



March 23, 2021

**FOOD ASSISTANCE TRANSMITTAL LETTER NO. 413**

TO: All Food Assistance Manual Holders

FROM: Matt Damschroder, Interim Director

**SUBJECT: Food assistance: definitions, assistance group definitions, transfer of resources, types of excluded income, countable income, boarders and income from boarders, substantial lottery and gambling winnings, and reporting requirements during the certification period.**

In accordance with section 106.03 of the Ohio Revised Code (ORC), each state agency is required to review each of its rules in the Ohio Administrative Code a minimum of once every five years. The intent of the review is to ensure that Administrative Code rules are clearly written and that program requirements are accurate, up-to-date based on regulations from the United States Department of Agriculture (USDA) Federal and Nutrition Services (FNS) and clearly expressed. To the extent possible, unnecessary paperwork will be eliminated, local agencies will be given increased flexibility, and any adverse impact on businesses will be eliminated or reduced. As a result of the review, the agency may amend the rule; rescind the rule; or continue the rule without amendment.

Additionally, Ohio Administrative Code rules 5101:4-1-03, 5101:4-2-03, 5101:4-4-13, 5101:4-4-19, and 5101:6-03 are amended due to Section 5101.884 of Amended Substitute Senate Bill 310 of the 133rd General Assembly who authorized the creation of the Kinship Support program (KSP), which will provide financial payments to kinship caregivers who receive placement of a child by a public children services agency (PCSA) and do not have a foster home certification. The KSP program requirements will be promulgated under rule 5101: 2-42-18.2 of the Ohio Administrative Code. For the purposes of the Supplemental Nutrition Assistance Program (SNAP), KSP payments will be treated in the same manner in which foster care payments are treated for assistance groups including those individuals for whom these payments are received. Also, the term “guardianship payments” were included in the changes based on guidance from the United States Department of Agriculture, Food and Nutrition Service (FNS). Also, the term “guardianship payments” were included in the changes based on guidance from the United States Department of Agriculture, Food and Nutrition Service (FNS).

Lastly, Ohio Administrative Code rules 5101:4-1-03, 5101:4-4-09, and 5101:4-7-01 are amended and new rule 5101:4-6-32 is adopted in order to implement the Agricultural Act of 2014 (2014 “Farm Bill”) final regulations issued by the United States Department of Agriculture, Food and Nutrition Service (FNS). These regulations require individuals to report substantial lottery and gambling winnings which will result in a loss of SNAP eligibility.

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 04/01/2021.

## **Chapter 0000**

### **5101:4-1-03 "Food assistance: definitions."**

This rule describes the terms and meanings used to administer the Supplemental Nutrition Assistance Program (SNAP). Changes to the rule include:

- Paragraph (B)(1) was removed because it referenced an obsolete database;
- Paragraph (B)(2) was reordered due to listing definition in alphabetical order as a result of updating the form name;
- Language was stricken from paragraph (B)(4) based on updates to system terminology;
- Paragraph (B)(8) was updated to define case file or case record;
- Paragraph (B)(13) was stricken to remove reference to Disability Financial Assistance (DFA) an obsolete program;
- Paragraph (B)(14) was updated to correct references to the Veterans Administration;
- Paragraph (B)(20) has been added based on listing definitions in alphabetical order as a result of changing SNAP employment and training to the employment and training (E&T) program;
- Paragraph (B)(22) was deleted as a result of changing the reference to the SNAP employment and training;
- Paragraph (B)(23) was added to define a guardian;
- New paragraph (B)(24) was added to define guardianship payments;
- Previous paragraph (B)(24) was removed and reorganized to alphabetical order;
- Language was added to paragraph (B)(25) to add clarification;
- Language was stricken from paragraph (B)(29) that referenced DFA;
- Paragraph (B)(33) was added to define kinship support payments;
- Language in paragraph (B)(40) was removed that referenced DFA;
- Previous paragraph (B)(42) was stricken and reordered alphabetically;
- Paragraph (B)(44) was added to define SNAP program;
- Paragraph (B)(46) was stricken due to a change in the statewide automated eligibility system;

- The term “substantial lottery and gambling winnings” was added and defined in paragraph (B)(50);
- Language was added to paragraph (B)(59) to clearly define a work program definition; and
- Minor grammatical changes for clarity.

## Chapter 2000

### **5101:4-2-03 "Food assistance: Assistance Group Definitions."**

This rule describes the process of determining an assistance group and who should be included in the assistance group. Changes to the rule include:

- Paragraph (A)(5) was amended to exclude children for whom guardianship payments and kinship support payments are received from being considered a person under parental control; and
- Paragraph (E)(1) was amended to include children for whom guardianship and kinship support payments are received as being treated as boarders.

## Chapter 4000

### **5101:4-4-09 "Food assistance: transfer of resources."**

This rule describes the guidelines for transferring resources. Changes to the rule include:

- Paragraph (A)(3) was added to align with federal requirements.

### **5101:4-4-13 "Food assistance: Types of Excluded Income."**

This rule describes the income exclusions for the Supplemental Nutrition Assistance Program (SNAP). Changes to the rule include:

- Paragraph (K)(3) was amended to include guardianship payments and kinship support payments as payments that are not considered income; and
- Paragraph (K)(4) was added to align with federal regulations.

### **5101:4-4-19 "Food assistance: Countable Income."**

This rule describes countable income for the Supplemental Nutrition Assistance Program (SNAP). Changes to the rule include:

- Paragraph (B)(2)(d) was amended to include guardianship payments and kinship support payments as types of excluded income for self-employment;
- Paragraph (3)(b) was removed due to being duplicative;
- Paragraph (3)(c) was removed due to language being added to rule 5101:4-4-13 of the Administrative Code;
- Paragraph (C)(1)(a) was removed due to the repeal of the Disability Financial Assistance (DFA) program;

- Language was moved from paragraph (C)(2) to new paragraph (C)(3);
- Paragraph (C)(3) was added to include guardianship payments and kinship support payments to be countable unearned income when the individuals are considered members of the assistance group;
- Paragraph (C)(5) was amended to include interest as a type of unearned income;
- Paragraph (C)(10) was added to include termination and severance pay as a type of unearned income when payment received is intended to cover a period of time;
- The term “food assistance” was replaced with “supplemental nutrition assistance program (SNAP)”; and
- Minor grammatical changes for clarity.

## **Chapter 6000**

### **5101:4-6-03 "Food assistance: Boarders and Income from Boarders."**

This rule describes processes and procedures for determining eligibility for an assistance group that includes a boarder. Changes to the rule include:

- Paragraph (A)(3) was added to include children for whom guardianship payments are received to be considered boarders;
- Paragraph (A)(4) was added to include children for whom kinship support payments are received to be considered boarders;
- Language in paragraph (D)(1) was removed due to being duplicative;
- Paragraph (C)(3) was moved to new paragraph (E)(4) for clarity; and
- Minor grammatical changes for clarity.

### **5101:4-6-32 "Food assistance: substantial lottery and gambling winnings."**

This rule describes how eligibility is determined for assistance groups that include members with substantial lottery or gambling winnings. This new rule includes:

- The responsibilities of assistance groups to report when a member receives substantial lottery or gambling winnings;
- The responsibilities of the county agency when an assistance group is in receipt of substantial lottery or gambling winnings; and
- How an assistance group regains eligibility after being disqualified for substantial lottery or gambling winnings.

## **Chapter 7000**

### **5101:4-7-01 "Food assistance: reporting requirements during the certification period."**

This rule describes the reporting requirements for assistance groups during the certification period. Changes to the rule include:

- Language has been moved from paragraph (B)(2) to paragraph (B)(4);

- Paragraph (B)(3) was added to include the requirement for assistance groups to report substantial lottery or gambling winnings due to a change in federal regulations;
- Paragraph (D) was amended to align with federal regulations;
- Paragraph (N)(2) was added to align with federal and state regulations; and
- Minor language changes for clarity.

5101:4-1-03

**Food assistance: definitions.**

(A) This rule describes the terms and meanings used to administer the supplemental nutrition assistance program (SNAP), formerly known as the food assistance program. These definitions are not intended to fully explain or to limit the scope of any action in the administration of the program.

(B) Definition:

~~(1) "Alien status verification index (ASVI)" means the automated database maintained by the department of homeland security, United States (U.S.) citizenship and immigration services (USCIS) office which may be accessed by county agencies to verify immigration status.~~

~~(2)~~(1) "Allotment" means the total value of SNAP benefits an assistance group is authorized to receive during each month or other time period. The allotment may be issued in the form of a check (cash-out) or electronic benefit transfer (EBT).

(2) "Application for Cash, Food, or Medical Assistance (JFS 7200)" means the document utilized by the state of Ohio as an application for cash, food, and medical assistance. It is also a screening device for determining entitlement to expedited SNAP benefits. It is the beginning step in the application process and is used in conjunction with the interactive interview.

(3) "Assessment" means an in-depth evaluation of employability skills coupled with counseling on how and where to search for employment.

(4) "Assistance group" means those persons potentially eligible or determined eligible to receive benefits together under one assistance group name. This was formerly referred to as the SNAP household. ~~The assistance group is also known as the standard filing unit (SFU) in the statewide automated eligibility system.~~

(5) "Assistance group name" means the case name. All assistance groups will have an assistance group name. The assistance group name may or may not be the applicant. The person designated as the assistance group name will be the person to receive all notices and will assume all responsibilities such as reviewing the application form for completeness and validity, signing and dating the application, participating in the interactive interview and accepting the program rights and responsibilities unless the assistance group has designated an authorized representative to apply on their behalf.

(6) "Assistance group payee" means a person who is designated to receive the benefits for an assistance group. The person who is the assistance group name will be the

payee unless the assistance group has an authorized representative to receive the benefits. There will only be one assistance group payee per assistance group and benefits will only be issued to this person.

- (7) "Beneficiary and earnings data exchange (BENDEX)" means the system that is used to verify social security benefit information.
- (8) "Case file or case record" means all program information, verification, application, forms, notices and journal entries used to make an eligibility determination for the assistance groups-group who live in the same household. ~~The county agency shall make every effort to assign all assistance groups contained in the same case to one eligibility worker.~~
- (9) "Case Worksheet-Cash, Food Stamp, and Medical Assistance Interview (JFS 01846)" ~~(5/2005)~~ means the document which is utilized by the state of Ohio to gather data for the cash, food, and medical assistance programs for home visits and telephone interviews when the statewide automated eligibility system is unavailable. The applicant must acknowledge the information on the form by signing and dating the form.
- (10) "Code of Federal Regulations (CFR)" means the codification of the rules published in the Federal Register by the U. S. government.
- (11) "Date of entry" means the date established by U.S. citizenship and immigration services (USCIS) as the date an alien was admitted into the United States.
- (12) "Department of housing and urban development (HUD)" means a governmental agency that provides housing to low-income households.
- ~~(13) "Disability financial assistance (DFA)" means the state-funded program which provides cash assistance to individuals in accordance with Chapter 5101:1-5 of the Administrative Code.~~
- ~~(14)~~(13) "Drug addiction or alcoholic treatment and rehabilitation program" means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution, or publicly operated community mental health center, under part B of Title XIX of the Public Health Service Act (42 U.S.C. 300x) (1992).
- ~~(15)~~(14) "Elderly or disabled member" means a member of an assistance group who:
- (a) Is sixty years of age or older;

- (b) Receives supplemental security income benefits under Title XVI of the Social Security Act of 1935 or disability or blindness payments under Title I, II, X, XIV, or XVI of the Social Security Act;
- (c) Is a veteran with a service-connected or nonservice-connected disability rated by the ~~veterans'~~veterans administration as total or paid as total under Title 38 of the United States Code (U.S.C.) (2002);
- (d) Is considered in need of regular aid and attendance or permanently housebound under such title of the code;
- (e) Is a surviving spouse of a veteran and considered by the ~~veterans'~~veterans administration to be in need of regular aid and attendance or permanently housebound or a surviving child of a veteran and considered by the ~~veterans'~~veterans administration to be permanently incapable of self-support under Title 38 of the U.S.C.;
- (f) Is a surviving spouse or surviving child of a veteran and considered by the ~~veterans'~~veterans administration to be entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under Title 38 of the U.S.C. and has a disability considered permanent under section 221(i) of the Social Security Act. "Entitled" as used in this definition refers to those veterans' surviving spouses and children who are receiving the compensation or pension benefits stated or have been approved for such payments, but are not receiving them;
- (g) Receives federally or state-administered supplemental benefits under section 1616(a) of the Social Security Act provided that the eligibility to receive the benefits is based upon the disability or blindness criteria used under Title XVI of the Social Security Act;
- (h) Receives disability retirement benefits from a governmental agency because of disability considered permanent under section 221(i) of the Social Security Act;
- (i) Received an annuity payment under section (2)(a)(1)(iv) of the Railroad Retirement Act of 1974 and is determined to be eligible to receive medicare by the railroad retirement board; or section (2)(a)(1)(v) of the Railroad Retirement Act of 1974 and is determined to be disabled based upon the criteria used under Title XVI of the Social Security Act;
- (j) Is a recipient of interim assistance benefits pending the receipt of supplemental security income; or



(k) Receives federally or state administered supplemental benefits under section 212(a) of P.L. No. 93.66, 42 U.S.C. 1382, (12/2013).

~~(16)~~(15) "Eligibility determination/benefit calculation (ED/BC)" means the automated process of determining eligibility and the level of benefits by the statewide automated eligibility system which is based on data entered into the system.

~~(17)~~(16) "Eligibility worker" means an employee of the county agency responsible for determining eligibility for SNAP.

~~(18)~~(17) "Eligible foods" means:

- (a) Any food or food product intended for human consumption except alcoholic beverages, tobacco, hot foods, hot food products prepared for immediate consumption;
- (b) Seeds and plants to grow foods for the personal consumption of eligible assistance groups;
- (c) Meals prepared and delivered by an authorized meal delivery service;
- (d) Meals served by a communal dining facility for the elderly and their spouses, disabled recipients who receive social security or supplemental security income (SSI) and their spouses, and to homeless assistance groups;
- (e) Meals prepared and served by an authorized drug addict or alcoholic treatment and rehabilitation center to narcotic addicts or alcoholics and their children who live with them;
- (f) Meals prepared and served by a group living arrangement facility to residents who are blind or disabled as defined in paragraphs (B) (15)(b) to (B) (15) (k) of this rule;
- (g) Meals prepared and served by a shelter for battered individuals and children to its eligible residents;
- (h) Meals prepared and served by an authorized public or private nonprofit establishment (e.g., soup kitchen, temporary shelter), as determined by the county agency, which provides meals on a regular basis to homeless persons; and
- (i) Container deposit fee required to purchase any food or food product contained in a returnable bottle, can or other container, regardless of

whether the fee is included in the shelf price posted for the food or food product, as long as the amount does not exceed the state's container deposit fee.

~~(19)~~(18) "Employment and training (E&T) component" means a work experience, work training or supervised job search program as described in section 6(d)(4)(B)(i)(I) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015), ~~(7/2014)~~(12/2018) designed to help SNAP recipients move promptly into unsubsidized employment.

~~(20)~~(19) "Employment and training (E&T) mandatory participant" means a SNAP program applicant or participant who is required to be work-registered according to rule 5101:4-3-11 of the Administrative Code.

(20) "Employment and training (E&T) program" means a program operated by each county agency consisting of one or more work, training, education or supervised job search components.

(21) "Employment services" means the agency responsible for work registration and job search activities.

~~(22)~~ "~~SNAP employment and training program~~" means a program operated by each county agency consisting of one or more work, training, education or job search components.

~~(23)~~(22) "Food and nutrition service (FNS)" means the federal agency of the United States department of agriculture (USDA) responsible for the overall administration of the SNAP program.

(23) "Guardian" means, an individual that is granted authority by a probate court pursuant to Chapter 2111 of the Revised Code, or a court of competent jurisdiction in another state, to exercise parental rights over a child under the age of eighteen to the extent provided in the court's order and subject to residual parental rights of the child's parents.

(24) "Guardianship payments" means a payment made to a person who becomes a legal guardian of a child under the age of eighteen that can include:

(a) Kinship care payments which enables children and families to remain connected to their family of origin; or

(b) Subsidized guardianship payments for foster care which enables children who cannot be adopted, and do not live with relatives, to have a greater degree of permanency.

- ~~(24) "SNAP program" means a program designed to promote general welfare and to safeguard the health and well-being of the nation's population by raising the levels of nutrition among low-income households.~~
- (25) "Group home" means a public or private nonprofit residential setting that provides its residents with a majority of their meals (over fifty per cent of their meals daily), has no more than sixteen residents, and is certified by a public agency of the state of Ohio under section 1616(e) of the Social Security Act, or under standards determined by the secretary of the United States department of agriculture to be comparable to standards implemented by appropriate state agencies under section 1616(e) of the Social Security Act. In accordance with rule 5101:4-6-26 of the Administrative Code to be eligible for SNAP benefits, a resident of the group home is to be blind or disabled as defined in paragraph (B)(15)(b) to (B)(15)(k) of this rule.
- (26) "Group living arrangement" means the same as a group home.
- (27) "Homeless individual" means an individual who lacks a fixed and regular night time residence or an individual whose primary night time residence is:
- (a) A supervised shelter designed to provide temporary accommodations (such as a welfare hotel or congregate shelter);
  - (b) A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized;
  - (c) A night time residence which is a temporary accommodation for no more than ninety days from the date the temporary accommodation began in the residence of another individual; or
  - (d) A place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings (a hallway, a bus station, a lobby or similar places).
- (28) "Homeless meal provider" means an authorized public or private establishment (e.g., soup kitchen, temporary shelter), which provides meals on a regular basis to homeless persons, as determined by the county agency.
- (29) "Household" means a personal place of residence where persons live together at the same common address. The persons may or may not be related. Group homes and commercial establishments such as hotels or boarding houses are not included in this definition of household. The entire household will be referred to as the case. ~~A household may contain more than one assistance group.~~

- (30) "Income and Eligibility Verification System (IEVS)" means a system of information acquisition and exchange for purposes of income and eligibility verification which meets the requirements of section 1137 of the Social Security Act.
- (31) "Interactive interview" means the interview between the eligibility worker and the applicant to discuss eligibility information to determine benefits. The interview may be conducted face-to-face, by telephone or a home visit.
- (32) "Internal revenue service (IRS)" means the federal agency responsible for the administration of governmental income from taxes, including collection of taxes and enforcement of tax laws.
- (33) "Kinship support payments" means the payment that is received by caretakers for children in accordance with rule 5101:2-42-18.2 of the Administrative Code.
- ~~(33)~~(34) "Management evaluation (ME) review," means an analysis conducted to determine if a county is administering and operating the SNAP program in accordance with program requirements.
- ~~(34)~~(35) "Minimum benefit" means the lowest full monthly amount of SNAP that an eligible one or two person assistance group may receive. By law, this amount is eight per cent of the maximum allotment for an assistance group containing one member, rounded to the nearest dollar.
- ~~(35)~~(36) "Non-assistance" means an assistance group that participates in the SNAP program but at least one of its members does not receive public assistance.
- ~~(36)~~(37) "Ohio works first (OWF)" means a program funded under Title IV-A of the Social Security Act. This program was formerly referred to as the "TANF program" and the "ADC program."
- ~~(37)~~(38) "Ohio works first (OWF) recipient" means any person who receives an OWF payment, in accordance with paragraph (E) of rule 5101:1-23-01 of the Administrative Code.
- ~~(38)~~(39) "Overpayment" means the amount by which benefits issued to an assistance group exceed the amount the assistance group was eligible to receive.
- ~~(39)~~(40) "Public assistance (PA)" means any of the following programs authorized by the Social Security Act: old-age assistance; TANF funded under Title IV-A of the Social Security Act; aid to the blind; aid to the permanently and totally disabled; and aid to the aged, blind, or disabled. ~~Public assistance also refers to DFA, except for purposes of the employment and training program and for~~

~~purposes of resource exclusions in accordance with rule 5101:4-4-03.3 of the Administrative Code.~~

- ~~(40)~~(41) "Quality control (QC) review" means a review of a statistically valid sample of active and negative cases to determine the extent to which households are receiving the SNAP allotments to which they are entitled, and to determine the extent to which decisions to deny, suspend or terminate cases are correct.
- ~~(41)~~(42) "Retail food store" means an establishment or recognized department of an establishment, or a house-to-house trade route, whose eligible food sales volume as determined by visual inspection, sales records, or other methods that are customary or reasonable in the retail food industry, is more than fifty per cent staple food items for home preparation and consumption; public or private communal dining facilities and meal delivery services; private nonprofit drug addict or alcoholic treatment and rehabilitation programs; publicly operated community mental health centers for drug addicts and/or alcoholics; public or private nonprofit group living arrangements; public or private nonprofit shelters for battered women and children; public or private establishments approved by an appropriate state or local agency that feeds homeless persons; any private nonprofit cooperative food purchasing venture, including those whose members pay for food prior to receipt of the food; and a farmer's market.
- ~~(42)~~ "Request for Cash, Food, and Medical Assistance (JFS 07200)" (10/2018) means the document (formerly referred to as the APPL) utilized by the state of Ohio as an application for cash, food, and medical assistance. It is also a screening device for determining entitlement to expedited SNAP benefits. It is the beginning step in the application process and is used in conjunction with the interactive interview.
- (43) "Shelter for battered individuals and children" means a public or private nonprofit residential facility that serves battered individuals and their children. When such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered individuals and their children.
- (44) "SNAP program" means a program designed to promote general welfare and to safeguard the health and well-being of the nation's population by raising the levels of nutrition among low-income households.
- ~~(44)~~(45) "Social security administration (SSA)" means the federal agency responsible for the administration of benefits for ~~old age retirement, survivors', unemployment,~~ or disability benefits.

~~(45)~~(46) "Spouse" means:

- (a) Those defined as married to each other under applicable state law and those required to be recognized as married pursuant to the United States supreme court decision in Obergefell v. Hodges, 576 U.S., 135 S. Ct. 2584 (2015); or
- (b) Those who are living together and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople. Since October 10, 1991 Ohio has not recognized common law marriages so only couples established as a common law marriage prior to October 10, 1991 fall under this definition.

~~(46)~~ "Standard filing unit (SFU)" means the automated process of determining which persons shall comprise an assistance group based on data entered into the statewide automated eligibility system.

(47) "State agency" means the Ohio department of job and family services, including the local offices, ~~which that~~ have the responsibility for the administration of the federally aided public assistance programs within the state.

(48) "State data exchange (SDX)" means the system used to verify supplemental security income (SSI) benefits.

(49) "Statewide automated eligibility system" means the centralized automated system that supports all eighty-eight county agencies.

(50) "Substantial lottery or gambling winnings" means a cash prize won in a single game before taxes or other withholdings are taken that is equal to or greater than the maximum allowable financial resource limit for elderly or disabled households as outlined in rule 5101:4-4-01 of the Administrative Code. In Ohio this may include but is not limited to payouts from casinos, racinos, slot machines, poker, and keno and other forms of gambling. All assistance groups are subject to report lottery or gambling winnings equal to or greater than the limit defined in rule 5101:4-4-01 of the Administrative Code. Resource limits are reviewed and adjusted annually; a food assistance transmittal letter is issued notifying the county agencies of the updated amounts. Division 3770:1 of the Administrative Code describes the types of lottery permitted in Ohio. Section 2915.01 of the Revised Code defines gambling as permitted in Ohio. This is not limited to substantial lottery or gambling winnings won only in Ohio.

- ~~(50)~~(51) "Supplemental security income (SSI)" means cash payments made under the authority of Title XVI of the Social Security Act, to the aged, blind, and disabled; or section 1616(a) of the Social Security Act.
- ~~(51)~~(52) "Supplemental security income (SSI) recipient" means a person who receives SSI payments, whose entire SSI grant is being recouped, whose SSI case is in suspended status, or whose SSI has been authorized but payment has yet to be received.
- ~~(52)~~(53) "Systematic alien verification for entitlements (SAVE)" means the U.S. citizenship and immigration services (USCIS) whereby county agencies may verify the validity of documents provided by aliens applying for SNAP benefits by obtaining information from a central data file.
- ~~(53)~~(54) "Temporary assistance for needy families (TANF)" means a program funded under Title IV-A of the Social Security Act. This is the title used in federal legislation and regulations. Ohio has adopted the title "Ohio works first (OWF)" for its Title IV-A cash assistance program and the "prevention, retention, and contingency program (PRC)" for its benefits and services program.
- ~~(54)~~(55) "Thrifty food plan" means the diet required to feed a family of four persons consisting of a man and a woman ages twenty through fifty, a child ages six through eight, and a child ages nine through eleven determined in accordance with the secretary of agriculture's calculations. The cost of such diet shall be the basis for uniform allotments for all assistance groups regardless of their actual composition. In order to develop maximum SNAP allotments, the secretary of agriculture shall make assistance group size and other adjustments in the thrifty food plan taking into account economies of scale and other adjustments as required by law.
- ~~(55)~~(56) "U.S. citizenship and immigration service (USCIS)" (formerly known as the immigration and naturalization service) is an agency under the department of homeland security.
- ~~(56)~~(57) "United States department of agriculture (USDA)" means the federal agency responsible for overseeing the SNAP program.
- ~~(57)~~(58) "Workforce Innovation and Opportunity Act (WIOA)" means the legislation providing funding for job training, adult education, education for youths, employment for dislocated workers, and vocational rehabilitation. This legislation was formerly administered by the Workforce Investment Act of 1998.

