



September 22, 2023

Cash Assistance Manual Transmittal Letter No. 192

TO: All Cash Assistance Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: Cash assistance: The application process for Ohio works first and refugee cash assistance, The Recertification Requirement, domestic violence- information, screening, referral, and waiver of eligibility requirements

The JFS 07501 “Program Enrollment and Benefit Information” has been redesigned through human centered design (HCD) with a cross-agency review including the Ohio Department of Job and Family Services (ODJFS) and the Ohio Department of Medicaid (ODM) for all programs to provide pertinent information about each program. The JFS 07501 was compared with other forms and notices such as approval, denial, benefit change notices, self-sufficiency contract, and information given verbally during interviews. Duplicative information was removed from the JFS 07501 and the redesigned version is now an informational pamphlet that can be available at the county agency or community partners, and/or given to individuals if they would like additional program information. As a result, Ohio Administrative Code rules 5101:1-2-01, 5101:1-2-10 and 5101:1-3-20 have been amended to remove the requirement for county agencies to send the JFS 07501 “Program Enrollment and Benefit Information” at application and recertification.

The Office of Family Assistance (OFA) has taken the actions described below. These rules have been subject to a review by the Joint Committee on Agency Rule Review (JCARR). The changes will become effective on 10/01/2023.

Chapter 1000

5101:1-2-01 "The application process for Ohio works first and refugee cash assistance."

This rule describes the procedures for the county agencies to follow regarding the Ohio Works First (OWF) and Refugee Cash Assistance (RCA) programs. Changes to the rule include:

- Paragraph (A)(1)(c) was removed to eliminate the requirement to send the JFS 07501 at application;
- Paragraphs (J)(1) was amended to eliminate the requirement to send the JFS 07501;
- Paragraph (J)(2) was amended to remove the requirement that the JFS 07501 be used to conduct the interview;
- Former paragraph (J)(6) was moved to new paragraph (K)(18) to ensure the JFS 07092 is a requirement of the interview due to the removal of the JFS 07501;
- Paragraph (K)(1) was amended for clarity;
- Paragraph(K)(2) is being removed due to the JFS 07501 being an informational pamphlet and not required to be covered during the interview;
- Paragraphs (K)(15), (K)(16), and (K)(17) were added to provide an explanation of the requirements during the interview due to the removal of the JFS 07501; and

- Minor language changes for clarity.

5101:1-2-10 "The Recertification Requirement."

This rule describes the recertification process for the Ohio Works First (OWF) and Refugee Cash Assistance (RCA). Changes to the rule include:

- Paragraph (D)(2)(e)(i) was removed to eliminate the requirement to send the JFS 07501 at recertification;
- Paragraph (D)(2)(h) was amended for clarity; and
- Minor language changes for clarity.

Chapter 2000

5101:1-3-20 Ohio works first: domestic violence- information, screening, referral and waiver of eligibility requirements.

This rule describes the screening, referral and waiver of Ohio works first (OWF) eligibility requirements in domestic violence situations:

- Paragraph (B)(6) was added to clarify the county agency may provide information about local supportive services or programs, when requested; and
- Paragraph (C) was removed to eliminate the requirement to provide the JFS 07501.

5101:1-2-01 **The application process for Ohio works first and refugee cash assistance.**

(A) How does an individual apply for Ohio works first (OWF) or refugee cash assistance (RCA) benefits?

(1) The application process begins with a request for OWF or RCA. Upon request to apply, the county agency is to provide the individual or authorized representative with all of the following forms:

(a) A JFS 07200 "Application for Supplemental Nutrition Assistance Program (SNAP), Cash Assistance, Medical Assistance or Child Care Assistance," JFS 07204 "Request to Reapply for Cash Assistance, SNAP and/or Child Care," or the electronic or telephonic equivalent; and

(b) A JFS 07217 "Voter Registration Notice of Rights and Declination" and a voter registration form (for requirement and procedures of the National Voter Registration Act of 1993 refer to rule 5101:1-2-15 of the Administrative Code); ~~and.~~

~~(c) A JFS 07501 "Program Enrollment and Benefit Information."~~

(2) Assistance groups wanting to participate in the program(s) are to file a complete application.

(a) An "application" is a JFS 07200, JFS 07204, or its electronic or telephonic equivalent; and

(b) Except as outlined in paragraph (A)(2)(c) of this rule, a "complete application" is an application that includes, at a minimum, the name, address and signature of the person completing the application.

