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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DMAP 7-2021

CHAPTER 410
OREGON HEALTH AUTHORITY
HEALTH SYSTEMS DIVISION: MEDICAL ASSISTANCE PROGRAMS

FILED
02/23/2021 1:26 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Financial Eligibility Guidelines for HSD Medical Programs

EFFECTIVE DATE: 03/01/2021 THROUGH 08/27/2021

AGENCY APPROVED DATE: 02/22/2021

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Filed By:
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Rules Coordinator

NEED FOR THE RULE(S):

Every year the Federal Poverty Levels (FPL) are adjusted and published to the Federal Register. A number of HSD medical programs' eligibility thresholds and income disregards are based on percentages of the FPL, which must be updated in rule. The amended FPL percentage values will be implemented on March 1, 2021 and will align with the Oregon Eligibility (ONE) system implementation timeline.

JUSTIFICATION OF TEMPORARY FILING:

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, and to Cover Oregon staff who would be required to maintain rules and policy surrounding new income guidelines for MAGI Medicaid/CHIP programs.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Federal Register: <https://aspe.hhs.gov/poverty-guidelines>

AMEND: 410-200-0315

RULE TITLE: Standards and Determining Income Eligibility

RULE SUMMARY: Every year the Federal Poverty Levels (FPL) are adjusted and published to the Federal Register. A number of HSD medical programs' eligibility thresholds and income disregards are based on percentages of the FPL, which must be updated in rule. The amended FPL percentage values will be implemented on March 1, 2021 and will align with the Oregon Eligibility (ONE) system implementation timeline.

RULE TEXT:

- (1) This rule outlines income thresholds for HSD Medical Programs. See OAR 410-200-0310 for eligibility and budgeting.
- (2) The MAGI-based income standard for the MAGI Parent or Caretaker-Relative program is set as follows: See attached table.
- (3) Effective March 1, 2021, the MAGI income standard for the MAGI Child Program and the MAGI Adult Program is set

at 133 percent FPL as follows: See attached table.

(4) Effective March 1, 2021, the MAGI income standard for the MAGI Pregnant Woman Program and for MAGI Child Program recipients under the age of one year is set at 185 percent FPL as follows: See attached table.

(5) Effective March 1, 2021, the MAGI income standard for the MAGI CHIP program is set at 300 percent FPL as follows: See attached table.

(6) When the Department makes an ELE determination and the child meets all MAGI CHIP or MAGI Child Program nonfinancial eligibility requirements, the EDG size determined by the Department is used to determine eligibility regardless of the family size. The countable income of the household is determined by the ELA. A child is deemed eligible for MAGI CHIP or MAGI Child Program as follows:

(a) Effective March 1, 2021, if the MAGI-based income of the EDG is below 163 percent of the 2021 federal poverty level as listed below, the Department deems the child eligible for the MAGI Child Program: See attached table.

(b) If the MAGI-based income of the EDG is at or above 163 percent FPL through 300 percent FPL as described in section (4) of this rule, the Department deems the child eligible for MAGI CHIP.

STATUTORY/OTHER AUTHORITY: 42 CFR 435.110, ORS 435.112, 435.115, 435.116, 435.118, 435.403, 435.940, 435.1200, 457.80, 457.340, 458.350, 435.3, 435.4, 435.406, 435.407, 435.940, 435.952, 435.956, 435.1008, 457.320, 457.380, 435.608, 433.138, 433.145, 433.146, 433.147, 433.148, 435.115, 435.117, 435.118, 435.119, 435.1200, 435.1205, 435.170, 435.190, 435.222, 435.403, 435.406, 435.610, 435.916, 435.917, 447.56, 457.350, 457.360, 457.805, ORS 411.402, 411.404, 413.042, 414.534

STATUTES/OTHER IMPLEMENTED: ORS 411.402, 411.404, ORS 411.060, 411.095, 411.400, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536, 414.706

