



April 18, 2022

Cash Assistance Manual Transmittal Letter No. 180

TO: All Cash Assistance Manual Holders
FROM: Matt Damschroder, Director
SUBJECT: **Five Year Rule Review: Ohio Works Now**

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 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 these rules; rescind these rules; or continue these rules without amendment.

The Office of Family Assistance (OFA) has completed a review of the following rule and the rule was subject to a review by the Joint Committee on Agency Rule Review (JCARR). These rules will become effective on 05/01/2022.

Chapter 4000

5101:1-2-50 "Ohio Works Now"

This rule describes the Ohio Works Now eligibility requirements, the methods of issuance, the amount and determination process and the county agency's responsibility in the case of erroneous payments or fraud. OFA amended this rule with minor language changes for clarity; however, no substantive changes were made.

5101:1-2-50

Ohio works now.

The Ohio works now (OWN) program provides additional food assistance benefits to supplemental nutrition assistance program (SNAP) assistance groups with minor children and employed parents to help offset the cost of being employed. The OWN food assistance benefit is part of the temporary assistance for needy families program (TANF) and therefore is subject to the requirements of Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601.

(A) Who will receive the OWN food assistance benefit?

- (1) Participation in the OWN program is determined automatically on a monthly basis based on data in the statewide automated eligibility system.
- (2) For members of a SNAP assistance group to receive the OWN benefit, data in the statewide automated eligibility system must indicate the assistance group:
 - (a) Includes a minor child as defined in rule 5101:1-1-01 of the Administrative Code and the biological or adoptive parents of the minor child residing in the same household; or a pregnant woman with no other children who is at least in her sixth month of pregnancy; and
 - (b) At least one parent must be working thirty hours per week, with the exception of a single parent with a child under age six who is required to work twenty hours per week. Two-parent households are required to work a combined fifty-five hours per week with one parent working at least thirty hours per week.
 - (c) Meets federal TANF requirements under Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, including citizenship.

(B) Who will not receive the OWN food assistance benefit?

- (1) Any SNAP assistance group that includes a member that is also receiving Ohio works first (OWF) ~~OWF~~ benefits in the month, including OWF benefits received pending a state hearing pursuant to rule 5101:6-4-01 of the Administrative Code;
- (2) A member of a SNAP assistance group that is receiving SNAP pending a state hearing on the issue of termination of benefits pursuant to rule 5101:6-4-01 of the Administrative Code; and
- (3) Any SNAP assistance group that no longer meets the criteria described in paragraph (A)(2) of this rule.

(C) How are OWN food assistance benefits issued?

- (1) OWN food assistance benefits will be issued to eligible assistance groups on their existing SNAP electronic benefit transfer (EBT) card.
- (2) OWN food assistance benefits shall be used pursuant to rule 5101:4-1-04 of the Administrative Code.

(D) Are OWN benefits subject to OWF and SNAP requirements?

- (1) A family in receipt of OWN food assistance benefits is not subject to OWF requirements, including, but not limited to:
 - (a) Assigning child support or cooperating with child support enforcement as described in rule 5101:1-3-10 of the Administrative Code.
 - (b) Participating in work activities as described in rule 5101:1-3-12 of the Administrative Code.
 - (c) Counting any month of receipt toward the time-limited receipt of TANF assistance as described in rule 5101:1-23-01 of the Administrative Code.
- (2) OWN food assistance benefits shall not be used in the calculation of participation hours for the SNAP employment and training program as described in rule 5101:4-3-31 of the Administrative Code.
- (3) The OWN food assistance benefit shall not be considered in the SNAP income eligibility determination and allotment amount.

(E) How are the amount and duration of the OWN benefit determined?

- (1) The amount of OWN food assistance benefits to be issued will be determined by the Ohio department of job and family services (ODJFS) and will be the same amount for each eligible SNAP assistance group. The monthly amount of OWN food assistance will be described in an ODJFS cash assistance action change transmittal letter that will be distributed to all county agencies.
- (2) No more than one OWN food assistance benefit may be issued to a SNAP assistance group per month.
- (3) In order to confine OWN expenditures to appropriated state funds, the director of ODJFS, or his designee, may issue an order at any time suspending the program or reducing the benefit amount. The order will be distributed to all county agencies on the same day and will remain in effect until rescinded.

(F) What is the county agency's responsibility in the case of erroneous payments or fraud?

- (1) Each county agency shall take action to recover fraudulent assistance as defined by rule 5101:1-23-75 of the Administrative Code.

Cash, check, money order and credit or debit cards are acceptable forms of repayment; however, when a county agency does not have the capability to accept credit or debit cards it does not have to accept this form of repayment.

- (2) OWN food assistance benefits shall not be used to repay a claim of erroneous payment or overpayment for any public assistance program.

Effective: 5/1/2022
Five Year Review (FYR) Dates: 2/1/2022 and 05/01/2027

CERTIFIED ELECTRONICALLY

Certification

04/18/2022

Date

Promulgated Under: 119.03
Statutory Authority: 5101.80
Rule Amplifies: 5101.801
Prior Effective Dates: 01/01/2012, 05/01/2017