(c) A complete telephonic application includes, at a minimum:

(i) A name, address;

(ii) A completed interview as described in paragraph (H) of this rule; and

(iii) A telephonic signature of the person completing the application. A telephonic signature is an audio recording of the assistance group's verbal assent and a summary of the information to which the assistance group assents.

(B) When is an application packet provided?

- (1) The county agency is to provide an application packet upon request.
 - (a) When the request is made in person at the county agency, the application packet is to be given the same day as the request.
 - (b) When the county agency receives the request by telephone or letter, the application packet is mailed the day that the request is received.
- (2) The right to apply is not to be discouraged or denied. An individual/family who appears ineligible is allowed to apply for assistance.
- (3) When an assistance group is currently receiving supplemental nutrition assistance program (SNAP) benefits and decides to apply for cash assistance at recertification, a new application for cash assistance is to be filed.

(C) What are the methods for filing an application?

- (1) An assistance group may submit an application to the county agency:
 - (a) In person;
 - (b) Through an authorized representative;
 - (c) By fax;
 - (d) By electronic transmission;
 - (e) By mail; or
 - (f) By telephone.

(D) Who signs the application?

- (1) The application is to be signed by one of the following individuals in order to register the application:
 - (a) A payee for the assistance group;
 - (b) A caretaker for the assistance group;
 - (c) Another responsible member of the assistance group;
 - (d) A spouse or natural or adoptive parent of a member of the assistance group who is not an assistance group member, who resides with the assistance

group, and can reasonably be determined to be acting responsibly for the assistance group; or

- (e) An authorized representative for the assistance group.
- (2) For other assistance groups identified on the application, an individual meeting one of the definitions provided in paragraph (D)(1) of this rule is to sign the application in order to register the request for assistance for the assistance group. The county agency is to notify the potential assistance groups of this requirement in writing no later than one working day following the interview.
- (3) The types of signatures include:
- (a) Handwritten signatures include signatures that are transmitted by facsimile or other electronic submission. When the signatory cannot sign with a name, an "X" is valid signature. It may be necessary for the county agency to have a witness attest to an "X" signature. An employee of the agency may serve as a witness.
 - (b) Electronic signatures which include the following:
 - (i) A digital signature;
 - (ii) A handwritten signature input on electronic signature pad or display screen; or
 - (iii) A digitized image of a handwritten signature that is attached to an electronic record or a typed name on an online application. This excludes telephonic signatures as described in paragraph (A)(2)(c) of this rule.
 - (c) Telephonic signatures obtained in accordance with procedures approved by the Ohio department of job and family services.
- (4) Since initial benefits are affected by the date of application, the county agency should provide a potential assistance group identified on the application an opportunity to sign and complete the minimum application requirements described in paragraph (A)(2)(b) of this rule as soon as possible.
- (5) A handwritten signature is not required when there is an electronic or telephonic signature. Electronic and telephonic signatures have the same legal effect and are enforced in the same way as a handwritten signature.
- (E) During the application process what other responsibilities need to be met?

- (1) Each question on the application is to be completed to the fullest extent possible and any missing information is to be supplied during the interview or through the required verifications.
- (2) The assistance group and/or authorized representative is to make an accurate and complete disclosure of all information necessary for a determination of eligibility. Such disclosure are to be made at the time of initial application, at reapplication, and within ten days of the date that any change specifically identified in rule 5101:1-2-20 of the Administrative Code occurs.
- (3) The assistance group's report of an impending change in circumstances does not negate its responsibility to report any change identified in rule 5101:1-2-20 of the Administrative Code as reporting requirement within ten days from the date the change actually occurs.
- (4) Administrative duties are to be performed in such a manner as to secure for every assistance group the full amount of benefits that is legally entitled according to program regulations.
- (5) For OWF applicants the application process includes:
 - (a) Prior to authorization, the county agency is to:
 - (i) For each work eligible individual between the ages of fourteen and twenty-four:
 - (a) Not later than seven days from the date of application, refer the individual to a lead agency for a comprehensive assessment conducted in accordance with rule 5101:14-1-04 of the Administrative Code; and
 - (b) Ensure the individual has signed an individual opportunity plan developed in accordance with rule 5101:14-1-04 of the Administrative Code, that includes an assignment to at least one comprehensive case management and employment program (CCMEP) service or activity.
 - (ii) For all other work eligible individuals, minor heads of household and adult members of the assistance group, assess, appraise, and enter into a written self sufficiency contract (SSC) for each work eligible individual, minor head of household and adult member of the assistance group, in accordance with rule 5101:1-3-11 of the Administrative Code.

