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ARCHIVES DIVISION

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**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**DMAP 43-2024**

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

**FILED**

02/16/2024 3:24 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Oregon Health Plan rule updates regarding 2024 Federal Poverty Levels (FPL).

EFFECTIVE DATE: 03/01/2024 THROUGH 08/13/2024

AGENCY APPROVED DATE: 02/16/2024

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Filed By:  
Martha Martinez-Camacho  
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 are implemented as of March 1 2024 and must align with the Oregon Eligibility (ONE) system implementation timeline.

JUSTIFICATION OF TEMPORARY FILING:

(1) There is an emergent need to file this rule update immediately, to be effective 03/01/2024. Due to when we received the FPL updates from the HHS, we did not have sufficient time to meet the Permanent rule timeframe requirements. If we do not file these rules prior to March 1, 2024, our rules would be out of alignment with the federally mandated poverty guidelines in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).

(2) Federally mandated income thresholds for Medicaid/CHIP programs are applied to all applicants and recipients. The public, including individuals who are need of health insurance and applying for Medicaid/CHIP, Community Partners who help individuals apply for Medicaid/CHIP, providers who determine presumptive eligibility for Medicaid/CHIP, and any other interested parties who refer to the most current FPL amounts.

(3) Individuals would be negatively impacted if they referred to the outdated FPL amounts and were deterred from applying for Medicaid if their income is above the prior limit but is actually below the most current limit. We would also be out of compliance with our federal partner, Centers for Medicare and Medicaid Services (CMS), requirements to determine and establish eligibility within the federal poverty guidelines set forth by HHS.

(4) If we are able to file the rule by 03/01/2024, then we shall have met our requirement to implement the new FPL guidelines in our Medicaid evaluation, and we also eliminate the risk of individuals not applying for Medicaid because of an incorrect/old FPL posted that would previously have made them ineligible.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

<https://www.federalregister.gov/documents/2024/01/17/2024-00796/annual-update-of-the-hhs-poverty-guidelines>

<https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>

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AMEND: 410-200-0315

RULE SUMMARY: Updated Standards and Determining Income Eligibility

CHANGES TO RULE:

410-200-0315

Standards and Determining Income Eligibility ¶¶

(1) This rule outlines income thresholds for Health System Division (HSD) Medical Programs. See OAR 410-200-0310 for eligibility and budgeting.¶¶

(2) The income standard for the Modified Adjusted Gross Income (MAGI) Parent or Caretaker-Relative program is set as follows: See attached table.¶¶

(3) Effective March 1, 2023~~4~~, the income standard for the MAGI Child Program and the MAGI Adult Program is set at 133 percent of the 2023~~4~~ Federal Poverty Level (FPL) as follows: See attached table.¶¶

(4) Effective March 1, 2023~~4~~, the 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 of the 2023~~4~~ FPL as follows: See attached table.¶¶

(5) Effective March 1, 2023~~4~~, the income standard for the MAGI Expanded Adult Program is set at 200 percent of the 2023~~4~~ FPL as follows: See attached table.¶¶

(6) Effective March 1, 2023~~4~~, the income standard for MAGI Children's Health Insurance Program (CHIP) is set at 300 percent of the 2023~~4~~ FPL as follows: See attached table.¶¶

(7) Effective March 1, 2023~~4~~, the income standard for the Compact of Free Association (COFA) Dental Program is set at 138 percent of the 2023~~4~~ FPL as follows: See attached table.¶¶

(8) Effective March 1, 2023~~4~~, the income standard for the Veteran Dental Program is set at 400 percent of the 2023~~4~~ FPL as follows: See attached table.¶¶

~~(9) When the Department makes an Express Lane Eligibility (ELE) determination and the child meets all MAGI CHIP or MAGI Child Program nonfinancial eligibility requirements, the Eligibility Determination Group (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, 2023, if the MAGI-based income of the EDG is below 163 percent of the 2023 federal poverty level, 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. [ED. NOTE: To view attachments referenced in rule text, click here for PDF copy.]~~

