

5101:4-1-03 **Food stamps: definitions.**

(A) Terminology and meanings used in the administration of the food stamp program are as follows:

"~~Alien~~ Automated status verification system (ASVS)" means the automated verification system maintained by the department of homeland security (DHS), U.S. citizenship and immigration services (USCIS) office (formerly known as the immigration and naturalization service), which may be accessed by county agencies to verify immigration status.

"Allotment" means the total value of food stamp benefits an assistance group (AG) is authorized to receive during each month or other time period. The allotment may be issued in the form of check (cash-out), electronic benefit transfer (EBT), or other approved methods.

"Assessment" means an in-depth evaluation of employability skills coupled with counseling on how and where to search for employment.

"Assistance group (AG)" means those persons determined potentially eligible or eligible to receive benefits together under one AG name. This was formerly referred to as the "food stamp household." The AG is also known as "standard filing unit (SFU)" in the CRIS-E system.

"Assistance group (AG) name" means the case name. All AGs will have an AG name. The AG name may or may not be the applicant. The person designated as the AG name will be the person to receive all notices sent for each AG unless the applicant or AG has designated an authorized representative to apply in the AG's behalf. The AG name will assume all responsibilities such as reviewing the application form for completeness and validity, the face-to-face or interactive interview, and rights and responsibilities unless the AG has designated an authorized representative to apply in their behalf. The AG name is responsible for signing and dating the (JFS 07200) "Request for Cash, Food Stamp, and Medical Assistance" (rev. 5/05), and the printed copy of information (PCI) or the (JFS 01846) "Case Worksheet-Cash, Food Stamp, and Medical Assistance Interview" (5/05).

"Assistance group payee (AG payee)" means a person who is designated to receive the benefits for an AG. The person who is the AG name will be the payee unless the AG has an authorized representative to receive the benefits and this authorized representative is active to receive the benefits. There will be only one AG payee per AG and benefits will be issued only to this person. No notices will be sent to the payee.

"Base of eligibles" means employment and training mandatory participants.

"Beneficiary and earnings data exchange (BENDEX)" means the system that is

used to verify social security benefit information.

"Case" means one or more AGs who live in the same household. The county agency shall make every effort to assign all AGs contained in the same case to one eligibility worker (EW).

"Case Worksheet- Cash, Food Stamp, and Medical Assistance Interview" means the document which is utilized by the state of Ohio to gather data for the cash, food stamp, and medical assistance programs. The form will be completed by the county agency when CRIS-E is unavailable or for home visits and telephone interviews. The application/recipient will acknowledge the information on the form by signing and dating the form.

"Certification unit (CU)" means a unit within a county agency responsible for determining the eligibility of applicant AGs.

"Code of Federal Regulations (CFR)" means the codification of the rules published in the Federal Register by the United States government.

"CRIS-E" means the client registry information system-enhanced.

"Data management unit (DMU)" means a section primarily responsible for the maintenance of the food stamp master file and the production and reconciliation of food stamp benefits.

"Date of entry" or "date of admission" means the date established by USCIS the immigration and naturalization service as the date an alien was admitted into the United States.

"Department of housing and urban development (HUD)" means a governmental agency that provides housing to low-income households.

"Disability financial assistance (DFA)" means the state and county funded program which provides cash assistance to individuals in accordance with Chapter 5101:1-5 of the Administrative Code.

"Disability medical assistance (DMA)" means the state funded program which provides medical assistance to individuals who are medication dependent and ineligible for any category of medicaid in accordance with rule 5101:1-42-01 of the Administrative Code.

"Drug addiction or alcoholic treatment and rehabilitation program" means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution, or publicly operated community mental health center, under part B of Title XIX of the Public Health Service Act (42 USC 300x et seq.) (~~4/99~~)(1992), as amended . "Under part B of Title XIX of the Public Health

Service Act" is defined as meeting the criteria which would make it eligible to receive funds even if it does not actually receive funding under part B of Title XIX.

