

TO BE RESCINDED

5101:4-2-07

Food assistance: interviewing assistance groups.**(A) Month of application**

The month of application, for all assistance groups (AGs), is the calendar month in which the AG files its application. In addition, the month of application may be the first month of the AG's certification period. The county agency shall determine an AG's eligibility and benefit level during the month of application, based on the AG's circumstances for the entire calendar month, even if the application is received late in that month. Food assistance benefits shall be provided for the initial month from the date of application to the end of the month. The date of application for the initial applicant will be the date the agency first received the signed application. For other potential AG's, the date of application will be the date the AG name or authorized representative dates and signs the application in the presence of the county agency staff after reviewing the application for completeness and validity and is given a JFS 07501, "Your Rights and Responsibilities" (rev. 11/08). Refer to rules 5101:4-4-27 and 5101:4-6-19 of the Administrative Code regarding the month of application and processing of applications for residents of public institutions applying under the social security administration (SSA) prerelease program.

(B) Number of applications per household

A household may be comprised of more than one AG. One application can be submitted for all AGs within a household although there may be situations in which more than one application will be completed. When more than one AG resides in a household, each AG has the right to complete its own separate application. However, rule 5101:4-2-03 of the Administrative Code for determining composition of AGs shall be followed for all individuals at that residence. The household shall not be required to complete more than one application for each benefit for which they applied.

(C) Who must sign the application?

The application must be signed by the primary information person (PIP) , each AG name and/or authorized representative if one has been designated, by the county agency witness and any persons who have helped to complete the form such as an interpreter or social worker. If an application is not signed for each AG by an AG name or authorized representative or PIP who is the AG name or authorized representative, there is no application for benefits for that AG. A signed application for one AG received by an agency containing multiple potential AGs, where an AG name or authorized representative has failed to complete an interactive interview and sign an application, shall be considered as an inquiry after thirty days have lapsed, and shall be documented accordingly for each AG that would have been

processed for eligibility had a signed application/interactive interview been received/completed and a JFS 07501 given to that AG. The signature of a responsible adult member of the AG or the AG's authorized representative or the PIP if he/she has been designated as the authorized representative certifies, under penalty of perjury, the truth of the information contained on the application, including the information concerning citizenship and alien status of the members applying for benefits.

(D) Standards for office interviews

Except as provided in paragraph (E) of this rule, all applicant AGs, including those submitting an application by mail, fax, or electronically, shall have face-to-face interviews by qualified county agency staff at all initial certifications. The county agency may not require AGs to report for an in-office interview during their certification period, though they may request AGs to do so. For example, county agencies may not require AGs to report for an in-office interview during their certification periods simply to review their case files, or for any other reason. Interviews may be conducted at the food assistance office or other mutually acceptable location, including an AG's residence. If the interview will be conducted at the AG's residence, it must be scheduled in advance with the household. The individual interviewed may be the head of the AG, spouse, any other responsible member of the AG, an authorized representative or a PIP. The applicant may bring any person he or she chooses to the interview. The county agency must not simply review the information that appears on the application, but must explore and resolve with the AG unclear and incomplete information. The county agency must advise AGs of their rights and responsibilities during the interview, including the appropriate application processing standard and the AG's responsibility to report changes. The AG must sign and date the automated printed copy of information (PCI) which contains the rights and responsibilities language. An applying AG must report all changes related to its food assistance eligibility and benefits at the certification interview. When it is obvious that the applicant is not mentally competent or due to language barriers is not able to understand his hearing rights, the applicant shall be required to name a responsible party (guardian, relative, legal aid attorney) to receive the notices. The county agency must conduct the interview as an official and confidential discussion of AG circumstances. The county agency must protect the applicant's right to privacy during the interview. Facilities must be adequate to preserve the privacy and confidentiality of the interview. The county agency must advise AGs that are also applying for or receiving Ohio works first (OWF) cash assistance benefits that time limits and other requirements that apply to the receipt of OWF benefits do not apply to the receipt of food assistance, and that AGs which cease receiving OWF benefits because they have reached a time limit, have begun working, or for other reasons, may still qualify for food assistance benefits.

(E) Waiver of office interview

The county agency must notify the applicant that it will waive the face-to-face office interview at initial certification as required in paragraph (D) of this rule in favor of a telephone interview on a case-by-case basis because of AG hardship situations which the county determines warrant a waiver of the office interview. These hardship conditions include, but are not limited to, illness, transportation difficulties, care of a household member, hardships due to residency in a rural area, prolonged severe weather, or work or training hours which prevent the AG from participating in an in-office interview. The county agency must document in the AG case file to show when a waiver was granted because of hardship. Waiver of the face-to-face interview shall not affect the length of the AG's certification period. Regardless of any approved waivers, the county agency must grant a face-to-face interview to any AG which requests one.

(F) Alternate interview procedures

The county agency has the option of conducting a telephone interview or a home visit that is scheduled in advance with the AG if the office interview is waived.

(G) Verification for out-of-office interviews

Waiver of the face-to-face interview does not exempt the AG from the verification requirements, although special procedures may also be used to permit the AG to provide verification and thus obtain its benefits in a timely manner, such as substituting a collateral contact in cases where documentary verification would normally be provided.

