

Earned Income; Treatment

- (1) Earned income (see OAR [461-145-0120](#)) is *countable* (see OAR [461-001-0000](#)) in determining *eligibility* (see OAR [461-001-0000](#)) for programs, subject to the provisions in sections (2) to (9) of this rule.
- (2) JOBS Plus income is earned income and is treated as follows:
 - (a) In the Supplemental Nutrition Assistance Program (SNAP):
 - (A) JOBS Plus income earned by a Temporary Assistance for Needy Families - Plus (TANF-PLS) participant:
 - (i) Is counted in determining initial SNAP program *eligibility*.
 - (ii) Is excluded in determining ongoing *eligibility*.
 - (B) JOBS Plus wages received after the individual's last month of work under a TANF-PLS JOBS Plus agreement are counted.
 - (b) In the Temporary Assistance for Needy Families (TANF) program, when determining the need for a TANF supplement for a TANF-PLS individual, the income is treated as follows:
 - (A) It is excluded in determining the *countable* income limit and in calculating the benefit equivalency standards.
 - (B) It is counted in calculating the wage supplement.
 - (C) JOBS Plus wages received after the individual's last month of work under a JOBS Plus agreement are counted.
 - (c) For *Medicare Savings Programs* (see OAR [461-001-0000](#)) and Oregon Supplemental Income Program Medical (OSIPM), JOBS Plus wages received after the individual's last month of work under a TANF-PLS JOBS Plus agreement are counted.

- (d) In all programs not covered under subsections (a) to (c) of this section, TANF-PLS income is counted as earned income.
 - (e) In all programs, wages received under the Tribal TANF JOBS programs are counted as earned income.
- (3) Temporary Assistance for Needy Families Youth Employment Program (TANF YEP) income is treated as follows:
 - (a) In all programs except SNAP, the income is excluded.
 - (b) In the SNAP program, unless excluded under section (8) of this rule, the income is treated as earned income.
- (4) Welfare-to-Work work experience income is treated as follows:
 - (a) In the Refugee Assistance (REF), Refugee Assistance Medical (REFM), and TANF programs, the income is earned income, and the first \$260 is excluded each month.
 - (b) In the SNAP program, the income is earned income.
- (5) For *Medicare Savings Programs* and OSIPM, documented net losses from a self-employment business (see OAR [461-150-0095](#)) are excluded from any other source of earned income of the *financial group* (see OAR [461-110-0530](#)). This does not include dividends or profits (see OAR [461-145-0089](#)).
- (6) In the REF and REFM programs:
 - (a) Income remaining after the month of receipt is a resource.
 - (b) Earned in-kind income is excluded (see OAR [461-145-0280](#) and [461-145-0470](#)).
- (7) In the TANF program:
 - (a) Earned income of the following children is excluded:

- (A) Dependent children under the age of 19 years, and minor parents under the age of 18 years, who are full-time students in grade 12 or below (or the equivalent level of vocational training, in GED courses), or in home schooling approved by the local school district.
 - (B) Dependent children under the age of 18 years who are attending school part-time (as defined by the institution) and are not employed full-time.
 - (C) Dependent children too young to be in school.
 - (b) Income remaining after the month of receipt is a resource.
 - (c) Earned in-kind income is excluded (see OAR [461-145-0280](#) and [461-145-0470](#)).
- (8) In the SNAP program:
- (a) If a *cafeteria plan* (see OAR [461-001-0000](#)) benefit that the employee may not elect to receive as a cash payment is designated and used to pay for child care, medical care, or health insurance, the benefit is excluded unless it is reimbursed by the Department. If reimbursed, the Department counts it as earned income.
 - (b) The following types of income are excluded:
 - (A) The earned income of an individual under the age of 18 years who is under the parental control of another member of the household and is:
 - (i) Attending elementary or high school;
 - (ii) Attending GED classes recognized by the local school district;
 - (iii) Completing home-school elementary or high school classes recognized by the local school district; or

- (iv) Too young to attend elementary school.
 - (B) Earned in-kind income, except as provided in section (9) of this rule.
 - (C) Deductions from base pay for future educational costs under Pub. L. No. 99-576, 100 Stat. 3248 (1986), for an individual on active military duty.
 - (D) Income remaining after the month of receipt is a resource.
- (9) In the SNAP program, earned in-kind income (see OAR [461-145-0280](#)) is excluded unless it is one of the following:
- (a) An expenditure by a business entity that benefits a *principal* (see OAR [461-145-0088](#)).
 - (b) A credit card company gift card, such as Mastercard or Visa, which is received regularly and can be reasonably anticipated. This does not include specific gift cards, such as those from a retailer or restaurant.
- (10) In all programs, the income of a temporary employee of the U.S. Census Bureau employed to assist in taking the census is excluded.

Statutory/Other Authority: ORS [409.050](#), [411.060](#), [411.070](#), [411.083](#), [411.404](#), [411.706](#), [411.816](#), [411.892](#), [412.014](#), [412.049](#), [413.085](#), [414.619](#)
Statutes/Other Implemented: ORS [409.010](#), [411.060](#), [411.070](#), [411.083](#), [411.404](#), [411.706](#), [411.816](#), [411.892](#), [412.014](#), [412.049](#), [413.085](#), [414.117](#), [414.619](#)

[Previous Rules](#)

This website displays **unofficial** administrative rules with an effective date of January 1, 2014 and after. For official administrative rules, please visit the [Secretary of State Chapter 461 website](#). For administrative rule versions effective before January 1, 2014, submit a public records request to the [Secretary of State public records request website](#).