the Siletz Indians; Confederated Tribes of the Umatilla Reservation; Confederated Tribes of Warm Springs; Coquille Indian Tribe; Cow Creek Band of the Umpqua Tribe of Indians; and Klamath Tribes.

(ii) The following Oregon counties are covered under paragraph (B) of this subsection for October 1, 2017 to September 30, 2018: Coos, Crook, Curry, Douglas, Josephine, and Lincoln.

(h) Months beginning October 1, 2007 in which the *minor parent* head of household or adult is a participant in the JOBS Plus, Pre-TANF, or SFPSS program.

(i) Months beginning October 1, 2007 in which the individual who is now a *parent* or pregnant was in that month a minor child and neither the head of a household nor married to the head of a household.

(j) Months beginning October 1, 2011 in which the *minor parent* head of household or adult is a participant in the JPI program.

(k) Months in which the *minor parent* head of household or adult is a recipient of *Employment Payments* (see OAR 461-001-0025 and 461-135-1270) unless a TANF payment was issued in the same month.

(l) Months between July 1, 2008 and April 30, 2012 in which the individual did not qualify for any other TANF time-limit exemption under this rule, and was unable to obtain or maintain employment for a sufficient number of hours in a month to satisfy the *federally required participation rates* (see OAR 461-001-0025) when Oregon's statewide average unemployment rate as published by the Oregon Employment Department was equal to or greater than seven percent. For purposes of this rule, this determination --

(A) Through December 31, 2011 is calculated based on a six-month period as follows:

(i) The time period during July 1, 2008 through June 30, 2009 was based on Oregon's statewide average unemployment rate as published by the Oregon Employment Department for the period July 1, 2008 through December 31, 2008.

(ii) In each six-month period, starting July 1, 2009 and ending December 31, 2011:

(I) The time period during January 1 through June 30 was based on Oregon's statewide average unemployment rate as published by the Oregon Employment Department for the period April 1 through September 30 of the preceding year.

(II) The time period during July 1 through December 31 was based on Oregon's statewide average unemployment rate as published by the Oregon Employment Department for the period October 1 through December 31 of the preceding year and January 1 through March 31 of the current year.

(B) From January 1, 2012 through April 30, 2012 was based on Oregon's statewide average unemployment rate as published by the Oregon Employment Department for the period April 1 through September 30, 2011.

(2) Months that did not count toward the time limit based on a condition described in paragraphs (1)(f)(B) to (1)(f)(F) of this rule require documentation from a licensed or certified professional qualified to make such a determination.

Statutory/Other: ORS 409.050, 411.060, 411.070, 412.006, 412.049, 412.079
Statutes/Other Implemented: ORS 409.010, 409.050, 411.060, 411.070, 412.049, 412.072, 412.079

Previous Rules

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