(b) As agreed in the SSC, the county agency may have a work eligible individual complete a job search and job readiness applicant assignment as described in rule 5101:1-3-12.5 of the Administrative Code, prior to authorization of OWF benefits as described in rule 5101:1-3-11 of the Administrative Code. In accordance with rule 5101:9-2-02 of the Administrative Code, when the work eligible individual discloses, has, or appears to have a physical or mental condition that substantially limits one or more major life activities, the county agency is to ensure that the assignment is consistent with its Americans with Disabilities Act (ADA) of 1990 plan in accordance with rule 5101:9-2-02 of the Administrative Code.

(F) What is the application date and how is an application registered?

- (1) The county agency is to accept the application on the day it is turned into the county agency. The "date of application" is the date that the county agency receives an application for existing assistance groups completing a interview, that contains the minimum requirements described in paragraph (A)(2)(b) or (A)(2)(c) of this rule. When an application is submitted by fax, electronically, or telephonic equivalent, the date of application is to be the date the county agency receives the application. When an application is received after business hours the date of application is the next business day.
- (2) Upon receipt of an application containing the minimum requirements described in paragraph (A)(2)(b) or (A)(2)(c) of this rule, the county agency is to enter the information into the statewide automated eligibility system.
- (3) The county agency is not to delay the date of application because of any local office procedure. The date of the interview is not to be used to delay the application date.
- (4) The assistance group is to be given the opportunity to complete and return the application on the same date the application is requested. When this occurs, the date of application is the same day as the request.
- (5) The county agency is to advise that the date of the application and the beginning date of benefits are dependent upon the date the application containing the minimum requirements described in paragraph (A)(2)(b) or (A)(2)(c) of this rule is returned to the county agency provided all other eligibility factors are met on or before the date received.
- (6) When an application containing the minimum requirements described in paragraph (A)(2)(b) of this rule is returned by mail, the date of application is to be the date the county agency receives the application. When the county

agency receives an application containing the minimum requirements described in paragraph (A)(2)(b) of this rule from the social security administration, the date of application for all public assistance programs, except SNAP, is to be the date the county agency receives the application. All applications received by mail are to be date stamped the day received.

(G) What is the role of the county agency in the completion of the application process?

- (1) The county agency is to help complete the application when assistance is requested and no other family member, close friend, authorized representative, or other appropriate individual is available.
- (2) When the county agency assists or completes an application, the employee of the county agency is to sign his or her name and title on the application.
- (3) A county agency employee is not to alter any answers given by the assistance group on the application. The county agency employee may assist in completing the application by asking the assistance group for answers needed to complete the application. The county agency employee may then mark or fill in the answer on the application.
- (4) The normal process of inputting data provided by the applicant during the interview is not to be construed to mean that the county agency has assisted with the completion of the application.
- (5) When the application is signed with a telephonic signature the county agency is to provide the assistance group a written copy of the JFS 07008 "Benefit Application Summary" form, or its electronic equivalent of the information attested to during the interview.

(H) What are the interview requirements?

- (1) An interview is to be scheduled as promptly as possible after the receipt and registration of an application containing the minimum requirements described in paragraph (A)(2)(b) of this rule, to ensure that an eligible assistance group receives an opportunity to participate within the time frames for completion of the application process pursuant to paragraph (L) of this rule.
- (2) The interview is used to inform the assistance group of all required verifications, the time period that the verifications is to be submitted to the county agency, and the responsibility of the county agency to assist when help is needed in obtaining any items. The interview is also used to determine if the application has been thoroughly completed and if the information provided accurately represents the assistance group's situation.