~~(58)~~(59) "Work program" means:

- (a) A program under the Workforce Innovation and Opportunity Act of 2014 (Pub. L. No. 113-128);
- (b) A program under section 236 of the Trade Act of 1974 (19 U.S.C. 2296 (7/2014)); and
- (c) A program of employment and training operated or supervised by a state or political subdivision of a state that meets standards approved by the governor of the state, including a program under section 6 (d)(4) of the Food and Nutrition Act.
- (d) A program of employment and training for veterans operated by the department of labor or the department of veterans affairs, and approved by the United States department of agriculture (USDA) food and nutrition service (FNS).



Effective: 4/1/2021  
 Five Year Review (FYR) Dates: 1/15/2021 and 04/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
 Statutory Authority: 5101.54  
 Rule Amplifies: 329.04, 329.042, 5101.54, 5101.884  
 Prior Effective Dates: 06/02/1980, 12/01/1980, 10/01/1981, 07/01/1982,  
 06/01/1983, 12/25/1983 (Temp.), 02/01/1984 (Temp.),  
 02/16/1984 (Temp.), 04/01/1984, 08/01/1984 (Emer.),  
 10/20/1984, 02/15/1985 (Emer.), 05/12/1985,  
 08/16/1985 (Emer.), 11/01/1985 (Emer.), 01/01/1986,  
 06/15/1986 (Emer.), 09/13/1986, 01/16/1987 (Emer.),  
 04/10/1987 (Emer.), 06/22/1987, 07/01/1987 (Emer.),  
 09/28/1987, 01/01/1988 (Emer.), 02/26/1988,  
 03/24/1988 (Emer.), 06/18/1988, 07/11/1989 (Emer.),  
 09/17/1989, 10/01/1989 (Emer.), 12/21/1989,  
 01/05/1990 (Emer.), 04/07/1990, 07/01/1991,  
 02/03/1992, 07/01/1992, 08/01/1992 (Emer.),  
 10/30/1992, 06/01/1993, 08/01/1994, 09/01/1994  
 (Emer.), 10/17/1994, 12/01/1994 (Emer.), 01/01/1995,  
 05/01/1995, 08/01/1995 (Emer.), 10/13/1995,  
 02/01/1996, 09/22/1996 (Emer.), 12/21/1996,  
 04/01/1997 (Emer.), 06/06/1997, 10/01/1997 (Emer.),  
 12/15/1997, 07/15/1999, 10/01/2001 (Emer.),  
 10/11/2001, 05/02/2005, 10/01/2008 (Emer.),  
 12/18/2008, 08/01/2010, 09/01/2012, 10/01/2016,  
 03/01/2018, 11/01/2019

5101:4-2-03

**Food assistance: assistance group definitions.**

## (A) What is an assistance group?

An assistance group is composed of one of the following individuals or groups of individuals provided they are not residents of an institution, are not residents of a commercial boarding house, or are not boarders, except as otherwise specified in paragraph (E) of this rule.

- (1) Individual: An individual living alone or who, while living with others, customarily purchases food and prepares meals for home consumption separate and apart from the others.
- (2) Groups: a group of individuals who live together and customarily purchase food and prepare meals together for home consumption.
- (3) Spouses: a person living with his or her spouse, as defined in rule 5101:4-1-03 of the Administrative Code, shall be considered as customarily purchasing food and preparing meals together, even when they do not do so.
- (4) Children living with their parents: any person under the age of twenty-two who lives with the parent(s) (natural, adopted, or step) must be included in the same assistance group with the parent(s). When a person under the age of twenty-two has a spouse and/or child(ren) of his or her own, the spouse and child(ren) of the person must also be included in the same assistance group.
- (5) Person under parental control: persons (excluding ~~foster children for whom foster care, guardianship, or kinship support payments are received~~) under eighteen years of age and unmarried living with and are under the parental control of another household member who is not their natural, adoptive, or step parent shall be treated as customarily purchasing and preparing meals together for home consumption even when they do not do so. Note: "parental control" refers to unmarried minors who are dependents-financial or otherwise-of another household member as opposed to independent units. Persons under age eighteen who are married are considered emancipated and are not to be automatically considered as customarily purchasing and preparing meals together unless they state they are actually doing so.
- (6) Elderly and disabled individual: although a group of individuals living together and purchasing and preparing meals together constitutes a single assistance group based on paragraph (A)(2) of this rule, an otherwise eligible member of such an assistance group who is sixty years of age or older and unable to purchase and prepare meals because he/she suffers from a disability considered permanent under the Social Security Act of 1935 or suffers from a non disease-

related, severe, permanent disability may be a separate assistance group from the others, other than his spouse, provided the income (all income included in rule 5101:4-4-19 of the Administrative Code) of the others with whom the individual resides (excluding the income of the spouse of the elderly and disabled individual) does not exceed one hundred sixty-five per cent of the poverty level (FSP-14 "Separate Assistance Group Income Standards-Elderly and Disabled Assistance Groups Only").

(B) What shall the county agency do when an individual claims to be in a separate assistance group from those with whom they reside?

Individuals who claim to be a separate assistance group from those with whom they reside shall be responsible for providing verification that they are a separate assistance group to the satisfaction of the county agency. Final determinations of living arrangements shall be made on a case-by-case basis, using reasonable judgment based on the circumstances of the particular living arrangement, and need not be reflective of these guidelines should other more conclusive factors be involved. For the purpose of determining whether people are living together, consideration shall be given to, but not limited to the following:

(1) Separate address

The county agency shall consider whether the persons involved have addresses that are commonly recognized as separate in the community.

(2) Separate utilities

The county agency shall consider whether the persons involved have separate utility meters and are, therefore, billed separately by the utility companies.

(3) Separate entrances

The county agency shall consider whether the persons involved have separate entrances to their living quarters, and whether such entrances require passing through one living quarter in order to gain access to another.

(4) Opinion of the landlord

The county agency shall consider whether the owner of the property considers the property to contain separate units.

(C) Which non-assistance group members are eligible to participate as separate assistance groups?

For the purpose of defining an assistance group under paragraph (A) of this rule, the following individuals shall not be included as a member of the assistance group unless specifically included as an assistance group member under paragraph (A)(3) (spouses), (A)(4) (parents living with their children), or (A)(5) (person under parental control) of this rule, and shall not be included as a member of the assistance group for the purposes of determining assistance group size, eligibility, or benefit level. The income and resources of such individuals shall be handled in accordance with rule 5101:4-6-15 of the Administrative Code. The following individuals (when otherwise eligible) may participate as separate assistance groups:

(1) Roomers

Individuals to whom an assistance group furnishes lodging for compensation, but not meals.

(2) Live-in attendants

Individuals who reside with an assistance group to provide medical, housekeeping, child care, or other similar personal services.

(3) Other

Other individuals who share living quarters with the assistance group but who do not customarily purchase food and prepare meals with the assistance group. For example, when an applicant family shares living quarters with another family to save on rent, but does not purchase and prepare food together with that family, the members of the other family are not members of the applicant assistance group.

(D) Which non-assistance group members are ineligible to participate as separate assistance groups?

Some assistance group members are ineligible to receive benefits under the provisions of the Food and Nutrition Act of 2008. Others may become ineligible for such reasons as being disqualified for committing an intentional program violation or refusing to comply with a regulatory requirement. These individuals shall be included as a member of the assistance group for the purpose of defining an assistance group in accordance with this rule. However, such individuals shall not be included as eligible members of the assistance group when determining the assistance group's size for the purpose of comparing the assistance group's monthly income with an income eligibility standard or assigning a benefit level by assistance group size. These individuals are not eligible to participate as separate assistance groups. Ineligible individuals include the following:

- (1) Ineligible aliens are those individuals who do not meet the citizenship or eligible alien status. See rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (2) A person disqualified for intentional program violation is one who has been disqualified in accordance with Chapter 5101:6-20 of the Administrative Code. See rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (3) Persons who have been disqualified for failure to provide a social security number as provided for in rule 5101:4-3-24 of the Administrative Code are ineligible to participate. See rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (4) An individual who is disqualified for refusing or failing to comply with a work requirement of rule 5101:4-3-11 of the Administrative Code. See rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (5) Persons enrolled in an institution of higher education on at least a half-time basis who fail to meet the eligibility criteria in accordance with rule 5101:4-6-04 of the Administrative Code are ineligible to participate. See rule 5101:4-6-15 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (6) No member of an assistance group who is otherwise eligible to participate in the supplemental nutrition assistance program (SNAP) shall be eligible to participate as a member of that or any other assistance group during any period during which the individual is determined to be a fleeing felon or a probation or parole violator, in accordance with this paragraph. See rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
  - (a) When the county agency has information that an individual may be fleeing to avoid prosecution or arrest for a felony, the county agency shall obtain documentary evidence of the following before imposing ineligibility under this rule:
    - (i) There is an outstanding felony warrant for the individual issued by a federal, state, or local law enforcement agency, and the underlying cause for the warrant is for committing or attempting to commit a crime that is a felony under the law of the place from which the

individual is fleeing or a high misdemeanor under the law of New Jersey;

- (ii) Considering all the relevant facts and circumstances, a reasonable person would conclude that the individual is aware of, or should reasonably have been able to expect that, the felony warrant has already or would have been issued;
  - (iii) Considering all the relevant facts and circumstances, a reasonable person would conclude that the individual has taken some action to avoid being arrested or jailed; and,
  - (iv) A federal, state, or local law enforcement agency is actively seeking the individual as provided in paragraph (D)(6)(c) of this rule.
- (b) When the county agency has information that an individual may have violated a condition of probation or parole imposed under a federal or state law, the county agency shall obtain documentary evidence of the following before imposing ineligibility under this rule:
- (i) A court of competent jurisdiction or the adult parole authority has determined that the individual has violated a condition of his or her probation or parole imposed under a federal or state law; and,
  - (ii) A federal, state, or local law enforcement agency is actively seeking the individual to enforce the conditions of the probation or parole as described in paragraph (D)(6)(c) of this rule.
- (c) The county agency shall obtain documentary evidence of whether the law enforcement agency is actively seeking the individual when determining the eligibility of a fleeing felon or an individual who has violated a condition of his or her probation or parole imposed under a federal or state law.
- (i) For purposes of this rule, "actively seeking" is defined as follows:
    - (a) A federal, state, or local law enforcement agency informs the county agency that it intends to enforce an outstanding felony warrant or to arrest an individual for a probation or parole violation within twenty days of submitting a request for information about the individual to the county agency;
    - (b) A federal, state, or local law enforcement agency presents a felony arrest warrant that conforms to one of the

following national crime information center uniform offense classification codes to the county agency to obtain information on the location of and other information about the individual named in the warrant:

(i) Escape (4901);

(ii) Flight to avoid (4902); or,

(iii) Flight-escape (4999); or,

(c) A federal, state, or local law enforcement agency informs the county agency that it intends to enforce an outstanding felony warrant or to arrest an individual for a probation or parole violation within thirty days of the date of a request from a county agency about a specific outstanding felony warrant or probation or parole violation.

(ii) When the law enforcement agency indicates that it does intend to enforce the felony warrant or arrest the individual for the probation or parole violation within thirty days of the date of the county agency's inquiry, the county agency will postpone taking any action on the case until the thirty day period has expired and shall verify with the law enforcement agency after the thirty days whether it has attempted to execute the felony warrant or arrest the probation or parole violator.

