

ACTION: ORIGINAL
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5101:1-3-04

Ohio works first (OWF): temporary absence.

(A) Temporary absence conditions

A temporarily absent individual is considered to be in the home for purposes of eligibility under OWF. The absence of a member of the assistance group is temporary if all of the following conditions are met:

- (1) The location of the absent individual is known;
- (2) There is a definite plan for the return of the absent individual to the home;
- (3) The absent individual shared the home with the assistance group prior to the onset of the absence.

(B) Good cause for temporary absences after forty-five consecutive days

A minor child or parent/specified relative who, without good cause, has been, or is expected to be, absent from the home for a period of forty-five consecutive days or longer does not meet the temporary absence requirement for OWF. Exceptions to this requirement are limited to the following good cause reasons:

- (1) Hospitalization (includes inpatient drug and alcohol treatment);
- (2) Detention in a juvenile home until a court commitment;
- (3) Attendance at school;
- (4) Vacationing;
- (5) Trip made in connection with current or prospective employment;
- (6) Shared parenting situations;
- (7) Service in the military when it is the sole reason for absence;
- (8) Removal of a child(ren) by the public children services agency (PCSA) that

meets the reunification requirements as set forth in section 5107.10 of the Revised Code. Cash assistance for a child(ren) removed can continue to be provided for up to six payment months after the removal date. In order for this exception to apply, the child(ren) must be in receipt of OWF cash assistance on the date of the removal by the PCSA.

(C) Good cause not met

If good cause, as set forth in paragraphs (B)(1) to (B)(7) of this rule, is not met and the absence lasts or is expected to last longer than forty-five consecutive days, the ~~CDHSCDJFS~~ shall remove the absent member from the assistance group. Ineligibility for the absent member would begin on the forty-sixth day from the date that the member left the household.

(D) Failure to report absence

A parent(s) or specified relative of a minor child is ineligible to be included in the assistance group if he fails to notify the ~~CDHSCDJFS~~ of the absence of the minor child from the home by the end of the five-day period that begins with the date that it becomes clear to the parent(s) or specified relative that the minor child will be absent for a period to exceed forty-five consecutive days and good cause does not exist. The remaining assistance group members can continue to receive benefits. This regulation is applicable to paragraphs (B)(1) to (B)(7) of this rule.

(E) Period of ineligibility for failure to report absence

The beginning date of ineligibility for the parent(s) or specified relative shall be the same day determined as the beginning day of ineligibility for the absent child. The ineligibility continues until the day that the absence was reported by the parent(s)/specified relative or was discovered by the ~~CDHSCDJFS~~. Eligibility would begin the following day, provided the assistance group was otherwise eligible. ~~The overpayment regulations set forth in Chapter 5101:1-25 of the erroneous payment provisions set forth in rule 5101:1-23-70 of the~~ Administrative Code are applicable. This regulation is applicable to paragraphs (B)(1) to (B)(7) of this rule.

Effective:

R.C. 119.032 review dates: 9/13/2002

Certification

Date

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