

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:4-1-03

Rule Type: Amendment

Rule Title/Tagline: Food assistance: definitions.

Agency Name: Department of Job and Family Services

Division: Division of Food Stamps

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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 1/15/2021
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** SB 310 - 133
- Matt Dolan
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 5101.54
5. **What statute(s) does the rule implement or amplify?** 329.04, 329.042, 5101.54, 5101.884
6. **What are the reasons for proposing the rule?**

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. Additionally, Section 5101.884 of the Amended Substitute Senate Bill 310 of the 133rd General Assembly who authorized the creating of the Kinship Support program (KSP), which will provide financial payments to kinship caregivers who receive

placement of a child by a public children services agency (PCSA) and do not have a foster home certification.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule describes the terms and meanings used to administer the Supplemental Nutrition Assistance Program (SNAP).

Ohio Administrative Code rule 5101:4-1-03 has also been amended in order to implement the Agricultural Act of 2014 (2014 "Farm Bill") final regulations issued by the United States Department of Agriculture, Food and Nutrition Service (FNS).

Changes to the rule include:

Paragraph (B)(1) was removed because it referenced an obsolete database;

Paragraph (B)(2) was reordered due to listing definition in alphabetical order as a result of updating the form name;

Language was stricken from paragraph (B)(4) based on updates to system terminology;

Paragraph (B)(8) was updated to define case file or case record;

Paragraph (B)(13) was stricken to remove reference to Disability Financial Assistance (DFA) an obsolete program;

Paragraph (B)(14) was updated to correct references to the Veterans Administration;

Paragraph (B)(20) has been added based on listing definitions in alphabetical order as a result of changing SNAP employment and training to the employment and training (E&T) program;

Paragraph (B)(22) was deleted as a result of changing the reference to the SNAP employment and training;

Paragraph (B)(23) was added to define a guardian;

New paragraph (B)(24) was added to define guardianship payments;

Previous paragraph (B)(24) was removed and reorganized to alphabetical order;

Language was added to paragraph (B)(25) to add clarification;

Language was stricken from paragraph (B)(29) that referenced DFA;

Paragraph (B)(33) was added to define kinship support payments;

Language in paragraph (B)(40) was removed that referenced DFA;

Previous paragraph (B)(42) was stricken and reordered alphabetically;

Paragraph (B)(44) was added to define SNAP program;

Paragraph (B)(46) was stricken due to a change in the statewide automated eligibility system;

The term "substantial lottery and gambling winnings" was added and defined in paragraph (B)(50);

Language was added to paragraph (B)(59) to clearly define a work program definition; and

Minor grammatical changes for clarity.

8. Does the rule incorporate material by reference? Yes

9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(d).

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75(B)(4).

This rule incorporates one or more dated references to the U.S. Code. This question is not applicable to any dated incorporation by reference to the U.S. Code because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(a).

This rule incorporates one or more dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(c).

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

This rule has no expected fiscal impact on current or future budgets.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No new costs.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No
17. Does this rule have an adverse impact on business? No
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
 - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No
 - A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable