

PUBLIC HEARING NOTICE

OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: 1 2 / 5 / 2 4
TIME: 10:00 a.m.
LOCATION: Teleconference and Room 3110B, Rhodes State Office Tower 30 East Broad St., Columbus, Ohio 43215

This meeting will be held by teleconference and in person. If you would like submit oral testimony, please attend the meeting site location, or call in at the date and time to 1-614-721-2972. Then enter the meeting I.D # which is 350 973 72#. Written testimony may also be submitted electronically to: rules@jfs.ohio.gov

Pursuant to sections 3125.25 and 5101.35 and Chapter 119. of the Ohio Revised Code, the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon. This is a result of the five-year rule review requirements.

5101:6-20-01 "State hearings: disqualification for an intentional program violation." This rule describes the circumstances under which an accused individual may be disqualified from receiving assistance for an intentional program violation. The rule also describes the situations in which a local agency shall and shall not initiate administrative disqualification procedures for an intentional program violation. The rule is being amended to remove restrictive language.

5101:6-20-02 "State hearings: definition of an intentional program violation." This rule defines intentional program violation in the OWF, supplemental nutrition assistance program (SNAP), and PRC programs. The rule is being amended to remove restrictive language. In section A (2), "and issued through the eligibility system" was removed. In section B (4), "its computer-generated" will be replaced with "an Ohio department of job and family services approved." In the same section, the revised date reference will be removed.

5101:6-20-03 "State hearings: penalties for an intentional program violation." This rule describes the penalties incurred as a result of an intentional program violation and the method by which the disqualification periods are determined. The rule is being amended to remove restrictive language.

5101:6-20-04 "State hearings: notification at application." This rule states that an assistance group is notified of disqualification penalties for an intentional program violation upon each application for benefits and describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. In section B of the rule, revised date references will be removed. In the same section, "their computer-generated equivalents" will be replaced with "an Ohio department of job and family services notice."

5101:6-20-10 "State hearings: initiating an administrative disqualification hearing." This rule describes how to initiate an administrative disqualification hearing. The rule is being amended to remove restrictive language. In section A of the rule, "it's computer-generated equivalent" will be replaced with, "an approved Ohio department of job and family services equivalent." In the same section, the revised date will be removed.

5101:6-20-11 "State hearings: consolidation of an administrative disqualification hearing with a state hearing." This rule sets forth the process by which an individual can combine a state hearing with an administrative disqualification hearing. The rule allows the individual to waive the 30-day advance notice period, and it requires Ohio Department of Job and Family Services to issue two separate decisions, based on the respective issues. The rule is being amended to remove restrictive language. In section F of the rule, the revised dates references will be removed. In the same section of the rule, "their computer generated equivalents respectively" will be replaced with, "their approved Ohio department of job and family services equivalents."

5101:6-20-12 "State hearings: advance notice of the administrative disqualification hearing." This rule states that an accused individual shall receive prior notice of an administrative disqualification hearing and describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. In sections D & F of the rule, revised date references will be removed. In the section D of the rule, "their computer-generated equivalents," will be replaced with, "their ODJFS approved equivalents." In section F of the rule, "its computer generated equivalent" will be replaced with "an approved ODJFS equivalent."

5101:6-20-14 "State hearings: failure to attend the administrative disqualification hearing." This rule describes the consequences of an accused individual's failure to attend the administrative disqualification hearing. The rule is being amended to remove restrictive language.

5101:6-20-15 "State hearings: administrative disqualification hearing procedures." This rule describes the provisions that apply to the process and conduct of administrative disqualification hearings. Updated the revision date of a form. The rule is being amended to remove restrictive language. In section B (9) of the rule, "its computer generated" will be replaced with "an approved Ohio department of job and family services." In the same section of rule, the revised date reference will be removed.

5101:6-20-16 "State hearings: administrative disqualification hearing decisions." This rule describes the authority under which administrative disqualification hearing decisions are issued, the necessary contents of said decisions, and the parties who will receive copies of said decisions. The rule is being amended to remove restrictive language. References to revised dates will also be removed from the rule. In section A (2) of the rule, "its computer generated" will be replaced with, "an ODJFS approved." In section B (1) of the rule, "(as in effect on October 1, 2018)" will be removed. In section E (6) of the rule, "its computer generated" will be replaced with, "an ODJFS approved." In section F of the rule, "its computer generated" will be replaced with "an ODJFS approved."

5101:6-20-17 "State hearings: implementation of the administrative disqualification hearing decision." This rule describes how an administrative disqualification hearing is implemented and how compliance is achieved. The rule is being amended to remove restrictive language. References to revised dates will also be removed from the rule. In section A (1) of the rule, "its computer generated" will be replaced with, "an approved Ohio department of job and family services (ODJFS)." In section B (2) of the rule, "its computer generated" will be replaced with, "an ODJFS approved."

5101:6-20-18 "State hearings: notice of disqualification for an intentional program violation." This rule states that an assistance group is notified when the assistance group has been disqualified from receiving benefits as a result of an intentional program violation. The rule also describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. References to revised dates will also be removed from the rule. In section D of the rule, "its computer generated" will be replaced with "an approved Ohio department of job and family services (ODJFS)." In section E of the rule, "its computer-generated" will be replaced with, "an ODJFS approved."

5101:6-20-30 "State hearings: waiver of administrative disqualification hearing." This rule describes the notice by which an accused individual may waive the right to an administrative disqualification hearing and the disqualification period which results from such a waiver. The rule is being amended to remove restrictive language. References to revised dates will also be removed from the rule. In sections B, D and G of the rule, "its computer-generated" will be replaced with, "an ODJFS approved."

5101:6-20-40 "State hearings: disqualification consent agreement." This rule describes what a disqualification consent agreement should contain, when it is appropriate to use such an agreement, and the disqualification period which results from an accused individual signing such an agreement. The rule is being amended to remove restrictive language. In section H of the rule, "its computer-generated" will be replaced with "an Ohio department of job and family services." References to revised dates will also be removed from the rule.

5101:6-20-50 "State hearings: disqualification from the supplemental nutrition assistance program (SNAP) based on court action." This rule states that an individual is notified when the individual is disqualified from the supplemental nutrition assistance program (SNAP) based on court action and the method by which such disqualification is to be implemented. The rule is being amended to remove restrictive language. References to revised dates will also be removed from the rule. In section B of the rule, "its computer generated" will be replaced with "an approved Ohio department of job and family services."

5101:6-7-01 "State Hearings: State Hearing Decisions." This rule states who is responsible for preparing the hearing decision, guidelines for a timely issuance, basis and contents of the decision and notification of the decision. The following sections of this rule are being amended to align with federal guidelines: in section B(1), "seventy" will be replaced with "ninety," in section B(2), "thirty" will be replaced with "sixty," and in section B(4) "seventy" will be replaced with "ninety." The rule is being amended to remove restrictive language. References to revised dates will also be removed from the rule.

5101:6-3-01 "State Hearings: Grounds for Requesting a State Hearing." This rule provides the grounds for requesting a state hearing across programs under jurisdiction. The rule is being amended to remove references to revised dates. In section B(5) of this rule, "OWF" will be added to "work activity."

5101:6-1-01 "State hearings: general." This rule describes the general hearing and appeal rights and procedures applicable to family services program benefits. The rule also provides general definitions applying to Chapters 5101:6-1 through 5101:6-9 of the Administrative Code. In section F(11)(a) of this rule, "or the SNAP employment and training program" will be removed. Restrictive language will be removed as well.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.