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, 435.117, 435.119, 435.1200, 435.1205, 435.170, 435.190, 435.222, 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

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

## 2024 Income Thresholds - Effective March 1, 2024

### Oregon Health Plan, Health Systems Division Programs

Family Size	Parents & Other Caretaker Relatives (PCR)		MAGI Child (age 1 - under 19) / MAGI Adult / COFA Dental		MAGI Expanded Adult	MAGI Child (under age 1) (CMO) / MAGI Pregnant Woman (PWO)		MAGI CHIP		Vet Dental
	2024 Standard	Standard + 5% FPL Disregard	2024 Standard (133%)	Standard + 5% FPL Disregard (138%)	2024 Standard (200%)	2024 Standard (185%)	Standard + 5% FPL Disregard (190%)	2024 Standard (300%)	Standard + 5% FPL Disregard (305%)	2024 Standard (400%)
	1	\$ 399	\$ 460	\$ 1,670	\$ 1,732	\$ 2,510	\$ 2,322	\$ 2,385	\$ 3,765	\$ 3,828
2	\$ 515	\$ 598	\$ 2,266	\$ 2,351	\$ 3,407	\$ 3,152	\$ 3,237	\$ 5,110	\$ 5,196	\$ 6,814
3	\$ 611	\$ 715	\$ 2,862	\$ 2,970	\$ 4,304	\$ 3,981	\$ 4,089	\$ 6,455	\$ 6,563	\$ 8,607
4	\$ 747	\$ 872	\$ 3,458	\$ 3,588	\$ 5,200	\$ 4,810	\$ 4,940	\$ 7,800	\$ 7,930	\$ 10,400
5	\$ 872	\$ 1,019	\$ 4,055	\$ 4,207	\$ 6,097	\$ 5,640	\$ 5,792	\$ 9,145	\$ 9,298	\$ 12,194
6	\$ 998	\$ 1,166	\$ 4,651	\$ 4,826	\$ 6,994	\$ 6,469	\$ 6,644	\$ 10,490	\$ 10,665	\$ 13,987
7	\$ 1,114	\$ 1,304	\$ 5,247	\$ 5,445	\$ 7,890	\$ 7,299	\$ 7,496	\$ 11,835	\$ 12,033	\$ 15,780
8	\$ 1,230	\$ 1,441	\$ 5,844	\$ 6,063	\$ 8,787	\$ 8,128	\$ 8,348	\$ 13,180	\$ 13,400	\$ 17,574
9	\$ 1,321	\$ 1,554	\$ 6,440	\$ 6,682	\$ 9,684	\$ 8,958	\$ 9,200	\$ 14,525	\$ 14,768	\$ 19,367
10	\$ 1,456	\$ 1,710	\$ 7,036	\$ 7,301	\$ 10,580	\$ 9,787	\$ 10,051	\$ 15,870	\$ 16,135	\$ 21,160
11	\$ 1,592	\$ 1,867	\$ 7,632	\$ 7,919	\$ 11,477	\$ 10,616	\$ 10,903	\$ 17,215	\$ 17,502	\$ 22,954
12	\$ 1,728	\$ 2,025	\$ 8,229	\$ 8,538	\$ 12,374	\$ 11,446	\$ 11,755	\$ 18,560	\$ 18,870	\$ 24,747
13	\$ 1,864	\$ 2,182	\$ 8,825	\$ 9,157	\$ 13,270	\$ 12,275	\$ 12,607	\$ 19,905	\$ 20,237	\$ 26,540
14	\$ 2,000	\$ 2,340	\$ 9,421	\$ 9,775	\$ 14,167	\$ 13,105	\$ 13,459	\$ 21,250	\$ 21,605	\$ 28,334
15	\$ 2,136	\$ 2,497	\$ 10,018	\$ 10,394	\$ 15,064	\$ 13,934	\$ 14,311	\$ 22,595	\$ 22,972	\$ 30,127
16	\$ 2,272	\$ 2,654	\$ 10,614	\$ 11,013	\$ 15,960	\$ 14,763	\$ 15,162	\$ 23,940	\$ 24,339	\$ 31,920
17	\$ 2,408	\$ 2,812	\$ 11,210	\$ 11,632	\$ 16,857	\$ 15,593	\$ 16,014	\$ 25,285	\$ 25,707	\$ 33,714
18	\$ 2,544	\$ 2,969	\$ 11,806	\$ 12,250	\$ 17,754	\$ 16,422	\$ 16,866	\$ 26,630	\$ 27,074	\$ 35,507
19	\$ 2,680	\$ 3,127	\$ 12,403	\$ 12,869	\$ 18,650	\$ 17,252	\$ 17,718	\$ 27,975	\$ 28,442	\$ 37,300
20	\$ 2,816	\$ 3,284	\$ 12,999	\$ 13,488	\$ 19,547	\$ 18,081	\$ 18,570	\$ 29,320	\$ 29,809	\$ 39,094
Each add'l add	\$ 136	\$ 158	\$ 597	\$ 619	\$ 897	\$ 830	\$ 852	\$ 1,345	\$ 1,368	\$ 1,794