- (3) When the primary language of the individual completing the interview is not English, the county agency is to offer an interpreter at no cost to the individual. The individual is not to be required to provide his or her own interpreter or use a family member, unless they desire to do so.
 - (4) When the individual who satisfies the interview requirement for the assistance group is not an assistance group member (e.g., authorized representative), and the county agency questions the information provided by that individual, the county agency retains the right to contact the assistance group to clarify the information.
 - (5) When the interview cannot be conducted in the county agency offices or by telephone, alternative locations and/or hours are to be arranged.
- (I) How can the interview be conducted?
- (1) The county agency may conduct an:
 - (a) Office interview;
 - (b) Telephone interview; or
 - (c) Home visit (as long as it is scheduled in advance with the assistance group).
 - (2) The type of interview conducted is left to the county agency's discretion unless the applicant requests a face-to-face interview. The county agency is to grant a face-to-face interview to any assistance group that requests one.
- (J) What are the county agency's responsibilities for the interview?
- (1) ~~The county agency is to provide:~~ Provide the JFS 07344 "Direct Deposit Authorization" when applicable.
 - ~~(a) The JFS 07344 "Direct Deposit Authorization" when applicable; and~~
 - ~~(b) The JFS 07501 when one has not already been provided.~~
 - (2) When the statewide automated eligibility system is unavailable, the JFS 01846, "Case Worksheet: Cash, Food Stamp, and Medical Assistance Interview;" ~~and the JFS 07501~~ is to be used to conduct the interview. ~~The applicant is to be given a copy of the JFS 07501.~~
 - (3) Assist in obtaining verification and completing the voter registration forms when requested by the assistance group.

- (4) Determine eligibility as soon as possible after the application requirements are complete.
- (5) Document the eligibility determination in the case record.
- ~~(6) Send the JFS 07092, "Notice to Individuals Applying for or Participating in Ohio Works First (OWF) Regarding Cooperation with the Child Support Enforcement Agency (CSEA)," to the child support enforcement agency (CSEA) each time that an individual signs the form to claim good cause for refusal to cooperate with child support.~~

(K) What is to be covered in the application interview?

- (1) The eligibility requirements for cash programs, ~~and SNAP~~, including citizenship and immigration status social security number requirements, issuance and use of benefits.
- ~~(2) All information contained on the JFS 07501.~~
- ~~(3)~~(2) The required verifications and information that is to be provided. This is to include a review of those verifications already provided and those verifications remaining to be secured. The county agency is to also inform the assistance group of assistance that they can provide in securing the required verifications and information.
- ~~(4)~~(3) The importance of abiding by the time limits for providing the verifications and additional information. The county agency is to emphasize that the application cannot be processed until the verifications and additional information are submitted.
- ~~(5)~~(4) The joint responsibility for exploring all the factors of eligibility and the circumstances that the assistance group is to be held responsible for presenting records or documents in its possession to support statements.
- ~~(6)~~(5) The consequences for failing to accurately report the circumstances of the assistance group at the point of application and later when the circumstances should change. Possible recoupment of overpayments and/or referral to law enforcement officials for civil or criminal prosecution could result from a failure to fully and honestly report the circumstances at all times.
- ~~(7)~~(6) The availability, purpose, and provision of appropriate social services programs within and outside the agency regardless of an individual's receipt of financial assistance.

- ~~(8)~~(7) The responsibility of the parent for minor children and spouses for each other.
- ~~(9)~~(8) The ability of the assistance group to meet its needs pending the receipt of the first benefit.
- ~~(10)~~(9) The availability of free legal services through legal aid.
- ~~(11)~~(10) An explanation of eligibility for a pregnant minor or minor parent and child to receive assistance as described in section 5107.24 of the Revised Code.
- ~~(12)~~(11) An explanation of the SSC and the time limit requirements and extensions for the OWF program.
- ~~(13)~~(12) An explanation of the waiver of OWF eligibility requirements due to domestic violence, including the good cause exception for refusal to cooperate with child support when applicable.
- ~~(14)~~(13) An explanation of the individual's rights under the ADA, including the right to request reasonable modification in program activities.
- ~~(15)~~(14) During the interview, the county agency is to offer assistance in getting any additional verifications or information that is needed in order to process the case. The county agency is to use the JFS 07105 "Application/Reapplication Verification Request Checklist." The checklist is to provide a date for the return of the verifications. When the required information and verifications are not received by this date, benefits are denied.
- (15) An explanation of the quality control review process and the assistance group's responsibility to cooperate when the case is selected for review.
- (16) An explanation of the requirement to report all changes within ten days of the date that the change occurred.
- (17) An explanation of the right to request a county conference or state hearing when the individual disagrees with an action taken on the case.
- (18) The county agency is to send the JFS 07092, "Notice to Individuals Applying for or Participating in Ohio Works First (OWF) Regarding Cooperation with the Child Support Enforcement Agency (CSEA)" to the child support enforcement agency (CSEA) each time that an individual signs the form to claim good cause for refusal to cooperate with child support.

