



May 10, 2024

Fiscal Administrative Procedure Manual Transmittal Letter (FAPMTL) No. 503

To: Fiscal Administrative Procedure Manual Holders
From: Matt Damschroder, Director
Subject: Federal Financial Participation (FFP) and the Nonfederal Matching Share

As the result of an internal five-year rule review, ODJFS is amending rule 5101:9-7-50 "Federal Financial Participation (FFP) and the Nonfederal Matching Share." Minor changes were made to removed regulatory restrictive words as required by section 121.95 of the Revised Code.

Please direct inquiries to your ODJFS Fiscal Supervisor or the CFIS Helpdesk CFIS_HELP_DESK@jfs.ohio.gov.

Instructions:

Location	Remove	Insert
Chapter 7	5101:9-7-50 (effective 5/25/2019)	5101:9-7-50 (effective 5/20/2024)

5101:9-7-50

Federal financial participation (FFP) and the nonfederal matching share.

- (A) Administration of the various family services programs is the joint financial responsibility of federal, state, and local governments. The percentage of federal financial participation (FFP) varies by program and is subject to change each federal fiscal year. State and local funds, known as the nonfederal share, shall be used to supply the difference between the percentage of FFP and one hundred per cent. When there is no FFP available, the state and county ~~shall supply~~supplies the total funds. When there are no state funds involved, the county ~~shall supply~~supplies the entire nonfederal share.
- (B) The percentage of participation at the federal and state level is applicable only to allowable costs, up to the maximum amount of funds available. Nonallowable costs or nonreimbursable costs are not eligible for federal or state participation. These costs ~~shall be~~are met through one hundred per cent local funds.
- (C) FFP is available to the county family services agencies (CFSAs) and workforce innovation and opportunity act (WIOA) local areas for allowable/reimbursable costs. Any funds comprising the nonfederal share that originate from sources other than state or county funds ~~shall~~need to meet the requirements set for in paragraphs (D) to (I) of this rule.
- (D) Donated funds originating from public sources may comprise the nonfederal share in claiming FFP under the following conditions:
- (1) Funds ~~shall~~will be:
 - (a) Appropriated directly to the local agency, or
 - (b) Transferred from another public agency to the local agency and under the local agency's administrative control, or
 - (c) Certified by the contributing public agency as representing expenditures eligible for FFP;
 - (2) Funds ~~shall~~are not ~~be~~ used to match other federal funds; and
 - (3) Funds ~~shall~~are not ~~be~~ federal funds, except those authorized by federal law to be used to match other federal funds.
- (E) Child support public matching funds requirements are contained in rules 5101:9-6-90 and 5101:12-1-50 of the Administrative Code.

(F) When a public entity wishes to contribute funds to a program, these donated public funds need not meet the requirements of paragraph (D)(1)(a) or (D)(1)(b) of this rule if the CFSA or WIOA local area and provider agency enter into a written agreement. This written agreement is known as a memorandum of understanding (MOU). The MOU ~~shall contain~~contains the following terms:

- (1) In lieu of transfer of funds, the provider agency will identify the specific amount of funds that the CFSA or WIOA local area may use as the nonfederal share of program expenditures;
- (2) The funds that the provider agency identifies for use as the nonfederal share of program expenditures are for services and activities that are not otherwise available on a nonreimbursable basis;
- (3) The CFSA or WIOA local area has the authority to determine the specific activities and services for which these funds will be used; and
- (4) State or local funds identified for this purpose may not be used to match other federal funds.

(G) Funds donated from private sources may be considered the nonfederal share in claiming FFP when the funds meet the following three conditions:

- (1) Funds ~~shall be~~are transferred to the local agency and under its administrative control;
- (2) Funds ~~shall be~~are donated without any restriction which would require their use for particular individuals or at particular facilities or institutions; and
- (3) Funds ~~shall~~are not to revert back to the donor's control.

(H) A CFSA or WIOA local area receiving a provider-related donation can utilize FFP as long as the donation is not returned to the individual provider or related entity and:

- (1) The amount of the payment received does not correlate to either the amount of the donation or to the difference between the amount of the donation and the amount of FFP received;
- (2) No portion of the payment made under medicaid to the donor or any related entity varies based only on the amount of the total donation received; and
- (3) The county agency receiving the donation does not provide for any payment, offset, or waiver that guarantees the return of any portion of the donation to the provider.

(I) Provider-related donations to the county agency ~~shall~~ not to exceed the following limitations:

- (1) Five thousand dollars per year from an individual provider; and
- (2) Fifty thousand dollars per year from any health care organization entity unless the entity has outstationed eligibility workers as outlined in rule 5160:1-2-06 of the Administrative Code.

Effective: 5/20/2024

CERTIFIED ELECTRONICALLY

Certification

05/09/2024

Date

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