Family Size	2024 100% Annual Income Threshold (2023 FPL used for 2024 determinations)	2025 100% Annual Income Threshold (2024 FPL used for 2025 determinations)
1	\$ 14,580	\$ 15,060
2	\$ 19,720	\$ 20,440
3	\$ 24,860	\$ 25,820
4	\$ 30,000	\$ 31,200
5	\$ 35,140	\$ 36,580
6	\$ 40,280	\$ 41,960
7	\$ 45,420	\$ 47,340
8	\$ 50,560	\$ 52,720
9	\$ 55,700	\$ 58,100
10	\$ 60,840	\$ 63,480
11	\$ 65,980	\$ 68,860
12	\$ 71,120	\$ 74,240
13	\$ 76,260	\$ 79,620
14	\$ 81,400	\$ 85,000
15	\$ 86,540	\$ 90,380
16	\$ 91,680	\$ 95,760
17	\$ 96,820	\$ 101,140
18	\$ 101,960	\$ 106,520
19	\$ 107,100	\$ 111,900
20	\$ 112,240	\$ 117,280
Each add'l add	\$ 5,140	\$ 5,380

## 2023 Income Thresholds - Effective March 1, 2023

### Oregon Health Plan, Health Systems Division Medical Programs

Family Size	Parents & Other Caretaker Relatives (PCR)		MAGI Child (age 1 - under 19) / MAGI Adult / COFA Dental		MAGI Child (under age 1) (CMO) / MAGI Pregnant Woman (PWO)		MAGI CHIP		Vet Dental	MAGI Expanded Adult
	2023 Standard	Standard + 5% FPL Disregard	2023 Standard (133%)	Standard + 5% FPL Disregard (138%)	2023 Standard (185%)	Standard + 5% FPL Disregard (190%)	2023 Standard (300%)	Standard + 5% FPL Disregard (305%)	2023 Standard (400%)	2023 Standard (200%)
1	\$ 399	\$ 456	\$ 1,616	\$ 1,677	\$ 2,248	\$ 2,309	\$ 3,645	\$ 3,706	\$ 4,860	\$ 2,430
2	\$ 515	\$ 592	\$ 2,186	\$ 2,268	\$ 3,041	\$ 3,123	\$ 4,930	\$ 5,013	\$ 6,574	\$ 3,287
3	\$ 611	\$ 707	\$ 2,756	\$ 2,859	\$ 3,833	\$ 3,937	\$ 6,215	\$ 6,319	\$ 8,287	\$ 4,144
4	\$ 747	\$ 863	\$ 3,325	\$ 3,450	\$ 4,625	\$ 4,750	\$ 7,500	\$ 7,625	\$ 10,000	\$ 5,000
5	\$ 872	\$ 1,008	\$ 3,895	\$ 4,042	\$ 5,418	\$ 5,564	\$ 8,785	\$ 8,932	\$ 11,714	\$ 5,857
6	\$ 998	\$ 1,153	\$ 4,465	\$ 4,633	\$ 6,210	\$ 6,378	\$ 10,070	\$ 10,238	\$ 13,427	\$ 6,714