(L) What is the time frame for determining eligibility?

- (1) For an OWF or RCA application, the determination of eligibility is to be completed within thirty days from the date of application.
 - (a) An OWF application awaiting completion of an applicant assignment may pend up to, but no longer than, thirty days from the date of application before authorization.
 - (b) No more than forty-five days may elapse between the date of application and the issuance of the benefit, or the notification of the approval or denial of assistance.
 - (2) The time frames may be exceeded in situations where completion of the determination of eligibility is delayed because of circumstances that are considered beyond the control of the county agency or assistance group such as:
 - (a) Failure, with good cause, to secure necessary verifications;
 - (b) Failure or delay on the part of an examining physician to provide all needed information.
 - (3) When calculating the thirty or forty-five day time periods, the following provisions are applicable:
 - (a) The initial day is excluded from the computation and the last day is included;
 - (b) When the last day of the time period falls on a Saturday, Sunday or legal holiday, the time period is to end on the next working day;
 - (c) This method is to be used in calculating all time periods, unless specified as working days.
 - (4) When the application pends longer than thirty days, running record comments are to be documented at least every thirty days with the reason for the delay.
- (M) What are the requirements for authorized representatives?

An "authorized representative" is an individual, eighteen years of age or older, who is authorized to act on behalf of the assistance group.

- (1) The assistance group is to provide a written statement naming the authorized representative and the duties that the named authorized representative may perform on the assistance group's behalf.

- (2) When written authorization cannot be obtained because of the individual's incompetency or incapacity, the county agency may waive the written statement and assist in naming a responsible party to act as authorized representative for the assistance group.
 - (3) The assistance group is responsible for notifying the county agency of any change in the named authorized representative.
 - (4) When the assistance group has an authorized representative named to act on its behalf, all notices and correspondence issued by the county agency on behalf of the assistance group is to be issued to both the authorized representative and the assistance group.
 - (5) In situations where an authorized representative provides incorrect or fraudulent eligibility information, the assistance group may still be held liable for any overpayments that occur. The authorized representative is to be held responsible for overpayments when the authorized representative is the legal guardian or legal trustee for the assistance group.
 - (6) When it is determined that the authorized representative has given incorrect information intentionally through no fault of the assistance group, a referral is to be made to the county prosecutor to determine when fraud has occurred on the part of the authorized representative. When the prosecutor's determination is that the authorized representative committed fraud, the authorized representative may be found liable for the overpayment.
- (N) What is considered a failure in the application process?

Failure to cooperate in the application process and the verification requirements results in a denial of the OWF or RCA application. Failure occurs:

- (1) When the information/verification is not provided after the county agency properly advised what information/verification is needed to determine eligibility provided no request for assistance in obtaining information/verification is received by the county agency; or
- (2) When the county agency is not given necessary information to assist in obtaining the verification needed to determine eligibility; or
- (3) When the assistance group fails to participate in a scheduled application interview.
- (4) For OWF, when any work eligible individual, minor head of household, or adult member of the assistance group fails to enter into a written SSC with the county agency.

(O) What is the difference between a "request for public assistance" and a "request for information"?

The distinction is to be drawn between a "request for public assistance" (an application) and a "request for information" (an inquiry). An inquiry is not always going to result in an application. Any individual has the right to apply for benefits for themselves or on behalf of another individual.

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Five Year Review (FYR) Dates: 11/1/2027

CERTIFIED ELECTRONICALLY

Certification

09/21/2023

Date

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5101:1-2-10

The recertification requirement.**(A) What is the recertification process?**

The recertification process is a periodic review and confirmation that the assistance group continues to meet all of the eligibility requirements of the program that benefits are being issued.

(B) When is a recertification of eligibility required?

- (1) Every twelve months for Ohio works first (OWF) assistance groups not included in paragraph (B)(5) of this rule.
- (2) Four, five, six or twelve months for OWF assistance groups who are:
 - (a) Expecting a change that would make them ineligible to receive cash assistance;
 - (b) Migrant farm workers; or
 - (c) Homeless.
- (3) Twenty-four months for child only assistance groups receiving OWF.
- (4) The inability to complete the recertification within the prescribed length of time shall not interfere with the prompt payment of benefits or be the basis for termination unless the assistance group fails to cooperate with the recertification.
- (5) OWF assistance groups under a three-tier sanction who sign the JFS 03804 "Ohio Works First/Supplemental Nutrition Assistance Program (SNAP) Sanction Compliance Agreement" or the statewide automated eligibility system generated equivalent form and when it is received by the county agency on or before the last day of the sanction period as described in rule 5101:1-3-15 of the Administrative Code are not required to complete a recertification.

