



February 15, 2023

Food Assistance Transmittal Letter No. 439

TO: All Food Assistance Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: Five-Year Review Food Assistance: allotment computation.

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 Food 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.

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 changes will become effective on 3/1/2023.

Chapter 4000

5101:4-4-39 "Food assistance: allotment computation."

This rule describes how to determine the monthly benefit allotment amount. Proposed changes to the rule include:

- Edits were made to paragraph (C) to emphasize that only eligible one-person and two-person assistance groups are eligible to receive the minimum benefit allotment as defined in rule 5101:4-1-03 of the Administrative Code; and
- Repetitive language was stricken from paragraph (D) that states when the assistance group's income exceeds the net income standard, the application is to be denied.

5101:4-4-39

Food assistance: allotment computation.

(A) How is the supplemental nutrition assistance program (SNAP) allotment determined?

Except for computation of the initial allotment or when circumstances as defined in rule 5101:4-7-13 of the Administrative Code are in effect, the assistance group's monthly allotment shall be equal to the maximum SNAP allotment for the assistance group's size, reduced by thirty per cent of the assistance group's net monthly income. After multiplying the net income by thirty per cent, the county agency shall round the product up to the next whole dollar when it ends in one through ninety-nine cents prior to subtracting that amount from the maximum SNAP allotment. This rounding method shall be used in all determinations of allotments.

(B) What is the minimum issuance amount in an initial month?

When the calculation of benefits for an initial month made in accordance with rule 5101:4-4-27 of the Administrative Code would yield an allotment of less than ten dollars for the assistance group, no benefits shall be issued to the assistance group for the initial month.

(C) What are the minimum allotment amounts?

~~At~~ Only eligible one-person and two-person assistance groups shall receive the "minimum benefit" as defined in rule 5101:4-1-03 of the Administrative Code, for each month following the initial month.

(D) What happens when there is eligibility after the gross income test but not after the net income test?

When the assistance group is program eligible after the gross income test, but, after calculating net income is ineligible due to income in excess of the net income standard (issued in a food assistance change transmittal letter located in the food assistance certification handbook on the Ohio department of job and family services website), the county agency shall deny the assistance group's application ~~on the grounds that its income exceeds the net income standard~~. For those eligible assistance groups that are entitled to no benefits in their initial month of application but are entitled to benefits in subsequent months, the county agency shall certify the assistance groups beginning with the month of application, but not issue benefits until the second or subsequent month.

(E) How are changes in circumstances that affect an assistance group's income eligibility standard handled?

When an assistance group's circumstances change and it becomes entitled to a different income eligibility standard, the county agency shall apply the different standard at the next recertification or whenever the county agency changes the assistance group's eligibility, whichever occurs first. This applies when an assistance group loses or gains an elderly or disabled member or when an assistance group has a change in its categorical eligibility status.

Effective: 3/1/2023

Five Year Review (FYR) Dates: 10/18/2022 and 03/01/2028

CERTIFIED ELECTRONICALLY

Certification

02/14/2023

Date

Promulgated Under: 111.15

Statutory Authority: 5101.54

Rule Amplifies: 329.04, 5101.54, 329.042

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10/30/1992, 09/28/1998, 11/01/2007, 09/01/2012,
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