(a) When the law enforcement agency has attempted to execute the felony warrant or arrest the probation or parole violator within the thirty days, the county agency shall deny an applicant or terminate a participant who has been determined to be a fleeing felon or a probation or parole violator in accordance with paragraph (K)(4) of rule 5101:4-7-01 of the Administrative Code. When law enforcement subsequently indicates that it no longer intends to enforce the felony warrant or arrest the individual for the probation or parole violation, the county agency shall not consider the individual a fleeing felon or probation or parole violator as of the date law enforcement made its decision and shall document the case file accordingly.

(b) When the law enforcement agency has not taken any action within the thirty days, the county agency shall not consider

the individual a fleeing felon or probation or parole violator and shall document the case file accordingly.

- (iii) When the law enforcement agency indicates that it does not intend to enforce the felony warrant or arrest the individual for the probation or parole violation within thirty days of the date of the county agency's inquiry about the warrant, the county agency shall determine that the individual is not a fleeing felon or a probation or parole violator and document the case file accordingly.
  - (d) When awaiting verification and/or determining if an individual is a fleeing felon or probation or parole violator, the county agency shall continue to process the application in accordance with the timeframes described in rule 5101:4-2-11 of the Administrative Code. The county agency shall verify fleeing felon or probation or parole violator status in accordance with paragraph (D)(6)(a) or (D)(6)(b) of this rule. Once verification is received and it is determined that an individual is a fleeing felon or probation or parole violator, the county agency shall impose ineligibility for the individual and redetermine the assistance group's eligibility. For purposes of processing a change in benefits in accordance with paragraph (K)(4) of rule 5101:4-7-01 of the Administrative Code or calculating claims, an individual is not considered to be a fleeing felon or probation or parole violator until the date the county agency has made a determination in accordance with paragraph (D)(6) of this rule.
- (7) No member of an assistance group who is otherwise eligible to participate in SNAP is to be eligible to participate as a member of an assistance group during any period which the individual is determined to be convicted of and out of compliance with their sentence for certain crimes committed on or after February 7, 2014. See rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (a) Individuals who self attest to a conviction as an adult and who are out of compliance with their sentence for the following crimes:
    - (i) Aggravated sexual abuse 18 U.S.C. 2241 (12/2007);
    - (ii) Murder 18 U.S.C. 1111 (4/2003);
    - (iii) An offense under 18 U.S.C. Chapter 110 (as in effect on 7/1/19);



- (iv) A federal or state offense involving sexual assault, as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or
  - (v) An offense under state law determined by the attorney general of the United States, to be substantially similar to an offense described in paragraphs (D)(7)(a)(i) to (D)(7)(a)(iii) of this rule.
- (b) The county agency is to verify attestations, when questionable, as described in rule 5101:4-2-09 of the Administrative Code. When awaiting verification and/or determining if an individual is convicted of and is out of compliance with their sentence for a crime described in paragraph (D)(7) of this rule, the county agency is to continue to process the application in accordance with the timeframes described in rule 5101:4-2-11 of the Administrative Code.
- (8) For individual(s) who have failed to perform an action required under rule 5101:4-3-09 of the Administrative Code, see rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (9) For persons ineligible under rule 5101:4-3-20 of the Administrative Code, the time limit for able-bodied adults without dependents, see rule 5101:4-6-13 of the Administrative Code for how to treat the income, resources, and expenses of these individuals.
- (E) Which individuals or groups are ineligible for SNAP?
- (1) Boarders, and individuals in foster care, children for whom guardianship payments are received in accordance with rule 5101:4-1-03 of the Administrative Code, and children for whom kinship support payments are received as described in rule 5101:2-42-18.2 of the Administrative Code.

Boarders are defined as individuals or groups of individuals residing with others and paying reasonable compensation to the others for lodging and meals (excluding residents of a commercial boarding house). Boarders are also defined as adults or children who have been placed in foster care by a government agency, children receiving guardianship payments as defined in rule 5101:4-1-03 of the Administrative Code, and children for whom kinship support payments are received as described in rule 5101:2-42-18.2 of the Administrative Code. Boarders are ineligible to participate in the program as independent assistance groups. They may, however, participate as members of the assistance group providing the boarder services to them, at such assistance

group's request pursuant to rule 5101:4-6-03 of the Administrative Code. In no event shall boarder status be granted to those individuals or groups of individuals described in paragraphs (A)(2) to (A)(5) of this rule.

(2) Residents of institutions

Residents of public institutions who apply for SSI prior to their release from an institution under the social security administration's prerelease program for the institutionalized shall be permitted to apply for SNAP at the same time they apply for SSI. Individuals shall be considered residents of an institution if the institution provides them with the majority of their meals (over fifty per cent of three meals daily) as part of the institution's normal services. Residents of institutions are not eligible for participation in the program, with the following exceptions:

- (a) Residents of federally subsidized housing for the elderly built under either section 202 of the Housing Act of 1959 (12 U.S.C. 1701) (2013) or section 236 of the National Housing Act (12 U.S.C 1701).
- (b) Narcotic addicts or alcoholics together with their children who, for the purposes of regular participation in a drug or alcohol treatment and rehabilitation program, reside at a facility or treatment center.
- (c) Disabled or blind individuals, as defined in rule 5101:4-1-03 of the Administrative Code, who are residents of group homes, as described in rule 5101:4-1-03 of the Administrative Code. (See rule 5101:4-6-26 of the Administrative Code for full details on certification of group home residents.)
- (d) Women or women with their children temporarily residing in a shelter for battered women and children. Such persons temporarily residing in shelters for battered women and children shall be considered individual assistance group units for the purpose of applying for and participating in SNAP.
- (e) Residents of public or private shelters for homeless persons.

(3) Strikers

Assistance groups with striking members shall be ineligible to participate unless the assistance group was eligible for benefits the day prior to the strike and is otherwise eligible at the time of application. Assistance groups where the member on strike is exempt from work registration requirements the day prior to the strike (other than those exempt solely on the grounds that they are

employed) would not be affected by the striker provisions and could be eligible for program benefits.

Effective: 4/1/2021  
 Five Year Review (FYR) Dates: 12/1/2025

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
 Statutory Authority: 5101.54  
 Rule Amplifies: 329.04, 329.042, 5101.54, 5101.884  
 Prior Effective Dates: 06/02/1980, 12/01/1980, 04/01/1981, 10/01/1981,  
 02/12/1982, 07/01/1982, 09/27/1982, 05/20/1983,  
 06/01/1983, 07/01/1983 (Temp.), 08/19/1983,  
 09/24/1983, 11/17/1983 (Temp.), 02/01/1984,  
 08/20/1986 (Emer.), 11/15/1986, 07/01/1987 (Emer.),  
 09/28/1987, 12/14/1987 (Emer.), 01/01/1988 (Emer.),  
 02/26/1988, 03/24/1988 (Emer.), 06/18/1988,  
 10/01/1989 (Emer.), 12/21/1989, 01/05/1990 (Emer.),  
 03/22/1990, 01/11/1991, 11/01/1992, 08/01/1993,  
 09/01/1994, 07/01/1996, 09/22/1996 (Emer.),  
 10/01/1996 (Emer.), 12/21/1996, 02/01/1997 (Emer.),  
 04/01/1997 (Emer.), 04/13/1997, 04/25/1997,  
 06/06/1997, 07/01/1997 (Emer.), 08/14/1997,  
 09/03/1997 (Emer.), 10/01/1997, 10/24/1997,  
 05/02/1998, 05/14/1998 (Emer.), 07/24/1998,  
 05/01/1999, 10/01/1999 (Emer.), 12/16/1999,  
 03/01/2001 (Emer.), 05/31/2001, 10/11/2001,  
 05/01/2003, 08/01/2005, 11/01/2007, 12/01/2009,  
 08/01/2011, 09/01/2012, 08/01/2015, 03/01/2017,  
 04/01/2020, 12/01/2020

5101:4-4-09

**Food assistance: transfer of resources.**

(A) When does the county agency ask the assistance group about resources?

This rule applies to assistance groups with a member who:

- (1) Is disqualified for an intentional program violation in accordance with division 5101:6 of the Administrative Code; ~~or~~
- (2) A member of the assistance group is ineligible because of a failure to comply with an employment and training requirement of rules 5101:4-3-11.1 and 5101:4-3-19 of the Administrative Code and the requirements of rule 5101:4-3-09 of the Administrative Code; or:
- (3) Has previously been disqualified due to substantial lottery or gambling winnings and has not regained eligibility as described in rule 5101:4-6-32 of the Administrative Code.

When one of the above circumstances exist, the county agency shall ask the assistance group to provide information regarding resources any assistance group member (or ineligible alien or disqualified person whose resources are being considered available to the assistance group) has transferred within the three-month period immediately preceding the date of application or recertification. The county agency must determine if the transfer of resources was appropriate. When it is determined it was an inappropriate transfer of resources, the assistance group may be disqualified for supplemental nutrition assistance program (SNAP) benefits.

(B) How does the county agency determine an inappropriate transfer?

- (1) Assistance groups that have transferred resources for the purpose of qualifying or attempting to qualify for SNAP benefits shall be disqualified from participation in the program for up to one year from the date of the discovery of the transfer.
- (2) The appropriate disqualification period, as described in paragraph (D) of this rule, shall be applied when the resources are transferred knowingly in the three-month period prior to application or when they are transferred knowingly after the assistance group is determined eligible for benefits. Example: assets the assistance group acquires after being certified for benefits that are transferred to prevent the assistance group from exceeding the maximum resource limit.

(C) When is a resource transferred and considered an appropriate transfer?

- (1) Resources consisting of excluded personal property such as furniture or money that, when added to other nonexempt assistance group resources, totaled less than the allowable resource limit at the time of the transfer;

- (2) Resources sold or traded at or near fair market value;
- (3) Resources that are transferred between members of the same assistance group (including ineligible aliens or disqualified persons whose resources are being considered available to the assistance group); and
- (4) Resources that are transferred for reasons other than qualifying or attempting to qualify for SNAP benefits. Example: a parent placing funds into an educational trust fund for a dependent child.

(D) How is the disqualification period determined?

To calculate the total resources for the assistance group, start with the amount of the nonexempt transferred resources added to the other countable resources. The amount that exceeds the resource limit is the amount used to determine the length of the disqualification period:

- (1) \$0.01 - \$249.99 disqualified for one month;
- (2) \$250.00 - \$999.99 disqualified for three months;
- (3) \$1000.00 - \$2999.99 disqualified for six months;
- (4) \$3000.00 - \$4999.99 disqualified for nine months; and
- (5) \$5000.00 and up disqualified for twelve months.

(E) How is the assistance group notified of the disqualification?

- (1) After the county agency has explored, verified and determined that the assistance group has knowingly transferred resources for the purpose of qualifying or attempting to qualify for SNAP benefits during the application processing period, the county agency shall send the assistance group a notice of denial explaining the reason for and the length of the disqualification. The period of disqualification shall begin in the month of application.
- (2) When the assistance group has been participating at the time of the discovery of the transfer, a notice of adverse action explaining the reason for and length of the disqualification shall be sent. The period of disqualification shall be sent effective with the first allotment issued after the adverse notice period has expired, unless the assistance group requested a fair hearing and continued benefits.

Effective: 4/1/2021

Five Year Review (FYR) Dates: 10/1/2021

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
Statutory Authority: 5101.54  
Rule Amplifies: 329.04, 329.042, 5101.54  
Prior Effective Dates: 06/02/1980, 09/27/1982, 04/10/1987 (Emer.),  
06/22/1987, 09/01/1994, 09/28/1998, 10/01/2002  
(Emer.), 12/05/2002, 07/01/2006, 10/01/2011,  
10/01/2016

5101:4-4-13

**Food assistance: types of excluded income.**

The following payments shall be excluded as income for supplemental nutrition assistance program (SNAP):

- (A) Any gain or benefit that is not in the form of money payable directly to the assistance group including in-kind benefits. In-kind benefits are those for which no monetary payment is made on behalf of the assistance group and include meals, clothing, public housing, or produce from a garden.
- (B) Payments made to a third party on behalf of the assistance group are included or excluded as income as follows:
  - (1) Public assistance vendor payments are counted as income unless they are made for medical assistance, child care assistance, energy assistance as defined in paragraph (I)(4) of this rule, emergency assistance (including, but not limited to housing and transportation payments) for migrant or seasonal farm worker assistance groups while they are in the job stream, or housing assistance payments made through a state or local housing authority.
  - (2) Public assistance provided to a third party on behalf of an assistance group that is not specifically excluded from consideration as income under paragraph (B) (1) of this rule shall be considered for exclusion under the emergency and special assistance category. To be considered emergency or special assistance and excluded, the assistance must be provided over and above the normal public assistance payment or cannot normally be provided as part of such payment.
  - (3) Reimbursements made in the form of vendor payments, monetary payments made on behalf of an assistance group by a person or organization outside of the assistance group directly to either the assistance group's creditors or to a person or organization providing a service to the assistance group, are excluded on the same basis as reimbursements paid directly to the assistance group in accordance with paragraph (E) of this rule.
  - (4) In-kind or vendor payments that would normally be excluded as income but are converted in whole or in part to a direct cash payment under a federally authorized demonstration project or waiver shall be excluded from income.
  - (5) Rent or mortgage payments made to landlords or mortgagees by the department of housing and urban development (HUD) are excluded.
  - (6) Monies that are legally obligated and otherwise payable to the assistance group, but are diverted by the provider of the payment to a third party for a household expense, shall be counted as income and not excluded. When a person or



organization makes a payment to a third party on behalf of an assistance group using funds that are not owed to the assistance group, the payment shall be excluded from income.