(C) What is the responsibility of the county agency in the recertification process?

The county agency is responsible for:

- (1) Conducting an interview;
- (2) Informing the assistance group of its required involvement and cooperation in the recertification process;

- (3) Providing assistance in securing verifications and completing the voter registration forms when requested;
 - (4) Providing an interpreter at no charge to assistance groups with limited English proficiency;
 - (5) Obtaining verification of information that is new, has changed or is subject to change;
 - (6) Reviewing basic eligibility factors and explaining rights and reporting responsibilities;
 - (7) Completing the recertification in a timely manner;
 - (8) Updating all files upon completion of the recertification process; and
 - (9) Complying with rule 5101:9-2-02 of the Administrative Code and the Americans with Disabilities Act (ADA) (2008) plan adopted by the county agency in accordance with rule 5101:9-2-02 of the Administrative Code. This includes, but is not limited to, providing the assistance group with an explanation of their rights under the ADA and offering additional screening to any work eligible individual that discloses, has, or appears to have a physical or mental condition that substantially limits one or more major life activities.
- (D) How is a recertification completed?
- (1) The county agency shall conduct a recertification with a member of the assistance group or its authorized representative through:
 - (a) Telephone interview; or
 - (b) Face-to-face interview.
 - (2) Telephone interview
 - (a) A telephone interview may be conducted instead of a face-to-face interview.
 - (b) The county agency does not need to determine whether a hardship exists.
 - (c) The telephone interview notice shall be mailed in advance with the date, time and telephone number that the county agency worker will use to contact the assistance group.

- (d) The county agency worker will gather the same information and verifications and take the same actions during the telephone interview as during a face-to-face interview.
 - (e) Once completed, the county agency worker shall provide the assistance group the following documents:
 - ~~(i) JFS 07501 "Program Enrollment and Benefit Information";~~
 - ~~(ii)~~(i) An application as defined in rule 5101:1-2-01 of the Administrative Code; and
 - ~~(iii)~~(ii) JFS 07217 "Voter Registration Notice of Rights and Declination" or the statewide automated eligibility system generated equivalent.
 - (f) For statewide automated eligibility system purposes, the signature date is the date that the county agency receives the signed JFS 07204 or its telephonic or electronic equivalent.
 - (g) To expedite the recertification process, the county agency may send the documents identified in paragraph (D)(2)(e) of this rule with the interview appointment letter.
 - (h) The recertification is not considered complete until all of the required documents are returned by the assistance group excluding ~~the JFS 07501 and the JFS 07217 that are~~is not required to be returned. This includes all of the documents listed on the JFS 07105 "Application/Reapplication Verification Request Checklist".
- (3) Face-to-face interview
- (a) The county agency shall conduct a face-to-face interview when:
 - (i) The assistance group or authorized representative requests a face-to-face interview;
 - (ii) The assistance group or authorized representative does not have a telephone; or
 - (iii) The county agency worker determines that it is appropriate in order to resolve eligibility determination issues for the assistance group.

- (b) When the recertification interview is conducted as a face-to-face interview, the provisions described in paragraphs (D)(2)(e) and (D)(2)(h) of this rule are applicable.

(4) Availability of the statewide automated eligibility system

When the statewide automated eligibility system is down or unavailable for an extended period of time, the JFS 01846, "Case Worksheet: Cash, Food Stamps and Medical Assistance Interview" shall be used.

(E) When can an OWF assistance group that has already been approved have their established eligibility period adjusted to align with SNAP?

- (1) When the assistance group applies for OWF within a certification period for SNAP, the OWF eligibility period may be adjusted to align with the certification dates already established for SNAP.
- (2) When the assistance group has already been approved for OWF and applies for SNAP, the OWF eligibility period may be terminated early and a new eligibility period may be established.

(F) What is considered a failure to cooperate in the recertification process?

