

## TO BE RESCINDED

5101:1-5-10                    **Disability financial assistance: nonfinancial eligibility requirements.**

(A) What is the residency requirement?

- (1) An individual must be physically present in the state of Ohio with the intent to remain.
- (2) An individual must apply for and receive assistance from the county in which he or she resides.
- (3) Absence from the county for more than thirty days constitutes evidence of intent to establish residence elsewhere, unless a written statement has been submitted to indicate intent to return to the county, the reason for the absence and the expected date of return.

(B) What are the citizenship status requirements?

Rules 5101:1-2-30, 5101:1-2-30.1, 5101:1-2-30.2, 5101:1-2-30.3 and 5101:1-2-35 of the Administrative Code, regarding citizenship and sponsored aliens, are applicable for disability financial assistance (DFA).

(C) What is the living arrangement requirement?

The living arrangement requirement is met unless the individual resides in one of the following:

- (1) County home;
- (2) City infirmary;
- (3) Jail; or
- (4) Public institution.

(D) Can a child receive DFA?

- (1) A child who is emancipated may be eligible for DFA. Emancipation is established through marriage, service in the armed forces or through a court order. Emancipation is irrevocable, unless the marriage which emancipated the child is annulled.

- (2) To be eligible for DFA a child must be disabled as described in paragraph (D)(1) (a) of rule 5101:1-5-01 of the Administrative Code.
  - (3) A minor is not eligible for DFA when the child does not live with parents, a guardian, or another individual standing in place of a parent who is at least eighteen years of age. Pregnant minors are subject to this requirement.
- (E) What are the additional nonfinancial DFA eligibility requirements?
- (1) Within thirty days of the date of applying for DFA the applicant shall:
    - (a) Have applied for or be in receipt of medicaid;
    - (b) Provide evidence that either a SSA-16-BK "Application for Disability Insurance Benefits" ({www.ssa.gov} eff. 1/2015) or a SSA-8000 "Application for Supplemental Security Income (SSI)" ({www.ssa.gov} eff. 1/2012) has been filed and is under review by the social security administration (SSA); and
    - (c) Sign the JFS 07319 "Authorization for Reimbursement of Interim Assistance Initial Claim or Post-Eligibility Case" (rev. 4/2014).
  - (2) Determinations by the social security administration (SSA):
    - (a) A DFA applicant or recipient shall not be eligible for DFA for one hundred and eighty days from the date of a denial, suspension or termination of social security disability insurance (SSDI) and/or SSI. For purposes of Chapter 5101:1-5 of the Administrative Code, an application with SSA shall be considered "denied" when it is no longer under administrative review by SSA (initial, reconsideration, hearing with an administrative law judge, or review by the appeals council) because the applicant exhausted or abandoned further administrative appeal.
    - (b) Each DFA recipient and applicant shall pursue an administrative reconsideration and/or administrative appeal of any denial by SSA. The assistance group shall report to the county agency the filing of a reconsideration, appeal, or administrative decision by SSA in accordance with rule 5101:1-2-20 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 3/28/2018

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Certification

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Date

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