



February 5, 2024

Cash Assistance Transmittal Letter No. 200

TO: All Food Assistance Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: Five-Year Review: Income and Eligibility Verification System.

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 the rule; rescind the rule; or continue the rule without amendment.

The Office of Family Assistance (OFA) has completed a review of the following rule and the rule has been subject to a review by the Joint Committee on Agency Rule Review (JCARR). The rule will be effective on 3/1/2024.

Chapter 1000

5101:1-1-36 "Income and Eligibility Verification System."

This rule describes the Income and Eligibility Verification System (IEVS) and provides information on how the source agencies compile data to generate matches and describes the county agency's responsibilities in processing these matches in the Ohio benefits integrated eligibility system. OFA amended this rule. Changes to the rule include:

- The word "statewide automated eligibility system" was replaced with "Ohio benefits integrated eligibility system";
- The effective date of the reference to section 1137 of the Social Security Act in paragraph (A) has been updated to align with federal rule;
- Paragraph (B) was stricken, the "Beneficiary earnings exchange record (BEER)" matches are no longer considered IEVS matches;
- In new paragraph (C)(3) the term "RSDI" was corrected to read "Retirement, survivors, and disability insurance (RSDI)";
- Updated new paragraph (D)(2) to clarify the action the county agency is to take when processing IEVS alerts;
- Removed references to processing alerts in one hundred twenty day periods as there are no longer medium alert priorities, only high and low priority alerts;



- Removed form revision dates as a result of Senate Bill 221 of the 132nd General Assembly that amended incorporation by reference requirements contained in section 121.71 to 121.75 of the Ohio Revised Code;
- Updated new paragraph (E)(1) and (E)(2) for clarity;
- New paragraph (H)(1)(a) the term "IEVS statewide automated eligibility system alert processing instruction guide" was replaced with "Income and Eligibility Verification System (IEVS) alert processing instruction guide"; and
- Minor language changes were made for clarity.

5101:1-1-36

Income and eligibility verification system (IEVS).

(A) Section 1137 of the Social Security Act (~~5/2006~~(2/2014)) mandates that state agencies administering federally funded public assistance programs develop and implement an income and eligibility verification system (IEVS). In Ohio, IEVS contains income and benefit information from the following sources:

- (1) The Ohio department of job and family services (ODJFS), office of unemployment compensation, bureau of program services; and
- (2) The social security administration (SSA).

~~(B) Under the IEVS program, the match data will be furnished to the county agency. The county agency will have a forty five day to one hundred twenty day processing time frame to receive the match data, to compare the match information to the information in the assistance group (AG) record, to obtain verification when applicable, to determine eligibility, and to initiate appropriate corrective action. The county agency shall take action to review and process the information immediately upon receipt.~~

~~(C)~~(B) How is IEVS integrated into the ~~statewide automated eligibility system~~Ohio benefits integrated eligibility system?

- (1) All IEVS functions of ODJFS are provided through the ~~statewide automated eligibility system~~Ohio benefits integrated eligibility system.
- (2) The regular matching of social security numbers of assistance group members is reflected through the IEVS system, ~~which~~that consists of the following three components:
 - (a) Data exchange;
 - (b) Compliance tracking; and
 - (c) Reporting.

~~(D)~~(C) What are the specific sources of IEVS matches?

Under IEVS, social security numbers of applicants and AG members are regularly matched with data from the following source agencies:

- (1) ODJFS - wage records.
 - (a) The ODJFS, office of unemployment compensation acts as the state's wage information collection agency (SWICA). In accordance with section 4141.20 of the Revised Code, all employers are required to report

quarterly earnings of all employees by the last day of the month following the end of each calendar quarter. All Ohio works first (OWF) and supplemental nutrition assistance program (SNAP) applicants and AG members are matched against the SWICA files on a quarterly basis. Matches are displayed to the county agency as soon as they are received.

- (b) The county agency shall treat information received from SWICA as a lead to possible employment. Verification of employment and earnings shall be obtained from the employer or AG member in accordance with rule 5101:1-2-20 of the Administrative Code.

(2) ODJFS –unemployment compensation records.

- (a) ODJFS compares all OWF and SNAP applicants and AG members against the unemployment ~~ODJFS~~ files on a weekly basis. Matches are displayed in the ~~statewide automated eligibility system~~ Ohio benefits integrated eligibility system to the county agency as soon as they are received.
- (b) Information received from the unemployment files should be considered verified unless the client statement and/or case record fails to support the accuracy of the information.