Failure to cooperate in the recertification process and the verification requirements shall result in the termination of OWF. Failure occurs:

- (1) When the information/verification is not provided after the county agency properly advised what information/verification is needed to determine eligibility provided no request for assistance in obtaining information/verification is received by the county agency;
- (2) When the county agency is not given necessary information to assist in obtaining the verification needed to determine eligibility; or
- (3) When the assistance group fails to participate in a scheduled recertification interview.

(G) Reinstatement of benefits

- (1) County agencies can reinstate benefits for assistance groups that have terminated for failure to provide required verifications or take a required action.
- (2) The county agency shall reopen an assistance group that has been proposed for termination without requiring a new application when the required verifications

are provided or actions are taken within thirty days of the benefit termination date.

- (3) The county agency shall prorate the assistance group's benefits beginning the day the verifications were received or the action was taken.
- (4) The assistance group has the option to refuse the pro-rated benefit.

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5101:1-3-20

Ohio works first: domestic violence- information, screening, referral and waiver of eligibility requirements.

Each applicant for and recipient of Ohio works first (OWF) shall receive information, screening, referral and waiver of certain OWF eligibility requirements when the individual has been subjected to domestic violence. This rule complies with sections 5107.71 to 5107.717 of the Revised Code.

(A) What is the definition of domestic violence?

"Domestic violence" means being subjected to any of the following:

- (1) Physical acts that resulted in, or threatened to result in, physical injury to the individual;
- (2) Sexual abuse;
- (3) Sexual activity involving a dependent child;
- (4) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
- (5) Threats of, or attempts at, physical or sexual abuse;
- (6) Mental abuse (including emotional harm);
- (7) Neglect or deprivation of medical care.

(B) What are the responsibilities of the county agency?

The county agency shall be aware and recognize the signs of domestic violence and develop a process for addressing the domestic violence. The county agency shall:

- (1) Inform all applicants for OWF that waivers of OWF eligibility requirements are available for victims of domestic violence;
- (2) Screen all applicants for domestic violence as provided in this rule;
- (3) Refer all individuals who respond affirmatively to any screening question to counseling and supportive services;
- (4) When the county agency determines that the individual has been subjected to domestic violence and requiring compliance with the OWF eligibility requirement(s) would make it more difficult for the individual to escape the domestic violence, identify and waive the OWF eligibility requirements;

(5) Report information regarding domestic violence waivers to the Ohio department of job and family services (ODJFS) for statistical and federal reporting purposes;

(6) Provide information about local supportive services or programs when requested.

~~(C) When does the county agency need to provide information and what information should be provided?~~

~~Each county agency shall provide the JFS 07501, "Program Enrollment and Benefit Information," to every applicant as described in rule 5101:1-2-01 of the Administrative Code. The county agency may provide additional information about local supportive services or programs.~~

~~(D)~~(C) What screening is required and when must individuals be screened?

Each county agency shall screen for domestic violence. Screening is an ongoing process and shall be conducted at several different intervals including the following:

(1) Appraisal

At each appraisal and reappraisal conducted in accordance with section 5107.41 of the Revised Code, and rule 5101:1-3-11 of the Administrative Code. The county agency shall use the screening questions developed by ODJFS that are in the statewide automated eligibility system. The county agency must maintain confidentiality. Except as provided in paragraph (G)(5) of this rule, the county agency shall maintain and protect the confidentiality of the information about an individual who has been subjected to domestic violence.

(2) OWF time limits

Each time an individual requests or applies for an extension beyond the thirty-six month time limit for receipt of cash assistance due to a state hardship or good cause condition; and each time an individual requests or applies for an extension beyond the federal sixty-month limit for receipt of cash assistance due to a federal hardship condition, as described in section 5107.18 of the Revised Code, and rule 5101:1-23-01 of the Administrative Code.

(3) Cooperation with child support (IV-D)

When an individual claims good cause for refusal to cooperate in establishing paternity and securing support, that information is sent to the county child support enforcement agency (CSEA) for a determination of good cause. This information will be transmitted to the CSEA via the JFS 07092, "Notice

to Individuals Applying for or Participating in Ohio Works First (OWF) Regarding Cooperation with the Child Support Enforcement Agency (CSEA)."

(4) Good cause for failure to comply with self-sufficiency contract

Each time the county agency reviews whether an individual has good cause for a failure to comply with the self-sufficiency contract required by rule 5101:1-3-11 of the Administrative Code.