2021 Income Thresholds - Effective March 1, 2021

Oregon Health Plan, Health Systems Division Medical Programs

Family Size	Parents & Other Caretaker Relatives (PCR)		MAGI Child (age 1 - under 19) (CMO) / MAGI Adult (AMO)		MAGI Child (under age 1) (CMO) / MAGI Pregnant Woman (PWO)		MAGI CHIP (C21)	
	2021 Standard	Standard + 5% FPL Disregard	2021 Standard (133%)	Standard + 5% FPL Disregard (138%)	2021 Standard (185%)	Standard + 5% FPL Disregard (190%)	2021 Standard (300%)	Standard + 5% FPL Disregard (305%)
1	\$ 399	\$ 453	\$ 1,428	\$ 1,482	\$ 1,986	\$ 2,040	\$ 3,220	\$ 3,274
2	\$ 515	\$ 588	\$ 1,931	\$ 2,004	\$ 2,686	\$ 2,759	\$ 4,355	\$ 4,428
3	\$ 611	\$ 703	\$ 2,434	\$ 2,526	\$ 3,386	\$ 3,477	\$ 5,490	\$ 5,582
4	\$ 747	\$ 858	\$ 2,938	\$ 3,048	\$ 4,086	\$ 4,196	\$ 6,625	\$ 6,736
5	\$ 872	\$ 1,002	\$ 3,441	\$ 3,570	\$ 4,786	\$ 4,915	\$ 7,760	\$ 7,890
6	\$ 998	\$ 1,147	\$ 3,944	\$ 4,092	\$ 5,486	\$ 5,634	\$ 8,895	\$ 9,044
7	\$ 1,114	\$ 1,282	\$ 4,447	\$ 4,614	\$ 6,186	\$ 6,353	\$ 10,030	\$ 10,198
8	\$ 1,230	\$ 1,417	\$ 4,950	\$ 5,136	\$ 6,886	\$ 7,072	\$ 11,165	\$ 11,352
9	\$ 1,321	\$ 1,526	\$ 5,453	\$ 5,658	\$ 7,585	\$ 7,790	\$ 12,300	\$ 12,505
10	\$ 1,456	\$ 1,680	\$ 5,957	\$ 6,181	\$ 8,285	\$ 8,509	\$ 13,435	\$ 13,659
11	\$ 1,592	\$ 1,835	\$ 6,460	\$ 6,703	\$ 8,985	\$ 9,228	\$ 14,570	\$ 14,813
12	\$ 1,728	\$ 1,990	\$ 6,963	\$ 7,225	\$ 9,685	\$ 9,947	\$ 15,705	\$ 15,967
13	\$ 1,864	\$ 2,145	\$ 7,466	\$ 7,747	\$ 10,385	\$ 10,666	\$ 16,840	\$ 17,121
14	\$ 2,000	\$ 2,300	\$ 7,969	\$ 8,269	\$ 11,085	\$ 11,385	\$ 17,975	\$ 18,275
15	\$ 2,136	\$ 2,455	\$ 8,473	\$ 8,791	\$ 11,785	\$ 12,103	\$ 19,110	\$ 19,429
16	\$ 2,272	\$ 2,610	\$ 8,976	\$ 9,313	\$ 12,485	\$ 12,822	\$ 20,245	\$ 20,583
17	\$ 2,408	\$ 2,765	\$ 9,479	\$ 9,835	\$ 13,185	\$ 13,541	\$ 21,380	\$ 21,737
18	\$ 2,544	\$ 2,920	\$ 9,982	\$ 10,357	\$ 13,885	\$ 14,260	\$ 22,515	\$ 22,891
19	\$ 2,680	\$ 3,075	\$ 10,485	\$ 10,879	\$ 14,585	\$ 14,979	\$ 23,650	\$ 24,045
20	\$ 2,816	\$ 3,230	\$ 10,989	\$ 11,402	\$ 15,285	\$ 15,698	\$ 24,785	\$ 25,199
Each add'l add	\$ 136	\$ 155	\$ 504	\$ 523	\$ 700	\$ 719	\$ 1,135	\$ 1,154

Family Size	2021 100% Annual Income Threshold (2020 FPL used for 2021 determinations)	2022 100% Annual Income Threshold (2021 FPL used for 2022 determinations)
1	\$ 12,760	\$ 12,880
2	\$ 17,240	\$ 17,420
3	\$ 21,720	\$ 21,960
4	\$ 26,200	\$ 26,500
5	\$ 30,680	\$ 31,040
6	\$ 35,160	\$ 35,580
7	\$ 39,640	\$ 40,120
8	\$ 44,120	\$ 44,660
9	\$ 48,600	\$ 49,200
10	\$ 53,080	\$ 53,740
11	\$ 57,560	\$ 58,280
12	\$ 62,040	\$ 62,820
13	\$ 66,520	\$ 67,360
14	\$ 71,000	\$ 71,900
15	\$ 75,480	\$ 76,440
16	\$ 79,960	\$ 80,980
17	\$ 84,440	\$ 85,520
18	\$ 88,920	\$ 90,060
19	\$ 93,400	\$ 94,600
20	\$ 97,880	\$ 99,140
Each add'l add	\$ 4,480	\$ 4,540

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2020 Income Thresholds - Effective March 1, 2020

