

Patient Liability; OSIPM (except OSIPM-EPD)

- (1) An individual in the Oregon Supplemental Income Program Medical (OSIPM) (except Oregon Supplemental Income Program Medical-Employed Persons with Disabilities (OSIPM-EPD)) program who receives *long-term care* (see OAR [461-001-0000](#)) services must, in order to remain eligible, make the payment required by this rule, except as provided in sections (3) through (6) of this rule. Individuals must apply their adjusted income to the cost of the care or service in the amount, if any, determined by the Department. This amount is the patient liability. If the individual's adjusted income exceeds the cost of care or service, the individual must pay the full cost of care but has no additional liability.
- (2) Effective January 1, 2026, individuals enrolled in Program of All-Inclusive Care for the Elderly (PACE) who are residing in *alternate service settings* (see OAR [411-045-0010](#)) are required to pay a patient liability under this rule.
- (3) An individual who receives Supplemental Security Income (SSI), or is deemed to receive SSI under section 1619(b) of the Social Security Act (42 U.S.C. § 1382h(b)), is eligible for OSIPM program benefits without having to make a payment.
- (4) The following individuals do not pay a patient liability:
 - (a) Individuals receiving *home and community-based care* in-home services (see OAR [461-001-0030](#) and OAR [Chapter 411, Division 030](#)), including individuals receiving in-home services under PACE (see OAR [Chapter 411 Division 045](#)).
 - (b) Individuals receiving Independent Choices Program (ICP) (see OAR [Chapter 411, Division 030](#)).
 - (c) Individuals receiving Oregon Project Independence-Medicaid (OPI-M) (see OAR [Chapter 411 Division 014](#)).

- (d) Individuals receiving State Plan Personal Care Services (see OAR [Chapter 411 Division 034](#)).
- (e) Individuals receiving OSIPM under the following categories if they receive *home and community-based care*:
 - (A) An adult child with a disability under OAR [461-135-0830](#).
 - (B) A widow or widower under OAR [461-135-0820](#).
 - (C) A Pickle amendment individual under OAR [461-135-0780](#).
- (5) In the initial month of placement, an individual may be exempt from payments required under this rule if the Department determines that the individual's income has been exhausted prior to placement. If any income remains, the individual must contribute to the cost of care or service.
- (6) An individual residing in an acute care hospital or mental health residential treatment facility is exempt from payments required by this rule while residing in the acute care hospital or mental health residential treatment facility. If a service benefit was received prior to admission to the acute care hospital, payment must be made for that service. For purposes of this rule, only the following types of treatment centers qualify as a mental health residential treatment facility:
 - (a) A mental health adult foster home.
 - (b) A mental health residential treatment home.
 - (c) A mental health residential treatment facility.
 - (d) A mental health secure residential treatment facility.

Statutory/Other Authority: ORS [409.050](#), [411.060](#), [411.070](#), [411.404](#), [411.706](#), [413.085](#), [414.685](#)

Statutes/Other Implemented: ORS [409.010](#), [411.060](#), [411.070](#), [411.404](#), [411.706](#)

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