(C) The county agency shall exclude any income that is specifically excluded by any other federal statute from consideration as income for the purpose of determining eligibility for SNAP. The following is a listing of some of the incomes excluded by federal statute. The listing is divided into general income exclusions and exclusions applicable to incomes of American Indians or Alaska natives.

(1) General exclusions

- (a) Income of a supplemental security income (SSI) recipient determined necessary for the fulfillment of a plan for achieving self-support (PASS) that has been approved under section 1612(b)(4)(A)(iii) or 1612(b)(4)(B) (iv) of the Social Security Act of 1935. This income may be spent in accordance with an approved PASS or deposited into a PASS savings account for future use.
- (b) Federal emergency management assistance housing subsidies to pay for temporary housing required as a result of a disaster and individual and family grant assistance payments made under the Disaster Relief Act section 312(d) of the Disaster Relief Act of 1974, as amended in 1988 by Pub. L. No. 100-707, (11/1988).
- (c) Assistance provided to children under the school lunch program, the summer food service program for children, the commodity distribution program and child and adult care food program (CACFP), Pub. L. No. 79-396, (06/1946), section 12(e) of the National School Lunch Act of 1946, as amended by section 9(d) of Pub. L. No. 94-105, (10/1975).
- (d) Assistance provided to children under the special milk program, special supplemental food program for women, infants, and children (WIC) and the school breakfast program, Pub. L. No. 89-642, (10/1966), the Child Nutrition Act of 1966, section 11(b).
- (e) Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Pub. L. No. 91-646, section 216 (2/1971).
- (f) Pub. L. No. 93-113, (10/1973), the Domestic Volunteer Services Act of 1973, Titles I and II. Payments under Title I of the act (including such Title I programs as volunteers in service to americorps (VISTA), university year for action, and urban crime prevention program) to

volunteers shall be excluded for those individuals receiving SNAP or public assistance at the time they joined the Title I program, except assistance groups that were receiving an income exclusion for a VISTA or other Title I subsistence allowance at the time of conversion to the Food and Nutrition Act shall continue to receive an income exclusion for VISTA for the length of their volunteer contract in effect at the time of conversion.

Temporary interruptions in SNAP participation shall not alter the exclusion once an initial determination has been made. New applicants who were not receiving public assistance or SNAP at the time they joined VISTA shall have these volunteer payments included as earned income. Any payment to volunteers under Title II (retired senior volunteer program, foster grandparents, senior companion program and others) are excluded from income.

- (g) Payments received under section 312(d), the Disaster Relief Act of 1974, Pub. L. No. 93-288, (5/1974), as amended by section 105(i), the Disaster Relief and Emergency Assistance Amendments of 1988, Pub. L. No. 100-707, (11/1988). Payments precipitated by an emergency or major disaster as defined in this act, as amended, are not counted as income for SNAP purposes. This exclusion applies to federal assistance provided to persons directly affected and to comparable disaster assistance provided by states, local governments, and disaster assistance organizations. A "major disaster" is any natural catastrophe such as a hurricane or drought, or, regardless of cause, any fire, flood, or explosion, that the president of the United States determines causes damage of sufficient severity and magnitude to warrant major disaster assistance to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby. An "emergency" is any occasion or instance that the president of the United States determines that federal assistance is needed to supplant state and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe. Most, but not all, federal emergency management assistance funds are excluded. For example, some payments made to homeless people to pay for rent, mortgage, food, and utility assistance when there is no major disaster or emergency is not excluded under this provision.
- (h) Payments to U.S. citizens of Japanese ancestry and permanent resident Japanese aliens or their survivors and Aleut residents of the Pribilof islands and the Aleutian islands west of Unimak island, Pub. L. No.

100-383, (8/1988), section 105(f)(2), wartime relocation of civilians, the Civil Liberties Act of 1988.

- (i) Income received (including reimbursements) by individuals participating in programs under the Workforce Investment Act (WIA) of 1998, section 181 (a)(2), except as provided in rule 5101:4-4-19 of the Administrative Code. This includes disaster relief employment income received from national emergency grants under the WIA, Pub. L. No. 105-220, (8/1998) section 181(a)(2).
- (j) Any amount by which the basic pay of an individual is reduced and reverted to the treasury shall not be considered to have been received by or to be within the control of such individual, Pub. L. No. 99-576, (8/1986) section 303(a)(1), Veteran's Benefits Improvement and Health Care Authorization Act of 1986, that amends section 1411(b) and 1412(c) of the Veteran's Educational Act of 1984 - GI bill.
- (k) Funds received by persons fifty-five and older under the senior community service employment program under Title V of the Older Americans Act of 1987 are excluded from income, Pub. L. No. 109-365, (10/2006). The organizations that receive some Title V funds are as follows: experience works; national council on aging; national council of senior citizens; American association of retired persons; United States forest service; national association for Spanish speaking elderly; national urban league; and the national council on black aging.
- (l) Cash donations based on need received on or after February 1, 1988 from one or more private nonprofit charitable organizations, but not to exceed three hundred dollars in a federal fiscal year quarter. Charitable Assistance and Food Bank Act of 1987, Pub. L. No. 100-232, (1/1988).
- (m) SNAP benefits that may be exchanged for food at farmers' markets under WIC demonstration projects, Pub. L. No. 100-435, (9/1988) section 501, that amended section 17(m)(7) of the Child Nutrition Act of 1966.
- (n) Payments made from the Agent Orange settlement fund, Pub. L. No. 101-201, (12/1989), or any other fund established pursuant to the settlement in the Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.)(1/1989) that are received on or after January 1, 1989. The disabled veteran will receive yearly payments. Survivors of deceased disabled veterans will receive a lump-sum payment. These payments were disbursed by aetna insurance company. The Omnibus Budget Reconciliation Act of 1989, Pub. L. No. 101-239, (12/1989), also

excludes these payments. Pub. L. No. 102-4, (2/1991), Agent Orange Act of 1991, authorized veterans' benefits to some veterans with service-connected disabilities resulting from exposure to Agent Orange. These VA payments are not excluded by law.

- (o) Payments made under the Radiation Exposure Compensation Act, Pub. L. No. 101-426, (10/1990) section 6(h)(2), as amended by Pub. L. No. 106-245 (7/2000).
- (p) The Omnibus Budget Reconciliation Act of 1990, Title XI revenue provisions, section 11111, modifications of earned income tax credit, subsection (b) provides that any federal earned income tax credit shall not be treated as income effective with taxable years beginning after December 31, 1990, Pub. L. No. 101-508, (11/1990).
- (q) Pub. L. No. 101-610, (11/1990), National and Community Service Act (NCSA) of 1990, section 177(d), applies to projects conducted under Title I of the NCSA. Title I includes three acts: (i) Serve-America: the Community Service, Schools and Service-Learning Act of 1990, (ii) the American Conservation and Youth Service Corps Act of 1990, and (iii) the National and Community Service Act.

There are about forty-seven different NCSA programs, and they vary by state. Most of the payments are made as a weekly stipend or for educational assistance. The higher education service-learning program and the americorps umbrella program come under this title. The national civilian community corps (NCCC) is a federally managed americorps program. The summer for safety program is an americorps program; under which participants earn a stipend and a one thousand-dollar postservice educational award. The Serve America Act, Pub. L. No. 111-13, (4/2009), amended the National and Community Services Act of 1990 but it did not change the exclusion. All americorps payments shall be excluded.

- (r) All student financial assistance, including grants, scholarships, fellowships, educational loans on which payment is deferred, work study, veterans' educational benefits, and the like, that are awarded to an assistance group member enrolled at a recognized institution of post-secondary education, at a school for the handicapped, in a vocational education program, in a vocational or technical school, or in a program that provides for obtaining a secondary school diploma or the equivalent of a secondary school diploma shall be excluded from consideration as income for SNAP purposes.

Educational income excluded for dependent care costs shall not be deducted from income under the provisions of rule 5101:4-4-23 of the Administrative Code. Dependent care costs incurred that exceed the amount excluded under the provisions of this paragraph shall be deducted from income in accordance with rule 5101:4-4-23 of the Administrative Code.

- (s) Payments made under the youthbuild program under the Housing and Community Development Act of 1992, Pub. L. No. 102-550, (10/1992). The youthbuild program transferred from the United States department of housing and urban development to the department of labor with the passage of the Youthbuild Transfer Act of 2006, Pub. L. No. 109-281, (9/2006), that amended the Workforce Innovation and Opportunity Act (WIOA) of 1998. These payments are to be treated like WIOA payments in accordance with paragraph (C)(1)(i) of this rule, except as provided in rule 5101:4-4-19 of the Administrative Code.
- (t) Payments from any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care), Pub. L. No. 102-586, (11/1992) section 8, that amended the Child Care and Development Block Grant Act Amendments of 1992 by adding section 658S.
- (u) Payments made to individuals because of their status as victims of Nazi persecution, Pub. L. No. 103-286, (8/1994).
- (v) Pub. L. No. 103-322, (9/1994) section 230202, amended section 1403 of the Crime Act of 1984 (42 U.S.C. 10602) to provide in part that, "(e) Notwithstanding any other law, when the compensation paid by an eligible crime victim compensation program would cover costs that a federal program, or a federally financed state or local program, would otherwise pay, (i) such crime victim compensation program shall not pay that compensation; and (ii) the other program shall make its payments without regard to the existence of the crime victim compensation program." Based on this language, payments received under this program shall be excluded from income for SNAP purposes.
- (w) Notwithstanding any other provision of law, the allowance paid under Pub. L. No. 104-204, (9/1996) section 1805(d), as amended by Pub. L. No. 106-419, (11/2000), to a child of a Vietnam veteran for any disability resulting from spina bifida and certain other birth defects suffered by such child. A monthly allowance from two hundred to one thousand two hundred dollars is paid to a child under this public law.

- (x) Combat-related pay received by a service member of the United States armed forces (under the Consolidated Appropriations Bill, 2008, Pub. L. No. 110-161, (12/2007)) and basic military pay not made available to the assistance group while the service member is on deployment to a designated combat zone.
  - (i) Pay is considered combat-related when:
    - (a) Received in addition to the service member's basic pay;
    - (b) Received as a result of the service member's deployment to, or service in an area designated as a combat zone as determined pursuant to executive order or public law; and
    - (c) Not received by the service member prior to the service member's deployment to or service in a federally-designated combat zone.
  - (ii) Basic military pay is considered available to the assistance group as follows:
    - (a) When the service member was part of the assistance group for SNAP purposes prior to the deployment to a designated combat zone, this amount would be his or her net military pay.
    - (b) When the service member was not part of the assistance group for SNAP purposes prior to the deployment to a designated combat zone, this amount is the amount the absent service member actually made available to the assistance group prior to deployment to the designated combat zone.
- (y) Disaster unemployment assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 100-707, (11/1988), to individuals unemployed as a result of a major disaster.
- (z) Filipino veterans equity compensation funds payments under the American Recovery and Reinvestment Act of 2009 (2/2009, Pub. L. No. 111-5) made to certain veterans, or surviving spouses of veterans, who served in the military of the government of the commonwealth of the Philippines during World War II.
- (aa) Any aid, services, or incentives provided to an eligible beneficiary participating in programs funded by the health profession opportunity

grants (HPOG) under the Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148, (3/2010).

- (2) Payments made to American Indians or Alaska natives that are excluded by law. A list of funds provided to American Indians or Alaska natives that are excluded by law can be found at:

<https://www.fns.usda.gov/funds-provided-american-indiansalaska-natives-are-excluded-law>

- (D) All loans, including loans from private individuals as well as commercial institutions, are excluded as income. Educational loans on which repayment is deferred shall be excluded pursuant to the provisions in paragraph (C)(1)(r) of this rule.
- (E) Reimbursements for past or future expenses are excluded to the extent they do not exceed actual expenses and do not represent a gain or benefit to the assistance group. No portion of benefits provided under Title IV-A of the Social Security Act of 1935, to the extent such benefits are attributed to adjustment for work-related or child care expenses shall be considered excludable under this paragraph.
- (1) When a reimbursement, including a flat allowance, covers multiple expenses, each expense does not have to be separately identified as long as none of the reimbursement covers normal living expenses. Reimbursements for normal living expenses of the assistance group, such as rent or mortgage, personal clothing, or food eaten at home, are a gain or benefit and therefore are not excluded. To be excluded, these payments must be provided specifically for an identified expense, other than normal living expenses, and used for the purpose intended.
- (2) The amount by which a reimbursement exceeds the actual incurred expense shall be counted as income. However, reimbursements shall not be considered to exceed the actual expenses, unless the provider or the assistance group indicates the amount is excessive.
- (F) Monies received and used for the care and maintenance of a third-party beneficiary who is not an assistance group member. When the intended beneficiaries of a single payment are both assistance group and non-assistance group members, any identifiable portion of the payment intended and used for the care and maintenance of the non-assistance group member shall be excluded. When the non-assistance group member's portion cannot be readily identified, the payment shall be evenly prorated among intended beneficiaries and the exclusion applied to the non-assistance group member's pro rata share or the amount actually used for the non-assistance group member's care and maintenance, whichever is less.

- (G) The earned income of any assistance group members who live with a natural, adoptive, or stepparent, or under the parental control of an assistance group member other than a parent, who are elementary or secondary school students, and who are seventeen years of age or younger. For purposes of this provision, an "elementary or secondary school student" is someone who attends classes to obtain a general equivalency diploma (GED) that are recognized, operated, or supervised by the student's state or local school district. The provision also applies to a student who attends elementary or secondary classes through a home-school program recognized or supervised by the student's state or local school district. This income is excluded even during temporary interruptions in school attendance due to semester or vacation breaks, provided the child's enrollment will resume following the break. When the child's earnings or the amount of work performed cannot be differentiated from that of other assistance group members, the total earnings shall be prorated equally among the working members and the child's pro rata share excluded. Individuals are considered children for this exclusion when they are under the parental control of another assistance group member. When an assistance group contains a student whose income is excluded and the student turns eighteen during the month of application, the student's earnings shall be excluded in the month of application and counted in the following month(s). When the student turns eighteen during the certification period, the student's income shall be excluded until the month following the month the student turns eighteen.
- (H) Money received in the form of a nonrecurring lump-sum payment, including, but not limited to, income tax refunds, rebates, or credits; retroactive lump-sum social security, SSI, public assistance, railroad retirement pension, the learning, earning and parenting (LEAP) program enrollment bonus payment, or other payment; retroactive lump-sum insurance settlements; refunds of security deposits on rental property or utilities; medical loss ratio rebates afforded under the Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148 (3/2010); or prevention, retention and contingency (PRC) payments made to divert an assistance group from becoming dependent on cash assistance when the payment is not defined as assistance. Temporary assistance for needy families (TANF) non-recurrent, short term benefits are defined in 45 C.F.R. 260.31(b)(1) (revised October 1, 2001). These payments shall be counted as resources in the month received, unless specifically excluded from consideration as a resource by other federal laws.
- (I) Miscellaneous income exclusions.

(1) Irregular income

Any income in the certification period that is acquired too infrequently or irregularly to be reasonably anticipated, but not in excess of thirty dollars in a quarter.



(2) Costs of self-employment

The cost of producing self-employment income. See rule 5101:4-6-11 of the Administrative Code for the procedures on computing the cost of producing self-employment income.

(3) Income from ineligible assistance group members

The prorated share of earned or unearned income of an ineligible assistance group member in accordance with rule 5101:4-6-13 of the Administrative Code.

(4) Energy assistance, as follows:

(a) Any payments or allowances made for the purpose of providing energy assistance under any federal law other than part A of Title IV of the Social Security Act of 1935 (42 U.S.C. 601), including utility reimbursements made by HUD and the rural housing service, or

(b) A one-time payment or allowance applied for on an as-needed basis and made under a federal or state law for the costs of weatherization or emergency repair or replacement of an unsafe or inoperative furnace or other heating or cooling device. A down payment followed by a final payment upon completion of the work will be considered a one-time payment for purposes of this provision.

(5) Blood and blood plasma sales

Any income that is acquired from the sale of blood or blood plasma.

(6) Garage sales

Any income that is acquired from garage sales.

(7) Interest income

Any interest income from savings or other financial accounts.

(8) Bingo winnings

Any income from bingo winnings.

(J) Certain payments from the child and adult care food program

That portion of payments from the child and adult care food program to assistance groups providing child care services intended for the provider's own children's meals.

See paragraph (B)(2) of rule 5101:4-4-19 of the Administrative Code for treatment of that portion of child and adult care food program payments intended for providing services to children other than the provider's own.

(K) Payments that are not considered income.

- (1) Monies withheld from an assistance payment, earned income, or other income source, or monies received from any income source that are voluntarily or involuntarily returned to repay a prior overpayment received from the income source, provided that the overpayment is not otherwise excluded. However, monies withheld from assistance from a federal, state, or local means-tested program (for example, Ohio works first (OWF)) due to the assistance group's failure to perform an action required under these programs, shall be included as income in accordance with rule 5101:4-6-16 of the Administrative Code.
- (2) Child support payments received by OWF recipients that must be transferred to the agency administering Title IV-D of the Social Security Act of 1935 to maintain OWF eligibility.
- (3) Governmental or court-ordered foster care payments .guardianship payments, or kinship support payments received by assistance groups with ~~foster care~~ individuals—who are considered to be boarders in accordance with rules 5101:4-2-03 and 5101:4-6-03 of the Administrative Code.
- (4) In accordance with 7 C.F.R 273.9 (5/2015), any payment made to an employment and training participant under 7 C.F.R 273.7 (5/2015) for costs that are reasonably necessary and directly related to participation in the employment and training program are excluded income. These costs include, but are not limited to, dependent care costs, transportation, other expenses related to work, training or education, such as uniforms, personal safety items or the other necessary equipment, and books or training manuals. These costs are to not include the cost of meals away from home.

Effective: 4/1/2021

Five Year Review (FYR) Dates: 9/1/2023

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
 Statutory Authority: 5101.54  
 Rule Amplifies: 329.04, 329.042, 5101.54, 5101.884  
 Prior Effective Dates: 06/02/1980, 12/01/1980, 01/01/1981, 06/18/1981,  
 10/01/1981, 02/12/1982, 09/27/1982, 06/17/1983,  
 07/01/1983 (Temp.), 08/19/1983, 09/24/1983,  
 11/01/1983 (Temp.), 12/22/1983, 12/25/1983 (Temp.),  
 02/01/1984 (Temp.), 02/16/1984 (Temp.), 04/01/1984,  
 08/01/1984 (Emer.), 10/20/1984, 12/31/1984 (Emer.),  
 02/22/1985 (Emer.), 04/01/1985, 05/02/1985,  
 05/03/1985 (Emer.), 08/01/1985, 08/16/1985 (Emer.),  
 09/23/1985 (Emer.), 11/01/1985 (Emer.), 01/01/1986,  
 05/01/1986, 08/01/1986 (Emer.), 08/20/1986 (Emer.),  
 10/01/1986 (Emer.), 11/15/1986, 04/10/1987 (Emer.),  
 06/22/1987, 07/01/1987 (Emer.), 08/01/1987 (Emer.),  
 09/01/1987 (Emer.), 10/25/1987, 10/29/1987 (Emer.),  
 11/28/1987, 01/22/1988, 03/24/1988 (Emer.),  
 06/18/1988, 07/20/1988 (Emer.), 10/16/1988,  
 07/11/1989 (Emer.), 09/17/1989, 10/01/1989 (Emer.),  
 12/21/1989, 05/25/1990, 10/01/1990, 02/17/1991,  
 05/01/1991 (Emer.), 06/01/1991, 10/01/1991,  
 02/03/1992, 08/01/1992 (Emer.), 10/30/1992,  
 08/01/1993, 02/01/1994, 09/01/1994, 01/01/1995,  
 08/01/1995, 08/01/1995 (Emer.), 10/13/1995,  
 02/01/1996, 09/22/1996 (Emer.), 11/22/1996,  
 12/21/1996, 04/01/1997 (Emer.), 06/06/1997,  
 09/01/1997, 02/01/1998 (Emer.), 02/23/1998,

09/28/1998, 07/15/1999, 10/01/1999 (Emer.),  
12/16/1999, 06/01/2001, 12/05/2002, 06/01/2003  
(Emer.), 06/16/2003, 07/17/2005, 06/12/2008,  
10/01/2008 (Emer.), 12/18/2008, 09/01/2010,  
09/01/2013, 09/01/2018

5101:4-4-19

**Food assistance: countable income.**

## (A) What is countable income?

Countable income is earned income minus the twenty per cent earned income deduction as described in rule 5101:4-4-23 of the Administrative Code plus any unearned income. Types of excluded income are listed in rule 5101:4-4-13 of the Administrative Code.

## (B) What is earned income?

Earned income includes:

## (1) All wages and salaries of an employee including:

- (a) Garnished or diverted payments from wages; and
- (b) The gross amount of sick pay, without any deductions for taxes and other work expenses, when the payee is a current employee of the payer.

## (2) Self-employment income:

- (a) Gross income from a self-employment enterprise.
- (b) Income from the sale of any capital goods or equipment related to the business. Any business expense paid from this income would be deducted from this income.
- (c) Income from rental property minus the cost of doing business when a member of the assistance group is actively engaged in management of the property for at least an average of twenty hours per week.
- (d) Payments from a roomer or boarder, except a ~~foster care boarder for whom foster care, guardianship, or kinship support payments are received.~~
- (e) Payments for daycare or from the child and adult care food program to assistance groups providing child care services minus the cost of meals provided to individuals. The county agency may elect one of the following methods of determining the cost of meals provided to the individuals:
  - (i) Actual documented costs of meals;
  - (ii) Fifty per cent of the gross earnings from day care; or

(iii) The current reimbursement amount used in the child and adult care food program.

(f) The portion of the child and adult care food program payments intended for the provider's own children is exempt as income.

(3) Training allowances

(a) Training allowances from vocational and rehabilitative programs sponsored by federal, state, or local governments. Countable earned income does not include an allowance to reimburse an assistance group member for money already spent and does not represent a gain to the assistance group member.

~~(b) Training allowances under the Workforce Innovation and Opportunity Act of 2014, other than earnings specified in paragraph (B)(5) of this rule, are excluded from consideration as income.~~

~~(c) In accordance with 7 CFR 273.9 (5/2015), any payment made to an employment and training participant under 7 CFR 273.7 (d)(3) (5/2015) for costs that are reasonably necessary and directly related to participation in the employment and training program are excluded income. These costs include, but are not limited to, dependent care costs, transportation, other expenses related to work, training or education, such as uniforms, personal safety items or other necessary equipment, and book or training manuals. These costs shall not include the cost of meals away from home.~~

(4) Americorps volunteers in service to America (VISTA) income

Payments under Title I (VISTA, university year for action, etc.) of the Domestic Volunteer Service Act of 1973 Pub. L. 43-113 (1973), shall be considered earned income and subject to the earned income deduction unless the individual was receiving ~~food assistance~~ supplemental nutrition assistance program (SNAP) or public assistance at the time they joined the Title I program as described in ~~paragraph (C)(1)(f) of rule 5101:4-4-13 of the Administrative Code.~~

(5) On the-job-training under WIOA

Earnings to individuals who are participating in on-the-job training programs under Title I section 129 of WIOA of 2014. Countable income does not include on-the-job training earnings to assistance group members under nineteen years of age who are under the parental control of another adult member, regardless of school attendance and/or enrollment.

