

**B-Engrossed**  
**House Bill 3049**

Ordered by the House July 10  
Including House Amendments dated May 13 and July 10

Sponsored by COMMITTEE ON HEALTH AND HUMAN SERVICES (at the request of Community Providers Association of Oregon)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Department of Human Services to adopt rules under which person with developmental disability receiving medical assistance and residential services from department may retain earned income and remain eligible for services.

Directs department to apply for federal waiver necessary to adopt rules.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to offset calculations; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. The Department of Human Services shall adopt rules to allow a person with**  
5 **developmental disabilities receiving services from the department in residential settings to**  
6 **retain each month an amount of earned income no less than \$65 and no more than \$320 per**  
7 **month while maintaining eligibility for state medical assistance and placement in residential**  
8 **settings.**

9 **SECTION 2. (1) No later than January 1, 2006, the Department of Human Services shall**  
10 **apply for a waiver of federal requirements that the department determines necessary to al-**  
11 **low a person with developmental disabilities receiving services from the department in resi-**  
12 **dential settings to retain each month an amount of earned income no less than \$65 and no**  
13 **more than \$320 per month while maintaining eligibility for state medical assistance and**  
14 **placement in residential settings.**

15 **(2) The department shall adopt rules implementing section 1 of this 2005 Act as soon as**  
16 **practicable after receipt of the necessary waiver.**

17 **SECTION 3. This 2005 Act being necessary for the immediate preservation of the public**  
18 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
19 **on its passage.**

20  

---

  
**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.