

5101:9-6-51 **Family service agency responsibilities.**

- (A) Subject to the availability of federal funds and appropriations made by the general assembly, the Ohio department of job and family services (ODJFS) awards financial assistance for family service duties. As a condition of receiving financial assistance, county family services agencies must comply with the program and fiscal requirements as set forth in this rule. The definitions of county family services agency, family services duty and financial assistance are the same as in rule 5101:9-6-50 of the Administrative Code.
- (B) Each county family service agency that accepts financial assistance from ODJFS shall perform all family services duties and be accountable for the use of all financial assistance in accordance with all of the following requirements:
- (1) Use the financial assistance provided by ODJFS and perform the family services duties, in accordance with requirements set forth in rules adopted by ODJFS, Title 45 of the Code of Federal Regulations Parts 74, 92, and 96, Title 7 of the Code of Federal Regulations Part 3016, OMB Circulars A-87, A-102, and A-133, the terms and conditions set forth in federal grant awards to ODJFS, state plan conditions, executive orders, and other applicable state and federal laws;
 - (2) Limit cash draws from ODJFS to the minimum amount needed for actual, immediate requirements in accordance with the Cash Management Improvement Act, 31 CFR Part 205, 45 CFR Parts 74, 92, and 96, 7 CFR Part 3016, Transmittal No. TANF-ACF-PI-01-02 issued by the United States department of health and human services, and ODJFS requirements;
 - (3) Utilize a financial management system and other accountability mechanisms for the financial assistance that meet requirements established by ODJFS and uses the ODJFS designated software programs to report financial and other data to ODJFS;
 - (4) Provide all program and financial reports and updates in accordance with the timeliness schedules and formats established by ODJFS;
 - (5) Monitor all private and government entities that receive a payment from financial assistance through contracts or grants with the county family services agency to ensure that expenditures by the entity are in compliance with state and federal laws and, except when ODJFS certifies a claim to the attorney general in accordance with section 5101.1410 of the Revised Code, take prompt action to recover any financial assistance that is not expended in accordance with federal and state requirements.

- (6) Promptly reimburse ODJFS the amount that represents the amount for which an agency has responsibility, pursuant to the action ODJFS takes under division (C) of section 5101.24 of the Revised Code, of funds ODJFS pays to any entity because of an adverse audit finding, adverse quality control finding, final disallowance of federal financial participation or other sanction or penalty;
 - (7) Promptly reimburse ODJFS the amount that ODJFS determines to be unallowable expenditures through an audit or other review of county family services agency expenditures;
 - (8) Make records available to ODJFS, the auditor of state, federal agencies, and other authorized governmental agencies for audits and investigations;
- (C) Notwithstanding any other rule in the Administrative Code, if the ODJFS director determines that state or federal funds are insufficient to sustain existing or anticipated spending levels, the ODJFS director may reduce, suspend, or terminate any allocation, reimbursement, cash draw, or other form of financial assistance as the ODJFS director determines appropriate.
- (D) After the end of the state fiscal year and at such other times ODJFS determines to be appropriate, ODJFS may reconcile county family services agency expenditures with financial assistance provided to the county family services agency by ODJFS. If ODJFS determines that the amount of financial assistance provided by ODJFS exceeds the allowable amount of county family services agency expenditures, ODJFS may require the county family services agency to make one or more payments to ODJFS for the amount determined by ODJFS. ODJFS may also adjust, offset, withhold, or reduce financial assistance as necessary to recover the amount of excess financial assistance. ~~Actions by ODJFS pursuant to paragraph (D) of this rule are not subject to section 5101.24 of the Revised Code.~~
- (E) Actions by ODJFS pursuant to paragraphs (C) and (D) of this rule are not subject to section 5101.24 of the Revised Code.

Replaces: 5101:9-6-51

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CERTIFIED ELECTRONICALLY

Certification

10/13/2005

Date

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