"Elderly or disabled member" means a member of an AG who: (1) is sixty years of age or older; or (2) receives supplemental security income benefits under Title XVI of the Social Security Act of 1935, as amended or disability or blindness payments under Title I, II, X, XIV, or XVI of the Social Security Act (~~1935~~); (3) is a veteran with a service-connected or nonservice-connected disability rated by the veterans' administration (VA) as total or paid as total under Title 38 of the United States Code (U.S.C.) (~~4958~~)(2002), as amended; (4) is considered in need of regular aid and attendance or permanently housebound under such title of the code; (5) is a surviving spouse of a veteran and considered by the VA to be in need of regular aid and attendance or permanently housebound or a surviving child of a veteran and considered by the VA to be permanently incapable of self-support under Title 38 of the ~~United States Code~~ U.S.C.; or (6) is a surviving spouse or surviving child of a veteran and considered by the VA to be entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under Title 38 of the ~~United States Code~~ U.S.C. and has a disability considered permanent under section 221(i) of the Social Security Act. "Entitled" as used in this definition refers to those veterans' surviving spouses and children who are receiving the compensation or pension benefits stated or have been approved for such payments, but are not receiving them; (7) receives federally or state-administered supplemental benefits under section 1616(a) of the Social Security Act provided that the eligibility to receive the benefits is based upon the disability or blindness criteria used under Title XVI of the Social Security Act; (8) receives disability retirement benefits from a governmental agency because of disability considered permanent under section 221(i) of the Social Security Act; (9) received an annuity payment under section (2)(a)(1)(iv) of the Railroad Retirement Act of 1974, as amended and is determined to be eligible to receive medicare by the railroad retirement board; or section (2)(a)(1)(v) of the Railroad Retirement Act of 1974 and is determined to be disabled based upon the criteria used under Title XVI of the Social Security Act; (10) is a recipient of interim assistance benefits pending the receipt of supplemental security income, or disability-related medical assistance benefits under Title XIX of the Social Security Act (medicaid); (11) receives federally or state administered supplemental benefits under section 212(a) of ~~PL 93-66 (7/93)~~ 42 U.S.C. 1382, (03/2004).

"Eligibility determination/benefit calculation (ED/BC)" means the automated process of determining eligibility and level of benefits by the CRIS-E system which is based on data entered into the system.

"Eligibility worker (EW)" means an employee of the county agency responsible for determining eligibility for food stamps.

"Eligible foods" means any food or food product intended for human consumption except alcoholic beverages, tobacco, and hot foods and hot food products prepared

for immediate consumption; seeds and plants to grow foods for the personal consumption of eligible AGs; meals prepared and delivered by an authorized meal delivery service to AGs eligible to use food stamp benefits to purchase delivered meals; or meals served by a communal dining facility for the elderly and their spouses, disabled recipients who receive social security or supplemental security income (SSI) and their spouses, and to homeless AGs eligible to use food stamp benefits for communal dining; meals prepared and served by an authorized drug addict or alcoholic treatment and rehabilitation center to narcotic addicts or alcoholics and their children who live with them; meals prepared and served by a group living arrangement facility to residents who are blind or disabled as defined in criteria (2) to (11) of the definition of "elderly or disabled member" in this rule; meals prepared by and served by a shelter for battered women and children to its eligible residents; and in the case of a homeless food stamp AG, meals prepared and served by an authorized public or private nonprofit establishment (e.g., soup kitchen, temporary shelter), as determined by the county agency, which provides meals on a regular basis to homeless persons.

"Employment and training component" means a work experience, work training or job search program as described in section (6)(4)(B)(iv) of the ~~Food Stamp Act of 1977~~ Food and Nutrition Act of 2008 (7 USC 2014[2][4][b]) (7 U.S.C. 2015), (06/2008) designed to help food stamp recipients move promptly into unsubsidized employment.

"Employment and training mandatory participant" means a food stamp program applicant or participant who is required to be work-registered under ~~7 USC 2014(d)(1)~~ U.S.C. 2015.

"Employment and training program (E&T)" means a program operated by each county agency consisting of one or more work, training, education or job search components.

"Employment services (ES)" means the agency responsible for work registration and job search activities.

"Exempted" for purposes of work registration requirements, persons not required to register due to meeting an exemption from work registration as outlined in rule 5101:4-3-11 of the Administrative Code.