Oregon Health Plan, Health Systems Division Medical Programs

Family Size	Parents & Other Caretaker Relatives (PCR)		MAGI Child (age 1 - under 19) (CMO) / MAGI Adult (AMO)		MAGI Child (under age 1) (CMO) / MAGI Pregnant Woman (PWO)		MAGI CHIP (C21)	
	2020 Standard	Standard + 5% FPL Disregard	2020 Standard (133%)	Standard + 5% FPL Disregard (138%)	2020 Standard (185%)	Standard + 5% FPL Disregard (190%)	2020 Standard (300%)	Standard + 5% FPL Disregard (305%)
1	\$ 399	\$ 453	\$ 1,415	\$ 1,468	\$ 1,968	\$ 2,021	\$ 3,190	\$ 3,244
2	\$ 515	\$ 587	\$ 1,911	\$ 1,983	\$ 2,658	\$ 2,730	\$ 4,310	\$ 4,382
3	\$ 611	\$ 702	\$ 2,408	\$ 2,498	\$ 3,349	\$ 3,439	\$ 5,430	\$ 5,521
4	\$ 747	\$ 857	\$ 2,904	\$ 3,013	\$ 4,040	\$ 4,149	\$ 6,550	\$ 6,660
5	\$ 872	\$ 1,000	\$ 3,401	\$ 3,529	\$ 4,730	\$ 4,858	\$ 7,670	\$ 7,798
6	\$ 998	\$ 1,145	\$ 3,897	\$ 4,044	\$ 5,421	\$ 5,567	\$ 8,790	\$ 8,937
7	\$ 1,114	\$ 1,280	\$ 4,394	\$ 4,559	\$ 6,112	\$ 6,277	\$ 9,910	\$ 10,076
8	\$ 1,230	\$ 1,414	\$ 4,890	\$ 5,074	\$ 6,802	\$ 6,986	\$ 11,030	\$ 11,214
9	\$ 1,321	\$ 1,524	\$ 5,387	\$ 5,589	\$ 7,493	\$ 7,695	\$ 12,150	\$ 12,353
10	\$ 1,456	\$ 1,678	\$ 5,884	\$ 6,105	\$ 8,184	\$ 8,405	\$ 13,270	\$ 13,492
11	\$ 1,592	\$ 1,832	\$ 6,380	\$ 6,620	\$ 8,874	\$ 9,114	\$ 14,390	\$ 14,630
12	\$ 1,728	\$ 1,987	\$ 6,877	\$ 7,135	\$ 9,565	\$ 9,823	\$ 15,510	\$ 15,769
13	\$ 1,864	\$ 2,142	\$ 7,373	\$ 7,650	\$ 10,256	\$ 10,533	\$ 16,630	\$ 16,908
14	\$ 2,000	\$ 2,296	\$ 7,870	\$ 8,165	\$ 10,946	\$ 11,242	\$ 17,750	\$ 18,046
15	\$ 2,136	\$ 2,451	\$ 8,366	\$ 8,681	\$ 11,637	\$ 11,951	\$ 18,870	\$ 19,185
16	\$ 2,272	\$ 2,606	\$ 8,863	\$ 9,196	\$ 12,328	\$ 12,661	\$ 19,990	\$ 20,324
17	\$ 2,408	\$ 2,760	\$ 9,359	\$ 9,711	\$ 13,018	\$ 13,370	\$ 21,110	\$ 21,462
18	\$ 2,544	\$ 2,915	\$ 9,856	\$ 10,226	\$ 13,709	\$ 14,079	\$ 22,230	\$ 22,601
19	\$ 2,680	\$ 3,070	\$ 10,352	\$ 10,741	\$ 14,400	\$ 14,789	\$ 23,350	\$ 23,740
20	\$ 2,816	\$ 3,224	\$ 10,849	\$ 11,257	\$ 15,090	\$ 15,498	\$ 24,470	\$ 24,878
Each add'l add	\$ 136	\$ 155	\$ 497	\$ 516	\$ 691	\$ 710	\$ 1,120	\$ 1,139

Family Size	2020 100% Annual Income Test (2019 FPL used for 2020 determinations)
1	\$ 12,490
2	\$ 16,910
3	\$ 21,330
4	\$ 25,750
5	\$ 30,170
6	\$ 34,590
7	\$ 39,010
8	\$ 43,430
9	\$ 47,850
10	\$ 52,270
11	\$ 56,690
12	\$ 61,110
13	\$ 65,530
14	\$ 69,950
15	\$ 74,370
16	\$ 78,790
17	\$ 83,210
18	\$ 87,630
19	\$ 92,050
20	\$ 96,470
Each add'l add	\$ 4,420