7	\$ 1,114	\$ 1,289	\$ 5,035	\$ 5,224	\$ 7,003	\$ 7,192	\$ 11,355	\$ 11,545	\$ 15,140	\$ 7,570
8	\$ 1,230	\$ 1,425	\$ 5,604	\$ 5,815	\$ 7,795	\$ 8,006	\$ 12,640	\$ 12,851	\$ 16,854	\$ 8,427
9	\$ 1,321	\$ 1,535	\$ 6,174	\$ 6,406	\$ 8,588	\$ 8,820	\$ 13,925	\$ 14,158	\$ 18,567	\$ 9,284
10	\$ 1,456	\$ 1,690	\$ 6,744	\$ 6,997	\$ 9,380	\$ 9,633	\$ 15,210	\$ 15,464	\$ 20,280	\$ 10,140
11	\$ 1,592	\$ 1,846	\$ 7,313	\$ 7,588	\$ 10,172	\$ 10,447	\$ 16,495	\$ 16,770	\$ 21,994	\$ 10,997
12	\$ 1,728	\$ 2,001	\$ 7,883	\$ 8,179	\$ 10,965	\$ 11,261	\$ 17,780	\$ 18,077	\$ 23,707	\$ 11,854
13	\$ 1,864	\$ 2,157	\$ 8,453	\$ 8,770	\$ 11,757	\$ 12,075	\$ 19,065	\$ 19,383	\$ 25,420	\$ 12,710
14	\$ 2,000	\$ 2,313	\$ 9,022	\$ 9,361	\$ 12,550	\$ 12,889	\$ 20,350	\$ 20,690	\$ 27,134	\$ 13,567
15	\$ 2,136	\$ 2,468	\$ 9,592	\$ 9,953	\$ 13,342	\$ 13,703	\$ 21,635	\$ 21,996	\$ 28,847	\$ 14,424
16	\$ 2,272	\$ 2,624	\$ 10,162	\$ 10,544	\$ 14,134	\$ 14,516	\$ 22,920	\$ 23,302	\$ 30,560	\$ 15,280
17	\$ 2,408	\$ 2,780	\$ 10,731	\$ 11,135	\$ 14,927	\$ 15,330	\$ 24,205	\$ 24,609	\$ 32,274	\$ 16,137
18	\$ 2,544	\$ 2,935	\$ 11,301	\$ 11,726	\$ 15,719	\$ 16,144	\$ 25,490	\$ 25,915	\$ 33,987	\$ 16,994
19	\$ 2,680	\$ 3,091	\$ 11,871	\$ 12,317	\$ 16,512	\$ 16,958	\$ 26,775	\$ 27,222	\$ 35,700	\$ 17,850
20	\$ 2,816	\$ 3,247	\$ 12,440	\$ 12,908	\$ 17,304	\$ 17,772	\$ 28,060	\$ 28,528	\$ 37,414	\$ 18,707
Each add'l add	\$ 136	\$ 156	\$ 570	\$ 592	\$ 793	\$ 814	\$ 1,285	\$ 1,307	\$ 1,714	\$ 857

Family Size	2023 100% Annual Income Threshold (2022 FPL used for 2023 determinations)
1	\$ 13,590
2	\$ 18,310
3	\$ 23,030
4	\$ 27,750
5	\$ 32,470
6	\$ 37,190
7	\$ 41,910
8	\$ 46,630
9	\$ 51,350
10	\$ 56,070
11	\$ 60,790
12	\$ 65,510
13	\$ 70,230
14	\$ 74,950
15	\$ 79,670
16	\$ 84,390
17	\$ 89,110
18	\$ 93,830
19	\$ 98,550
20	\$ 103,270
Each add'l add	\$ 4,720