"Food and Nutrition Act" means the Food and Nutrition Act of 2008, Pub. L. No. 110 -246, (06/2008), and subsequent amendments thereto.

"Food and nutrition service (FNS)" means the federal agency responsible for the overall administration of the food stamp program. (This agency was previously named the food and consumer service (FCS).

~~"Food Stamp Act" means the Food Stamp Act of 1977 (PL 95-113), and subsequent~~

~~amendments thereto.~~

"Food stamp program (FSP)" means a program designed to promote the general welfare and to safeguard the health and well-being of the nation's population by raising the levels of nutrition among low-income households. The ~~Food Stamp Act of 1977~~ Food and Nutrition Act states, in part: "Congress hereby finds that the limited food purchasing power of low-income households contributes to hunger and malnutrition among members of such households. Congress further finds that increased utilization of food in establishing and maintaining adequate national levels of nutrition will promote the distribution in a beneficial manner of the Nation's agriculture abundance and will strengthen the Nation's agricultural economy, as well as result in more orderly marketing and distribution of foods. To alleviate such hunger and malnutrition, a food stamp program is herein authorized which will permit low-income households to obtain a more nutritious diet through normal channels of trade by increasing food purchasing power for all eligible households who apply for participation."

"Grantor" when used in reference to educational loans, scholarships and grants means the originator of the funds.

"Group home" means a public or private nonprofit residential setting that provides its residents with a majority of their meals (over fifty per cent of their meals daily), has no more than sixteen residents, and is certified by a public agency of the state of Ohio under section 1616(e) of the Social Security Act, or under standards determined by the secretary of the United States department of agriculture to be comparable to standards implemented by appropriate state agencies under section 1616(e) of the Social Security Act. To be eligible for food stamp benefits, a resident of such a group living arrangement must be blind or disabled as defined in criteria (2) to (11) of "elderly or disabled member" in this rule.

"Group living arrangement" means the same as a group home. Refer to the definition of "group home" in this rule.

"Homeless individual" means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is: (1) a supervised shelter designed to provide temporary accommodations (such as a welfare hotel or congregate shelter); (2) a halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized; (3) a nighttime residence which is a temporary accommodation for no more than ninety days from the date the temporary accommodation began in the residence of another individual; or (4) a place not designated for, or ordinarily used, as a regular sleeping accommodation for human beings (a hallway, a bus station, a lobby or similar places).

"Homeless meal provider" means an authorized public or private establishment (e.g., soup kitchen, temporary shelter), which provides meals on a regular basis to

homeless persons, as determined by the county agency.

"Household" means a personal place of residence where persons live together at the same common address. The persons may be related or they may be unrelated. Group homes and commercial establishments such as hotels or boarding houses are not included in this definition of household. The entire household will be referred to as the case. A household may contain more than one AG.

"Individual retirement account (IRA)" means a fund established for the purpose of savings.

"Interactive interview (II)" means the conducting of a face-to-face interview with an applicant via a computer terminal to data enter information received enabling the automated determination of eligibility and level of benefits.

"Internal revenue service (IRS)" means the federal agency responsible for the administration of governmental income from taxes.

"Issuance unit (IU)" means a section responsible for the issuance of benefits to certified AGs.

"Low-income AG" means an AG whose annual income does not exceed one hundred twenty-five per cent of the office of management and budget poverty guidelines.

"Management evaluation (ME) review," means an analysis conducted to determine if a county is administering and operating the food stamp program in accordance with program requirements.

"Minimum benefit" means the lowest full monthly amount of food stamps that an eligible one and two person AG may receive. By law, this amount is ~~ten dollars~~ eight per cent of the cost of the maximum allotment for an AG containing one member.

~~"Nonassistance~~ Non assistance (NA)" means an AG that participates in the food stamp program but at least one of its members does not receive public assistance (PA).

"Newly work-registered" means a food stamp participant registered for work at the point of application.

"Ohio bureau of employment services (OBES)" refer to the definition for "Employment Services" in this rule.

"Overpayment" means the amount by which benefits issued to an AG exceeds the amount the AG was eligible to receive.

"Ohio works first (OWF)" means a program funded under Title IV-A of the Social Security Act. This program was formerly referred to as the "TANF program" and the "ADC program."

"Ohio works first (OWF) recipient" means any person who receives OWF money payment, whose entire OWF grant is being recouped, whose entire OWF AG is in suspended status, who has no actual OWF check issued because the monthly grant is less than the minimum amount for a check to be issued, or for whom OWF has been authorized but payment has yet to be received.

"Placed in an employment and training program" means a county agency may count a person as placed in an employment and training program when the individual either commences a component or is sent an advance notice for noncompliance with a food stamp employment and training requirement. Persons who refuse to work register or who voluntarily quit a job and are sent an advance notice may not be considered placed.

"Primary information person (PIP)" means the person who completes a JFS 07200, "Request for Cash, Food Stamp, and Medical Assistance" interactive interview and receives the initial verification checklist. Each AG will have a PIP. The PIP must either reside in the household for whom he or she has completed a JFS 07200/interactive interview or be the authorized representative for at least one AG on the JFS 07200 or JFS 01846. The county agency will complete the JFS 01846 when the system is down for an extended period or a home visit or a telephone interview is necessary. No notices will be mailed to the PIP unless the PIP is also the AG name or the authorized representative to apply. The PIP will be asked to notify other persons in the household that they may be eligible for benefits if the PIP resides with other persons who may be entitled to benefits. The PIP is not held liable for information given on the JFS 07200 or during the interactive interview and/or completion of the JFS 01846 unless the PIP is also the AG name or the authorized representative to apply for an AG. In the event an interpreter, social worker, etc., accompanies an applicant and aids in the application process, the applicant is entered as the PIP and the assisting person is documented in the running record. The person assisting with the application should also sign the JFS 07200 or JFS 01846.

"Printed copy of information (PCI)" means the hard-copy application generated by CRIS-E based on the answers provided by an applicant/recipient during an interactive interview (II).

"Project area" means the county designated by the state as the administrative unit for program operations.

"Public assistance (PA)" means any of the following programs authorized by the Social Security Act of 1935, as amended: old-age assistance; TANF funded under

Title IV-A of the Social Security Act, aid to the blind; aid to the permanently and totally disabled; and aid to the aged, blind, or disabled. Public assistance also refers to DFA/DMA, except for purposes of the employment and training program and for purposes of resource exclusions in accordance with rule 5101:4-4-03.3 of the Administrative Code.

"Retail food store" means an establishment or recognized department of an establishment, or a house-to-house trade route, whose eligible food sales volume as determined by visual inspection, sales records, or other methods that are customary or reasonable in the retail food industry, is more than fifty per cent staple food items for home preparation and consumption; public or private communal dining facilities and meal delivery services; private nonprofit drug addict or alcoholic treatment and rehabilitation programs; publicly operated community mental health centers for drug addicts and/or alcoholics; public or private nonprofit group living arrangements; or public or private nonprofit shelters for battered women and children; public or private establishments, approved by an appropriate state or local agency, that feeds homeless persons; any private nonprofit cooperative food purchasing venture, including those whose members pay for food prior to receipt of the food; and a farmer's market.

"Request for Cash, Food Stamp, and Medical Assistance (JFS 07200)" means the document (formerly referred to as the APPL) utilized by the state of Ohio as a registration device for an applicant for cash, food stamp, and medical assistance. It is also a screening device for determining entitlement to expedited food stamp benefits. It is the beginning step in the application process and is used in conjunction with and preceding the interactive interview.

"Shelter for battered women and children" means a public or private nonprofit residential facility that serves battered women and their children. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered women and their children.

"Social security administration (SSA)" means the federal agency responsible for the administration of benefits for old age, unemployment, or disability.

"Special supplemental nutrition program for women infants and children (WIC)" means a nutritional program.

"Spouse" means either of two individuals: (1) who would be defined as married to each other under applicable state law; or (2) who are living together and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople.

"Standard filing unit (SFU)" means the automated process of determining which persons shall comprise an AG based on data entered into the CRIS-E system.

"State agency" means the Ohio department of job and family services, including the

local offices thereof, which have the responsibility for the administration of the federally aided public assistance programs within the state.

"State data exchange (SDX)" means the system used to verify SSI benefits.