(H) Scheduling the interview

The county agency must schedule an interview for all applicant AGs who are not interviewed on the day they submit their applications. If separate applications are filed for AGs residing in the same household, each AG which has applied on its own application shall be scheduled for an interview. To the extent practicable the county agency must schedule the interview to accommodate the needs of groups with special circumstances, including working AGs. The county agency must schedule all interviews as promptly as possible to insure eligible AGs receive an opportunity to participate within thirty days after the application is filed.

(I) Interviews at recertification

For food assistance recertifications, a telephone interview may be conducted instead of a face-to-face interview. The county agency does not need to determine

whether a hardship exists. The county agency shall mail the telephone interview appointment notice in advance of the interview instructing the AG when the telephone interview will be conducted and the phone number at which the agency will be contacting the AG. The telephone interview will be completed with the same integrity as the face-to-face interviews. When the interview is successfully completed the county agency shall provide the AG with the JFS 07204 "Request to Reapply for Cash and Food Assistance" (01/09), the JFS 07105 "Application/Reapplication Verification Request Checklist" (rev. 11/00), the JFS 07501, and a postage paid return envelope. The AG must sign, date and return the JFS 07204 to the county agency to continue to receive benefits.

A face-to-face interview must be conducted at recertification if the:

- (1) AG or its authorized representative requests one;
- (2) AG does not have a telephone;
- (3) County agency or the eligibility worker determines that a face-to-face interview is appropriate to resolve eligibility issues with the AG.

(J) Rescheduling the interview

The county agency must notify each AG that misses its interview appointment that it missed the scheduled interview and that the AG is responsible for rescheduling a missed interview. If the AG contacts the county agency within the thirty day application processing period, the county agency must schedule a second interview. The county agency shall not deny an AG's application prior to the thirtieth day after application if the AG fails to appear for the first scheduled interview. If the AG requests a second interview during the thirty-day application processing period and is determined eligible, the county agency must issue prorated benefits from the date of application.

(K) AG refusal to cooperate

If the AG refuses to cooperate with the county agency in completing any part of the application process, the application shall be denied at the time of refusal. For a determination of refusal to be made, the AG must be able to cooperate, but clearly demonstrate that it will not take the actions that it can take and which are required to complete the application process. For example, to be denied for refusal to cooperate, an AG must refuse to be interviewed, not merely fail to appear for the interview. If there is any question as to whether the AG has merely failed to cooperate, as opposed to refused to cooperate, the AG shall not be denied, and the agency shall provide assistance in obtaining required verification. The AG shall

also be determined ineligible if it refuses to cooperate in any subsequent review of its eligibility, including reviews generated by reported changes and by reapplications. Once denied or terminated for refusal to cooperate, the AG may reapply but shall not be determined eligible until it cooperates with the county agency. The county agency shall not determine the AG to be ineligible when a person outside the AG fails to cooperate with a request for verification. The county agency shall not consider individuals identified as non-group members under rule 5101:4-2-03 of the Administrative Code as individuals outside the AG. In addition, the AG shall be determined ineligible if it refuses to cooperate in any subsequent review of its eligibility as a part of a quality control review.

(L) Refusal to cooperate with state quality control review - AG reapplies

If, after refusing to cooperate with a state quality control reviewer, the AG reapplies within ninety-five days after the annual review period ended, the AG must cooperate with the quality control reviewer before being determined eligible. If an AG, terminated for refusal to cooperate with the state quality control reviewer, reapplies after ninety-five days from the end of the annual review period, the AG shall not be determined ineligible for its refusal to cooperate with the state quality control reviewer during the completed review period, but must provide verification as mandated in rule 5101:4-2-09 of the Administrative Code prior to being determined eligible to participate.

(M) Refusal to cooperate with federal quality control review - AG reapplies

If, after refusing to cooperate with a federal quality control reviewer, the AG reapplies within seven months after the annual review period ended, the AG must cooperate with the quality control reviewer before being determined eligible. If an AG, terminated for refusal to cooperate with a federal quality control reviewer, reapplies after seven months from the end of the annual review period, the AG shall not be determined ineligible for its refusal to cooperate with the federal quality control reviewer during the completed review period, but must provide verification as mandated in rule 5101:4-2-09 of the Administrative Code prior to being determined eligible to participate.

Effective:

R.C. 119.032 review dates: 04/28/2010

Certification

Date

Promulgated Under: 111.15
Statutory Authority: 5101.54
Rule Amplifies: 329.04, 329.042, 5101.54
Prior Effective Dates: 6/20/80, 10/1/81, 9/27/82, 7/15/84 (Emer.), 9/10/84,
8/1/87 (Emer.), 10/25/87, 10/1/89 (Emer.), 12/21/89,
1/5/90 (Emer.), 3/22/90, 7/1/92, 6/1/93, 7/1/94, 1/1/95,
5/2/98, 10/1/01 (Emer.), 10/11/01, 03/01/02 (Emer.),
5/13/02, 08/01/05, 05/01/09