## (C) What is unearned income?

Unearned income includes:

- (1) Basic assistance payments from federal or federally-aided public assistance programs ~~which that~~ are needs-based:
  - ~~(a)~~ Disability financial assistance (DFA);
  - ~~(b)~~(a) Ohio works first (OWF). This includes income such as the attendance bonus payment for teenage parents who return to or remain in school under the learning, earning and parenting (LEAP) program; and
  - ~~(c)~~(b) Supplemental security income (SSI).
- (2) Annuities, pensions, retirement, veterans' or disability benefits (all before taxes), workers' or unemployment compensation, retirement, survivors and disability insurance (RSDI) (before medicare deductions), strike benefits, ~~foster care payments for children or adults who are considered members of the assistance group.~~
- (3) Foster care payments for children or adults, guardianship payments for children as defined in rule 5101:4-1-03 of the Administrative Code, and kinship support payments for children as described in rule 5101:2-42-18.2 of the Administrative Code, who are considered members of the assistance group.
- ~~(3)~~(4) Support and alimony payments made directly to the assistance group from non-assistance group members.
- ~~(4)~~(5) Payments from government sponsored programs, dividends, interest, royalties, and all other direct money payments from any source ~~which that~~ can be defined as a gain or benefit, including certain vendor payments.
- ~~(5)~~(6) The unearned income or the earned income of an ineligible individual excluded from the assistance group as provided in rule 5101:4-6-13 of the Administrative Code.
- ~~(6)~~(7) Gross income from rental property minus the cost of doing business when an assistance group member is not actively engaged in management of the property at least twenty hours a week.
- ~~(7)~~(8) Any payment made directly to the assistance group shall be counted as income except for energy assistance payments specified in rule 5101:4-4-13 of the

Administrative Code. If the payment is not made on a monthly basis, the county agency shall prorate it over the period it is intended to cover.

~~(8)~~(9) Sick pay when the payee is not a current employee of the payer, such as from insurance. The gross amount, without any deductions for taxes and any other work expenses.

(10) Termination or severance pay is to be counted as income unless the payment is received as a one time payment that is not intended to cover a period of time. When the payment is received as a one time payment not intended to cover a period of time it is treated in accordance with rule 5101:4-4-13 of the Administrative Code.

(D) When an assistance group contains a sponsored alien, the income of the sponsor and the sponsor's spouse must be deemed in accordance with procedures established in rule 5101:4-6-31 of the Administrative Code.

(E) After establishing an assistance group's countable income allowable deductions must be considered pursuant to rule 5101:4-4-23 of the Administrative Code.



Effective: 4/1/2021  
 Five Year Review (FYR) Dates: 1/15/2021 and 04/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
 Statutory Authority: 5101.54  
 Rule Amplifies: 329.04, 329.042, 5101.54, 5101.884  
 Prior Effective Dates: 06/02/1980, 12/01/1980, 01/01/1981, 06/18/1981,  
 10/01/1981, 09/27/1982, 06/01/1983, 07/01/1983  
 (Temp.), 08/19/1983, 12/25/1983 (Temp.),  
 03/01/1984, 03/01/1984 (Temp.), 06/01/1984,  
 12/31/1984 (Emer.), 04/01/1985, 08/16/1985 (Emer.),  
 11/01/1985 (Emer.), 01/01/1986, 05/01/1986 (Emer.),  
 08/01/1986 (Emer.), 10/01/1986, 04/10/1987 (Emer.),  
 06/22/1987, 08/01/1987 (Emer.), 09/15/1987 (Emer.),  
 10/25/1987, 03/24/1988 (Emer.), 06/18/1988,  
 07/20/1988 (Emer.), 10/16/1988, 10/01/1989 (Emer.),  
 12/21/1989, 10/01/1990, 02/03/1992, 08/01/1992  
 (Emer.), 10/30/1992, 09/01/1994, 01/01/1995,  
 08/01/1995 (Emer.), 10/13/1995, 02/01/1996,  
 05/01/1996, 07/01/1996 (Emer.), 08/01/1996,  
 08/25/1996, 04/01/1997 (Emer.), 06/06/1997,  
 02/01/1998, 07/01/1998 (Emer.), 09/28/1998,  
 07/15/1999, 06/01/2001 (Emer.), 08/27/2001,  
 06/01/2003 (Emer.), 06/16/2003, 06/12/2008,  
 08/01/2010, 12/01/2011, 10/01/2016

5101:4-6-03

**Food assistance: boarders and income from boarders.**

(A) Who is considered a boarder?

Boarders include:

- (1) Individuals or groups of individuals who live with someone who is providing their meals and lodging in exchange for a "reasonable amount" of money; and
- (2) Adults or children placed in foster care by a government agency;-
- (3) Children for whom guardianship payments are received as defined in rule 5101:4-1-03 of the Administrative Code; and
- (4) Children for whom kinship support payments are received as defined in rule 5101:2-42-18.2 of the Administrative Code.

(B) How is a "reasonable amount" determined for meals and lodging?

To determine ~~if~~when an individual is paying a reasonable amount for meals and lodging, only the amount paid for meals shall be used. A reasonable monthly payment shall be either of the following:

- (1) For individuals who are provided more than two meals a day, reasonable compensation shall be an amount that equals or exceeds the maximum monthly supplemental nutrition assistance program (SNAP) allotment for the appropriate size of the boarder household; or
- (2) For individuals who are provided two meals or less per day, reasonable compensation shall be an amount that equals or exceeds two-thirds of the maximum monthly SNAP allotment for the appropriate size of the boarder household.

(C) Are boarders eligible to receive SNAP?

- (1) Boarders are not eligible to participate in SNAP by themselves.
- (2) Boarders may participate as a member of the assistance group providing their meals and lodging, only at the assistance group's request.

(D) How is a boarder's income and resources counted for the assistance group?

- (1) The income and resources of a boarder who is not included as a member of the assistance group are not counted toward the assistance group. ~~The amount of~~

~~payment that the boarder gives the household is considered self-employment income.~~

(2) When the boarder is an assistance group member, his or her income and resources are available to the assistance group and are counted in the eligibility determination as described in division 5101:4 of the Administrative Code.

~~(3) Foster care payments for children or adults who are members of the assistance group shall be considered unearned income when received by the assistance group.~~

(E) How is the payment from boarders counted for the assistance group?

(1) Payments from a boarder, except individuals in foster care, shall be treated as self-employment income.

(2) The income from boarders shall include all direct payments to the assistance group for meals and lodging, including contributions to the assistance group's shelter expenses. Shelter expenses paid directly by boarders to someone outside of the assistance group shall not be counted as income to the assistance group.

(3) The income of the assistance group owning and operating a commercial boarding house shall be handled as self-employment income and the criteria in rule 5101:4-6-11 of the Administrative Code shall apply.

(4) Foster care payments for children or adults, guardianship payments for children, and kinship support payments for children, who are members of the assistance group are to be considered unearned income when received by the assistance group.

(F) How is the cost of doing business determined?

In determining the income received from boarders, the county agency shall exclude the portion of the boarder payment that is a cost of doing business. The amount allowed as a cost of doing business shall not exceed the payment the assistance group receives from the boarder for lodging and meals. The county agency may elect one of the following methods to determine the cost of doing business:

(1) The maximum monthly SNAP benefit for an assistance group that is equal to the number of boarders; or

(2) The actual documented cost of providing lodging and meals, when the actual cost exceeds the appropriate maximum monthly benefit amount or the self-employment standard deduction as ~~set forth~~ described in rule 5101:4-6-11 of the

Administrative Code. When actual costs are used, only separate and identifiable costs for lodging and meals shall be excluded.

(G) What deductible expenses are used to determine the monthly allotment?

The net income from self-employment shall be added to other earned income and the twenty per cent earned income deduction is applied to the total. Shelter costs the assistance group actually incurs, even ~~if~~when the boarder contributes to the assistance group's shelter expenses, are computed to determine ~~if~~when the assistance group will receive a shelter deduction. The shelter costs shall not include any shelter expenses directly paid by the boarder to a third party, such as the landlord.

Effective: 4/1/2021  
Five Year Review (FYR) Dates: 1/15/2021 and 04/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
Statutory Authority: 5101.54  
Rule Amplifies: 5101.54, 329.04, 329.042, 5101.884  
Prior Effective Dates: 06/02/1980, 04/01/1989, 01/01/1995, 02/01/1999,  
06/01/2001 (Emer.), 08/27/2001, 03/01/2002 (Emer.),  
05/13/2002, 05/01/2006, 08/01/2011, 09/01/2016

5101:4-6-32**Food Assistance: substantial lottery and gambling winnings.**

Supplemental nutrition assistance program (SNAP) assistance groups that include any member that receives substantial lottery or gambling winnings, as defined in rule 5101:4-1-03 of the Administrative Code, during their certification period are ineligible for SNAP.

(A) What are the responsibilities of an assistance group when any member receives substantial lottery or gambling winnings?

The assistance group is to report to the county agency the receipt of substantial lottery or gambling winnings in accordance with the reporting requirements and time frames outlined in rule 5101:4-7-01 of the Administrative Code.

(B) What are the responsibilities of the county agency when any assistance group member receives substantial lottery or gambling winnings?

The county agency is to:

(1) Consider only the portion of the winnings allocated to the member of the assistance group when multiple individuals share in the purchase of a ticket, hand, or a similar bet;

(2) Follow the procedures described in rule 5101:4-7-01 of the Administrative Code to clarify information that is obtained from a match or a source other than the individual, or when the information obtained from the individual is incomplete or otherwise questionable;

(3) Disqualify the entire assistance group and discontinue benefits; and

(4) Send a notice of adverse action in accordance with Chapter 5101:6:2 of the Administrative Code.

(C) How is eligibility regained when there has been a disqualification for substantial lottery or gambling winnings?

(1) When there have not been changes to the assistance group composition subsequent to a disqualification for substantial lottery or gambling winnings the assistance group may reapply at any time. In order to end the disqualification and regain eligibility the assistance group is to:

(a) Complete the application process as defined in rule 5101:4-2-01 of the Administrative Code;

- (b) Have eligibility determined without waiving the income and resource eligibility factors in accordance with rule 5101:4-2-02 of the Administrative Code; and
  - (c) Have not improperly transferred resources for the purpose of qualifying or attempting to qualify for SNAP as described in rule 5101:4-4-09 of the Administrative Code; or
- (2) When there have been changes to the assistance group composition subsequent to a disqualification for substantial lottery or gambling winnings, all assistance group members may regain eligibility when the assistance group requests benefits and when all eligibility factors have been met; or
- (3) When at least one of the originally discontinued assistance group members has regained eligibility and then the original assistance group requests benefits together, the disqualification is to be ended and the assistance group may regain eligibility when all eligibility factors have been met.

Effective: 4/1/2021  
Five Year Review (FYR) Dates: 04/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
Statutory Authority: 5101.54  
Rule Amplifies: 329.04, 329.042, 5101.54



5101:4-7-01                    **Food assistance: reporting requirements during the certification period.**

(A) What is a reporting requirement?

Every assistance group receiving benefits must report certain changes that affect eligibility. Reporting requirements ensure an accurate benefit amount is received and that only assistance groups who remain eligible continue to receive benefits.

(B) What are the requirements for reporting changes?

(1) Assistance groups shall report ~~if~~when their gross income exceeds one hundred thirty per cent of the monthly poverty income guideline for their assistance group size within ten days following the end of the month in which the change first occurred;

~~(2) All assistance groups shall be required to submit an interim report prior to the end of the sixth month of a twelve month certification period or prior to the end of the twelfth month of a twenty-four month certification period as defined in paragraph (H) of this rule. Assistance groups certified six months or less do not have to submit an interim report; and~~

~~(3)~~(2) Able-bodied adults without dependents subject to the work requirements and time limit ~~set forth~~described in rule 5101:4-3-20 of the Administrative Code are required to report any changes in work hours that bring an individual below twenty hours per week or eighty hours per month, as defined in rule 5101:4-3-20 of the Administrative Code, within ten days following the end of the month in which the change first occurred;.

(3) Assistance groups are to report when any member of their assistance group wins substantial lottery or gambling winnings as defined in rule 5101:4-1-03 of the Administrative Code within ten days following the end of the month in which the change first occurred; and

(4) All assistance groups are to submit an interim report prior to the end of the sixth month of a twelve month certification period or prior to the end of the twelfth month of a twenty-four month certification period as defined in paragraph (H) of this rule. Assistance groups certified six months or less do not have to submit an interim report.

(C) How are changes reported?

The assistance group may report changes as follows:

(1) By returning a JFS 04196, "Food Assistance Change Reporting" (~~rev. 10/2017~~). The county agency shall pay the postage for return of the form.