~~(3) SSA benefit earnings exchange record (BEER).~~

- ~~(a) SSA obtains wage records from employers on an annual basis. Twice a month ODJFS transmits a request through the SSA's BEER for all new OWF and SNAP applicants and AG members. This data is included in the master file at that agency. Whenever information is added to the master file, it is matched against all other data in the file. The SSA processes the BEER request twice a month and returns matches to ODJFS for review.~~
- ~~(b) The BEER match includes out of state and federal employers. The federal wage records match includes employers who do not report to SWICA. Matches from this source are displayed in the statewide automated eligibility system to the county agency as soon as they are received and are to be considered as a lead that the county agency shall verify before benefits may be affected.~~
- ~~(c) Employment information received from this source is considered as a lead towards possible current employment. Data verification shall be obtained before the county agency may initiate any adjustment to the AG case.~~

~~(4)~~(3) Retirement, survivors, and disability insurance (RSDI) and supplemental security income (SSI) benefits

- (a) SSA provides information on RSDI and SSI benefits of individual public assistance participants. The ODJFS state verification and exchange system (SVES) provides an electronic interface with the SSA. The interface allows the transfer of RSDI and SSI benefit and entitlement information from the SSA.
- (b) Beneficiary and SSI benefit and entitlement information is considered verified. Dual entitlement information should be verified when, or if, the AG record does not support the accuracy of the information.

~~(E)~~(D) What are the time frames for processing an IEVS match?

- (1) Federal regulations require the county agency to process IEVS matches in forty-five days.
- (2) A county agency may only exceed the forty-five day time period on up to twenty per cent of its reviews, provided that the reason for the delay is due to nonreceipt of verifications, and provided that the review is completed by the next case action. The county agency is to take action to review and process the information immediately upon receipt. During the forty-five ~~and one hundred twenty day periods~~ day period, the county agency ~~shallis to: review the AG record, contact the AG, obtain verification when necessary, determine eligibility and make appropriate case adjustments.~~
 - (a) Review and compare the match information to the information in the assistance group (AG) record;
 - (b) Contact the AG;
 - (c) Obtain verification when applicable to determine eligibility; and
 - (d) Initiate appropriate corrective action and case adjustments.
- (3) Once the county agency completes the IEVS match process, the results will be recorded in the ~~statewide automated eligibility system~~ Ohio benefits integrated eligibility system history.
- (4) When the county agency determines that an IEVS match displayed is for an AG whose case record is now active in another county and/or is delinquent, the county agency ~~shallis to refer to the statewide automated eligibility system~~ Ohio benefits integrated eligibility system transfer procedure.

~~(F)~~(E) What are the IEVS priority levels?

Counties are assigned alerts for IEVS matches in the ~~statewide automated eligibility system~~ Ohio benefits integrated eligibility system with one of two priority levels: high or low. These alerts ~~shall~~ are to be completed within the time frame specified for each priority level.

- (1) High priority ~~matches are considered~~ error prone. These matches are to be reviewed and completed by the county agencies within forty-five days.

~~High priority matches shall be reviewed and completed by county agencies within forty-five days.~~

- (2) ~~Low priority.~~ Low priority matches are issued to county agencies for informational purposes only. These matches are available for a minimum of one-hundred eighty days. The county agency will not be required to follow-up or report the results of these reviews. Low priority alerts will be systematically inactivated every one-hundred eighty to two hundred days.

~~(G)~~(F) What are the requirements for safeguarding and disclosing IEVS match information?

- (1) In accordance with federal law and regulations and the ~~publications~~ of IRS publication 1075, <https://www.irs.gov/pub/irs-pdf/p1075.pdf>, match information that contains federal tax data ~~shall~~ is to be protected from disclosure to unauthorized persons. Federal tax information (FTI) remains tax information even after it has been verified. The determining factor is the source of the information.

(a) If the source is the social security administration or some other federal agency authorized to release FTI, this information is tax information.

(b) If the source is the individual involved, an authorized representative of the individual or entity, or a third party (from their records), the information is not considered tax information.

- (2) If the individual, or payer institution, verifies by writing the information on a separate document, the information is not tax information. Therefore, it is possible to have two documents with the same information and, depending on the source of the information, one document ~~shall require safeguarding~~ is to be safeguarded while the other ~~shall~~ is not.

- (3) Computer screen printouts or copies of letters mailed or received regarding FTI ~~shall~~ are to be safeguarded and are subject to the prescribed record retention schedule and safeguarding procedures as outlined in rules 5101:9-9-21 and 5101:9-9-25 of the Administrative Code.

- (4) SSA federal tax information can be commingled within the AG case record, but the AG case record mustis to then be safeguarded in its entirety, clearly labeled to indicate that SSA FTI is included.
- (5) FTI mustis to be logged and tracked so that the location of the FTI is known at all times.
- (6) The IEVS match information may be disclosed only under the following circumstances:
 - (a) Any IEVS match information may be given to the AG member who is the subject of the information;
 - (b) An assistance group member may be given social security administration (SSA) information about other members in the same assistance group if the information is needed in connection with determining eligibility for benefits. A JFS 07341 "Applicant/Recipient Authorization for Release of Information" (~~rev. 4/2004~~) form shallis to be signed by the individual for whom the information is requested. When there is a request to review the AG case file, a member of the AG or its currently authorized representative may have access to the information provided by the release. However, the county agency may withhold confidential information, such as the names of individuals who have disclosed information about the AG without the AG's knowledge, or the nature or status of pending criminal prosecutions.

