



May 30, 2024

Fiscal Administrative Procedure Transmittal (FAPMTL) No. **504**

TO: Fiscal Administrative Procedure Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: Ohio Retaining Employment and Talent After Injury/Illness Network (RETAIN) Demonstration Project Allocation

As the result of an internal five-year review, Ohio Administrative Code rule 5101:9-6-95 "Ohio Retaining Employment and Talent After Injury/Illness Network (RETAIN) Demonstration Project Allocation" has been rescinded and replaced with a new rule number. This moves the rule to Chapter 31 of the Fiscal Administrative Procedure Manual (FAPM) and provides a consistent format with other WIOA rules. Other updates to the rule include:

- Regulations and citations; and
- Language revisions to reflect current funding practices.

For questions, please contact your ODJFS Fiscal Supervisor or the BCFTA Helpdesk at CFIS_HELP_DESK@jfs.ohio.gov.

Instructions:

Location	Remove	Insert
Chapter 6	5101:9-6-95 (effective 4/1/2019)	N/A
Chapter 31	N/A	5101:9-31-89 (effective 6/8/2024)

5101:9-31-89

Ohio retaining employment and talent after injury/illness network (RETAIN) demonstration project allocation.

- (A) The Ohio department of job and family services (ODJFS) issues the department of labor (DOL) office of disability employment policy (ODEP) allocations to fund a multi-agency demonstration project, designed to improve health care results by implementing a patient-centered return-to-work/stay-at-work (RTW/SAW) model. This pilot project utilizes early intervention by a health services coordinator (HSC) to facilitate treatment and to shorten the duration of work separation by workers primarily with non-occupational illnesses or injuries.
- (B) This allocation consists of one hundred per cent federal funds. The assistance listing number (ALN) for this allocation is 17.720.
- (C) ODJFS will communicate the funding and liquidation periods through the county finance information system (CFIS). The local workforce development area (local area) can incur obligations through the funding period and disburse and report expenditures no later than the end of the liquidation period.
- (D) The Ohio retaining employment and talent after injury/illness network (RETAIN) demonstration project focuses on serving individuals aged eighteen to sixty-five, who are employed and experience a non-occupational injury or illness that impacts their ability to return to work, stay at work, or perform their job at the same capacity as prior to the illness or injury. Individuals seeking care through an HSC, shall be assisted with communication with their employer, health care provider/insurer, and referral to "OhioMeans Jobs" (OMJ) center if needed.

(E) Program components

Additional program components include:

- (1) Initiation of a RETAIN roundtable comprised of stakeholders in government agencies and business and medical sectors to identify and share RTW/SAW best practices;
- (2) Communications and outreach strategies for different stakeholders;
- (3) Development of HSC and health services provider training plans;
- (4) Outreach and technical assistance for employers to assist them in adopting RTW/SAW policies and practices;
- (5) Data sharing agreements among partners to facilitate evidence-based research;
and

- (6) Third party evaluation using rigorous methodology to determine program outcomes.

(F) Methodology

RETAIN funding shall be allocated using the following methodology:

- (1) ODJFS will issue participating local areas an allocation of RETAIN funding based on the local area's plan and budget for employer outreach and technical assistance activities.
- (2) Local areas shall not exceed the twelve per cent limitation on administrative costs of funds that are awarded under the RETAIN grant as described in 20 C.F.R. part 683.215 of the Workforce Innovation and Opportunity Act (WIOA).
- (3) Sub-recipients and contractors performing program functions that are funded with RETAIN funds do not report the costs associated with performing program functions as administrative costs against the area's twelve per cent administration expense limit.
- (4) ODJFS may monitor grant recipients for compliance with administrative cost limitations during the grant's period of performance.

(G) Allowable activities

Allowable activities using RETAIN funds include:

- (1) Outreach to employers informing them about the RETAIN program and the benefits of adopting RTW/SAW policies and practices;
- (2) Technical assistance to employers (i.e., best practices, sample policies, recommended workplace accommodations) to assist them in implementing RTW/SAW strategies;
- (3) Reasonable and necessary expenses to plan for and establish infrastructure necessary for effective program implementation of the RETAIN demonstration project; and
- (4) Support of the related independent evaluation.

(H) Unallowable activities

Local areas using RETAIN funds shall not:

- (1) Provide cash incentives;

(2) Pay for existing, billable direct health care services;

(3) Use these funds for other evaluative purposes; and

(4) Use these funds for construction costs.

(I) The WIOA local area shall maintain documentation as described in rule 5101:9-9-21 of the Administrative Code. This documentation may be subject to inspection, monitoring, and audit by the ODJFS office of fiscal and monitoring services (OFMS) and the Ohio auditor of state (AOS).

(J) The WIOA local area shall report expenditures as described in rule 5101:9-7-29 of the Administrative Code.

(K) The definitions, requirements, and responsibilities contained in rule 5101:9-6-50 of the Administrative Code are applicable to this rule.

Effective: 6/8/2024

CERTIFIED ELECTRONICALLY

Certification

05/29/2024

Date

Promulgated Under: 111.15
Statutory Authority: 5101.02
Rule Amplifies: 5101.02