(2) In person, electronically or over the telephone. The county agency shall use discretion in determining if/when further verification is necessary. These changes shall be acted on in the same manner as those reported on a change report form.

(D) When shall the county agency provide a change report form?

A change report form shall be provided to assistance groups at application, recertification upon request, and whenever the assistance group returns a change report form. The county agency can provide the form more often at its option.

(E) How does an assistance group know their reporting requirements?

Assistance groups will be advised of their reporting requirements on the notice of approval and/or notice of change at application, ~~reapplication~~ recertification or any time a change occurs and is reported.

(F) What must an applicant report during the application process?

(1) Once the applicant submits an application, the applicant shall report any changes in the information on the application at the certification interview.

(2) The applicant shall report all changes that occur after the certification interview but before receiving the notice of their eligibility, within ten days of the receipt of the notice.

(G) What are the reporting requirements when the application was taken at the local social security administration?

The county agency shall not impose any additional reporting requirements other than those listed in paragraph (B) of this rule. Assistance groups whose applications were taken by the social security administration are required to report all changes to the county department of job and family services.

(H) What is the interim report and how is it processed?

Assistance groups assigned a twelve or twenty-four month certification period shall be required to sign, ~~and complete,~~ and submit a JFS 07221 "Cash and Food Assistance Interim Report" (~~rev. 11/2016~~) or a JFS 07223 "Cash and Food Assistance Interim Report Reminder Notice" (~~9/2018~~). The signature may be handwritten, electronic, or telephonic as described in rule 5101:4-2-01 of the Administrative Code. The interim

report will provide the county agency with updated information on the assistance group's circumstances.

- (1) A JFS 07221 will be sent to the assistance group during the fifth or eleventh month of certification, depending on the assistance group's certification period.
- (2) When the county agency does not receive the interim report by the fifteenth day of the fifth or eleventh month of certification, depending on the assistance group's certification period, a JFS 07223 shall be sent to the assistance group.
- (3) The assistance group shall return the interim report or reminder notice to the county agency prior to the end of the fifth or eleventh month of certification, depending on the length of the certification period.
- (4) The county agency shall propose termination of benefits for any assistance group who fails to return a signed and completed interim report or reminder notice by the end of the sixth or twelfth month, depending on the assistance group's certification period.
- (5) When the assistance group fails to provide sufficient information or verification regarding a deductible expense indicated on the interim report, the county agency shall not terminate the assistance group, but instead shall determine the assistance group's supplemental nutrition assistance program (SNAP) benefits without regard to that deduction.
- (6) The county agency shall reinstate benefits without a new application for any assistance group whose benefits have been terminated in accordance with paragraph (H)(4) of this rule when the county agency receives the interim report or reminder notice within thirty days of the closure date. The county agency shall prorate the assistance group's benefits beginning the day the report or reminder notice was returned.

(I) How does the county agency process changes?

- (1) The county agency shall take action within ten days on all reported changes to determine ~~if~~when the change affects the assistance group's ongoing eligibility or allotment. Reported changes include changes reported by the assistance group, changes considered verified upon receipt, and changes known to the county agency. Even ~~if~~when there is no change in the allotment, the county agency shall document the reported change in the case file, provide another change report form to the assistance group, and notify the assistance group of the receipt of the change report. ~~If~~When the reported change affects the

assistance group's eligibility or level of benefits the adjustment shall also be reported to the assistance group.

- (2) The county agency shall also advise the assistance group of additional verification requirements, ~~if~~when any, and state that failure to provide verification shall result in the reduction or termination of benefits.
- (3) The county agency shall document the date a change is reported, which shall be the date the county agency receives a report form or is advised of the change over the telephone, electronically or by a personal visit.
- (4) Restoration of lost benefits shall be provided to any assistance group ~~if~~when the county agency fails to take action on a change ~~which~~that increases benefits within the time limits specified in paragraph (K)(3) of this rule.

(J) What are the verification requirements for changes?

- (1) Changes reported during the certification period are subject to the verification procedures ~~set forth~~described in rule 5101:4-2-09 of the Administrative Code. The county agency shall verify changes ~~which~~that result in an increase in an assistance group's benefits prior to taking action on these changes.
- (2) The assistance group must be allowed ten days to provide any mandatory verification. ~~When~~When the assistance group provides verification within this period, the county agency shall take action on the changes within the time periods described in paragraph (K)(3) or (K)(4) of this rule. The time periods shall begin from the date the change is reported, not from the date of verification.
- (3) ~~When~~When the assistance group fails to provide the required verification within ten days after the request date but does provide the verification at a later date, the time periods shall begin from the date verification is provided rather than from the date the change is reported.
- (4) In cases where the county agency has determined that an assistance group has refused to cooperate, the county agency shall terminate the assistance group's eligibility after issuing the notice of adverse action as ~~set forth~~described in rule 5101:6-2-04 of the Administrative Code.
- (5) During the certification period, the county agency may obtain information about changes in an assistance group's circumstances from which the county agency cannot readily determine the effect of the change on the assistance group's continued eligibility for SNAP, or in certain cases, the benefit amount. The county agency may receive unclear information from a third party or from

the assistance group itself. Unclear information is information that is not verified, or information that is verified but the county agency needs additional information to act on the change.

- (a) The county agency shall verify the assistance group's circumstances by sending the assistance group a JFS 04219, "Request For Contact-Important Notice" (~~rev. 11/2016~~) or its computer-generated equivalent. The request for contact shall clearly advise the assistance group of the verification it must provide or the actions it must take to clarify its circumstances, notify the assistance group that it has at least ten days to respond and state the consequences ~~if~~when the assistance group fails to respond. The county agency shall follow the procedures set forth in rule 5101:4-2-09 of the Administrative Code to verify unclear information received during the certification period.
  - (b) When the assistance group responds to the request for contact and provides sufficient information, the county agency shall act on the new circumstances in accordance with paragraph (K) of this rule.
  - (c) When the assistance group does not respond to the request for contact, does respond but refuses to provide sufficient information to verify its circumstances, or the county agency is unable to obtain the necessary information by contacting the assistance group as identified in paragraph (J)(5) of this rule, the county agency shall propose termination of the SNAP benefits and a notice of adverse action shall be issued in accordance with rule 5101:6-2-04 of the Administrative Code.
- (6) During the certification period, the county agency may obtain information from a prisoner verification system or a deceased matching system that may affect an assistance group's circumstances or benefit amount.
- (a) When the unclear information received is a data match from a prisoner verification system or a deceased matching system, the county agency shall send the assistance group a JFS 04219 or the electronic equivalent. The request for contact shall clearly advise the assistance group of the match results and the verification it must provide or the actions it must take to clarify its circumstances, notify the assistance group that it has at least ten days to respond and state the consequences ~~if~~when the assistance group fails to respond.
  - (b) When the assistance group fails to respond to the request or does respond but refuses to provide sufficient information to clarify its circumstances, the county agency shall remove the individual subject to the match

and the individual's income from the assistance group and adjust benefits accordingly. The county agency shall issue a notice of adverse action in accordance with rules 5101:6-2-04 and 5101:6-2-05 of the Administrative Code.

(K) What are the timeframes in which the county agency must act on a change?

- (1) Changes in income: ~~If~~When an assistance group reports a change in income, and the new circumstance is expected to continue for at least one month beyond the month in which the change is reported, the county agency shall act on the change in accordance with paragraphs (K)(3) and (K)(4) of this rule.
- (2) Changes in medical expenses: During the certification period the county agency shall not act on changes in the medical expenses ~~which~~that it learns of from a source other than the assistance group and ~~which~~that, in order to take action, require the county agency to contact the assistance group for verification. The county agency shall only act on those changes in medical expenses that it learns about from a source other than the assistance group ~~if~~when those changes are verified upon receipt and do not necessitate contact with the assistance group.
- (3) Changes that increase benefits:

For changes that result in an increase in benefits, the county agency shall make the change effective no later than the first allotment issued ten days after the date the change was reported to the county agency, unless reported after the twentieth of the month. In no event shall these changes take effect any later than the month following the month in which the change is reported. Therefore, when the change is reported after the twentieth of a month and it is too late for the county agency to adjust the following month's allotment, the county agency shall authorize supplemental benefits by the tenth calendar day of the following month, or the assistance group's normal issuance cycle in that month, whichever is later.

- (a) For example, an assistance group reporting a one hundred dollar decrease in income any time during May would have its June allotment increased. When the assistance group reports the change after the twentieth of May and it was too late for the county agency to adjust the allotment normally issued on June first, the county agency would authorize a supplement for the amount of the increase by June tenth.
- (b) Exception: An assistance group reporting the theft of income normally received during the month is not entitled to additional SNAP benefits. It is the responsibility of the provider of the income to make whatever

restitution that may be appropriate. The loss is not deducted from income to the assistance group nor is it counted as income when and/or ~~if~~when it is replaced.

(4) Changes that decrease benefits:

~~If~~When the assistance group's benefit level decreases or the assistance group becomes ineligible as a result of the change, the county agency shall issue a notice of adverse action within ten days of the date the change was reported unless one of the exceptions to the notice of adverse action in rule 5101:6-2-05 of the Administrative Code applies. When a notice of adverse action is used the decrease in the benefit level shall be made effective with the allotment for the month following the month in which the notice of adverse action period has expired, provided a fair hearing and continuation of benefits have not been requested. When a notice of adverse action is not used due to one of the exceptions of rule 5101:6-2-05 of the Administrative Code, the decrease shall be made effective no later than the month following the change.

(L) When should a county agency reinstate benefits without a new application?

The county agency shall reinstate an assistance group's benefits without a new application ~~if~~when the assistance group returns requested mandatory verifications or takes a required action within thirty days after the SNAP closure date. Benefits shall be prorated from the date the verifications are returned or the required action was taken, following the procedure set forth in rule 5101:4-4-27 of the Administrative Code. However, ~~if~~when the eligibility factor is met or the required action is taken in the last month of the certification period or outside of a certification period, benefits cannot be reinstated. The county agency shall require the assistance group to complete a recertification.

(M) What happens when a county agency discovers an assistance group failed to report a change?

~~If~~When the county agency discovers that the assistance group failed to report a required change and, as a result, received benefits to which it was not entitled, the county agency shall file a claim against the assistance group as set forth in rule 5101:4-8-15 of the Administrative Code. ~~If~~When the discovery is made within the certification period, the assistance group is entitled to a notice of adverse action ~~if~~when its benefits are reduced or terminated. An assistance group shall not be held liable for a claim because of a change in assistance group circumstances ~~which~~that it is not required to report.

(N) What happens when a county agency learns that an assistance group has (or may have) moved?

(1) When the assistance group has or may have moved outside the county or county collaboration where it is currently participating, the county agency where the participant is currently participating shall follow the procedures described in rule 5101:4-7-01.1 of the Administrative Code.

(2) When the assistance group has had a change of address the county agency is to provide the assistance group with the JFS 07217, "Voter Registration Notice of Rights and Declination" and JFS 07200-VR, "Voter Registration Form" (for requirements and procedures of the National Voter Registration Act of 1993 refer to rule 5101:1-2-15 of the Administrative Code).

~~(2)~~(3) All other changes of residence shall be verified in accordance with this rule.



Effective: 4/1/2021  
Five Year Review (FYR) Dates: 1/15/2021 and 04/01/2026

CERTIFIED ELECTRONICALLY

---

Certification

03/22/2021

---

Date

Promulgated Under: 111.15  
Statutory Authority: 5101.54  
Rule Amplifies: 329.04, 329.042, 5101.54  
Prior Effective Dates: 06/02/1980, 12/01/1980, 04/01/1981, 06/18/1981,  
01/22/1982, 09/27/1982, 08/16/1985 (Emer.),  
11/01/1985 (Emer.), 01/01/1986, 05/01/1986 (Emer.),  
08/01/1986 (Emer.), 10/01/1986, 05/01/1989 (Emer.),  
10/01/1989, 10/01/1990, 05/01/1991 (Emer.),  
06/01/1991, 12/01/1991, 08/01/1995, 08/01/1995  
(Emer.), 10/13/1995, 04/01/1997 (Emer.), 06/06/1997,  
08/01/1998, 06/01/2001 (Emer.), 08/17/2001,  
03/02/2002 (Emer.), 05/13/2002, 07/01/2002 (Emer.),  
08/01/2002, 07/10/2003, 11/01/2003, 12/08/2005,  
04/01/2010, 03/01/2012, 05/01/2015, 06/01/2017,  
09/01/2018