~~(H)~~(G) How is the information obtained from IEVS matches recorded and disclosed?

- (1) ODJFS and the county agency ~~shallare to~~ keep a record of any disclosure of IEVS information, including IEVS match information, to any person or agency who is not an employee of ODJFS or the county agency. The record of the disclosure shallis to be retained for five years or the active life of the application, whichever is longer.
- (2) The ODJFS and county agency ~~shallare to~~ note in the AG record any disclosure to any person (other than the AG member), agency, or official who is not an employee of a county agency or ODJFS. The county agency shallis to record all such disclosures in its central file of IEVS information disclosures. The record of disclosure shall is to contain a description of the information disclosed, the date of the disclosure, the identity of the persons or agencies to whom the information was disclosed, and the purpose of the disclosure.

- (3) The county agency ~~shall~~is to refer to rule 5101:9-9-21 of the Administrative Code for closed IEVS documentation procedure.

~~(H)~~(H) What actions are required by the county agency upon receipt of an IEVS match?

- (1) Upon receipt of an IEVS match assigned with a high priority, the county agency ~~shall~~is to:
- (a) Refer to the ~~IEVS statewide automated eligibility system~~income and eligibility verification system (IEVS) alert processing instruction guide.
 - (b) Regard the match information (unless SSA beneficiary and SSI entitlement or unemployment compensation) as a lead indicating the possible receipt of income to an AG member, not as verification.
 - (c) Determine if the IEVS information is consistent with the information already provided by the AG. When the AG case record does not have information that resolves the IEVS match, the county agency may contact the AG.
- (2) When a county agency contacts an AG for verification of income, the county agency ~~shall~~is to give the AG ten calendar days to submit verification. The request for verification ~~shall~~is to also state that if the AG fails to provide the information and/or contact the county agency, assistance may be terminated. At the end of the time period, if there has been no contact by the AG or if there has been a refusal to provide verification, prior notice ~~shall~~is to be sent proposing termination because the county agency is unable to determine continued eligibility. Since the information from the IEVS match does not coincide with the information from the AG case record, the county agency ~~shall~~is to verify the match information. It is the responsibility of the AG to provide the information necessary to determine eligibility and to clarify any incomplete, inconsistent, or contradictory information received.
- (3) If the AG agrees to cooperate in providing the requested information but is unable to provide the information, the county agency ~~shall~~is to obtain a JFS 07341 to forward to the third party who may have the information, such as an employer.
- (4) Any adverse action resulting from information produced by a matching program ~~shall~~is to be processed in accordance with Chapter 5101:6 of the Administrative Code.
- (5) When the review of the IEVS match results in a determination that the benefit amounts issued were incorrect and should be increased or decreased accordingly, the county agency ~~shall~~is to initiate at least one of the following:

- (a) Ineligibility—terminate benefits or deny application;
 - (b) Overpayment—recover the overpayment; or
 - (c) Underpayment—issue the underpayment.
- (6) When the review of the IEVS match results in the discovery of previously unknown employment, the county agency ~~shall~~is to secure appropriate third-party resource forms in accordance with rule 5101:1-2-20 of the Administrative Code.

~~(I)~~(I) How are IEVS matches investigated by the county benefit recovery unit?

The county agency ~~shall~~is to investigate the IEVS match using the following guidelines:

- (1) The county agency ~~shall~~will not deny, delay, or discontinue benefits while waiting for information when other evidence establishes the AG's eligibility;
- (2) The primary task of the IEVS match review is to check previous and current eligibility. The review also attempts to find and recover all overpayments whether they are AG error or agency error;
- (3) The eligibility determiner's purpose in the IEVS match is to discover the facts of the AG's situation during the match period and to decide whether the AG received the correct amount of benefits.

~~(K)~~(J) How are the county agencies monitored for compliance with IEVS?

ODJFS monitors the county agency IEVS activities by reviewing selected cases for timeliness, accuracy of the processing of alerts, and the safeguarding of IEVS information. Reviews are scheduled in each county agency a minimum of every three years.

Effective: 3/1/2024

Five Year Review (FYR) Dates: 11/15/2023 and 03/01/2029

CERTIFIED ELECTRONICALLY

Certification

02/01/2024

Date

Promulgated Under: 119.03
Statutory Authority: 5107.05, 5101.02
Rule Amplifies: 5107.05
Prior Effective Dates: 01/01/1983, 12/01/1986, 03/13/1987 (Emer.),
05/04/1987, 09/01/1989 (Emer.), 11/30/1989,
01/01/1990 (Emer.), 04/01/1990, 01/01/1993,
09/01/1994, 11/01/1996, 07/01/1998, 07/01/1999,
07/01/2000, 11/01/2002, 12/06/2007, 03/01/2013,
12/01/2018