"Supplemental security income (SSI)" means cash payments made under the authority of Title XVI of the Social Security Act, as amended, to the aged, blind, and disabled; or section 1616(a) of the Social Security Act.

"Supplemental security income (SSI) recipient" means a person who receives SSI payments, whose entire SSI grant is being recouped, whose SSI case is in suspended status, or whose SSI has been authorized but payment has yet to be received.

"Systematic alien verification for entitlements (SAVE)" means the U.S. citizenship and immigration services (USCIS) program (formerly known as immigration and naturalization service) under the department of homeland security (DHS), whereby county agencies may verify the validity of documents provided by aliens applying for food stamp benefits by obtaining information from a central data file.

"Temporary assistance for needy families (TANF)" means a program funded under Title IV-A of the Social Security Act. This is the title used in federal legislation and regulations. Ohio has adopted the title "Ohio works first (OWF)" for its Title IV-A cash program and the prevention, retention, and contingency program (PRC) for its benefits and services program.

"Thrifty food plan" means the diet required to feed a family of four persons consisting of a man and a woman twenty through fifty, a child six through eight, and a child nine through eleven years of age, determined in accordance with the secretary of agriculture's calculations. The cost of such diet shall be the basis for uniform allotments for all AGs regardless of their actual composition. In order to develop maximum food stamp allotments, the secretary of agriculture shall make AG size and other adjustments in the thrifty food plan taking into account economies of scale and other adjustments as required by law.

"United States department of agriculture (USDA)" means the federal agency responsible for overseeing the FNS.

"U. S. citizenship and immigration service (USCIS)" (formerly known as the immigration and naturalization service) is an agency under the department of homeland security (DHS).

"Volunteers in service to America (VISTA)" means a federal employment program under Title I of the Domestic Volunteer Service Act of 1973, as amended.

"Work program" means (1) a program under the Workforce Investment Act (~~1998~~)

of 1998 (Public Law Pub. L. No. 105-220); (2) a program under section 236 of the Trade Act of 1974 (49 U.S.C. 2296); and (3) a program of employment and training operated or supervised by a state or political subdivision of a state that meets standards approved by the governor of the state, including a program under subsection (d)(4) of the Food ~~Stamp~~ and Nutrition Act.

"Workforce Investment Act (WIA)" means the legislation providing funding for job training, adult education, education for youths, employment for dislocated workers, and vocationally rehabilitation. This legislation was formerly administered by the Job Training Partnership Act (JTPA) of (1982).

- (B) These definitions are not intended to fully explain or to limit by their meaning the scope of any action in the administration of the food stamp program.

Effective: 10/01/2008

CERTIFIED ELECTRONICALLY

Certification

10/01/2008

Date

Promulgated Under: 111.15
Statutory Authority: 5101.54
Rule Amplifies: 329.04, 329.042, 5101.54
Prior Effective Dates: 6/2/80, 12/1/80, 10/1/81, 7/1/82, 6/1/83, 12/25/83 (Temp.), 2/1/84 (Temp), 2/16/84 (Temp.), 4/1/84, 8/1/84 (Emer.), 10/20/84, 2/15/85 (Emer.), 5/12/85, 8/16/85 (Emer.), 11/1/85 (Emer.), 1/1/86, 6/15/86 (Emer.), 9/13/86, 1/16/87 (Emer.), 4/10/87 (Emer.), 6/22/87, 7/1/87 (Emer.), 9/28/87, 1/1/88 (Emer.), 2/26/88, 3/24/88 (Emer.), 6/18/88, 7/11/89 (Emer.), 9/17/89, 10/1/89 (Emer.), 12/21/89, 1/5/90 (Emer.), 4/7/90, 7/1/91, 2/3/92, 7/1/92, 8/1/92 (Emer.), 10/30/92, 6/1/93, 8/1/94, 9/1/94 (Emer.), 10/17/94, 12/1/94 (Emer.), 1/1/95, 5/1/95, 8/1/95 (Emer.), 10/13/95, 2/1/96, 9/22/96 (Emer.), 12/21/96, 4/1/97 (Emer.), 6/6/97, 10/1/97 (Emer.), 12/15/97, 7/15/99, 10/1/01 (Emer.), 5/2/05