(5) Other

At any other time the county agency determines that a review of the family's circumstances and continued eligibility for OWF should be completed.

~~(E)~~(D) When must a county agency make a referral?

The county agency shall refer an individual for counseling and supportive services when that individual responds affirmatively to any screening question asked at any of the intervals listed in paragraph (D) of this rule. The county agency shall also refer an individual for counseling and supportive services when the county agency otherwise becomes aware that the individual is, or is at risk of becoming, a victim of domestic violence.

The individual may decline the referral for counseling and supportive services at the point of referral or may stop counseling or refuse supportive services at any time.

~~(E)~~(E) When shall a county agency grant a waiver?

When a county agency determines that the individual has been subjected to domestic violence and requiring compliance with the requirement would make it more difficult for the individual to escape domestic violence or unfairly penalize the individual, the county agency shall waive the requirement and exempt the individual from that requirement.

The county agency shall; collect supporting documentation including the following:

(1) Where available, records from any of the following sources:

- (a) Police, courts and other governmental entities;
- (b) Shelters, and legal, religious, medical and other professionals from whom the individual sought assistance in dealing with domestic violence;
- (c) Other persons with knowledge of the domestic violence.

- (2) In the absence of any of the above documentation, the individual's allegation of domestic violence, as identified by the individual requesting the waiver on the JFS 03803, "Ohio Works First (OWF) & Food Assistance: Domestic Violence Waiver Request and Verification Form," unless the county agency has an independent, reasonable basis to find that the individual's allegation is not credible.

~~(G)~~(F) What OWF eligibility requirements can be waived?

- (1) The following OWF eligibility requirements shall be waived when the requirements described in paragraph (F) of this rule are met:

- (a) Mandatory participation in a work activity

An individual may be assigned to and engaged in an activity; however the individual cannot be sanctioned for failure to comply with any activities outlined in the individual's self-sufficiency contract.

- (b) Cooperation with child support in establishing paternity and support

Waiver of cooperation with child support is determined by the CSEA pursuant to rule 5101:12-10-32 of the Administrative Code.

- (c) OWF thirty-six month time limit for receipt of OWF cash assistance

Extensions beyond the thirty-six month time limit, as described in rule 5101:1-23-01 of the Administrative Code, due to a domestic violence waiver will not count in the determination of the county twenty per cent limit for hardship extensions, as described in rule 5101:1-23-01.1 of the Administrative Code.

- (2) The following OWF eligibility requirements may be waived at county option depending upon the individual's or family's circumstances.

- (a) Verification of income

The requirement to verify income as described in rules 5101:1-2-20 and 5101:1-23-20 of the Administrative Code may be waived. However, in the absence of verification, the county agency shall document in the case record that verification was unavailable, and that the income that was used to determine eligibility was based on the individual's signed statement.

- (b) Penalty for quitting a job without just cause

The penalty for quitting a job as described in section 5107.26 of the Revised Code, and rule 5101:1-3-14 of the Administrative Code may be waived.

(3) How long does a waiver last?

The county agency shall review the individual's continued eligibility for the waiver of OWF eligibility requirements described in this rule. There is no limit on the number of times (or length of time) that a waiver can be extended. The county agency shall review the necessity for a waiver at least once every six months. The county agency may at its option, review the individual's continued eligibility for a waiver more frequently than every six months. However, the length of time for a waiver of cooperation with child support granted under the provisions contained in paragraph (G)(1)(b) of this rule, and rule 5101:12-10-32 of the Administrative Code, is determined and shall be governed by the CSEA.

(4) How are individuals told about a county agency decision on a waiver?

The county agency shall issue written prior notice, in accordance with division 5101:6 of the Administrative Code, of its decision approving or denying waiver of the OWF eligibility requirement. The individual may appeal the county agency's determination pursuant to section 5101.35 of the Revised Code.

(a) The individual may decline a waiver that would otherwise be approved under paragraphs (F) and (G) of this rule.

(b) The individual may also accept a waiver of eligibility requirements, but may terminate the waiver at any time.

(5) What reporting responsibilities does the county agency have?

The county agency shall provide information to ODJFS about each individual to whom a waiver is granted under the provisions described in this rule for federal reporting and statistical analysis purposes only.

~~(H)~~(G) What are the responsibilities of ODJFS?

The ODJFS will monitor county agency implementation and compliance regarding the provisions described in this rule.

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