

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:4-2-07

Rule Type: Amendment

Rule Title/Tagline: Food assistance: initial interview process.

Agency Name: Department of Job and Family Services

Division: Division of Food Stamps

Address: 30 E Broad Street Columbus OH 43215

Contact: Michael Lynch **Phone:** 614-466-4605

Email: Michael.Lynch@jfs.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 11/18/2026
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 33 - 135
- Jay Edwards
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5101.54
5. **What statute(s) does the rule implement or amplify?** 5101.54
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

The General Assembly, in House Bill 33, required that the SNAP E&T program be redesigned to meet the needs of employers in Ohio. Every able-bodied adult without dependents (ABAWD) is required to work at least twenty hours per week as a condition

of eligibility for the Supplemental Nutrition Assistance Program (SNAP). Federal law allows this work requirement to be fulfilled through paid employment, unpaid/volunteer work, or participation in certain employment and training (E&T) programs. An ABAWD who fails to meet their work requirement for 3 months in a 36-month period is not eligible to receive SNAP without either meeting the work requirement on their own or becoming exempt from the requirement itself. If an ABAWD is not working twenty hours per week, participation in the SNAP E&T program is one way – but not the only way, that they can meet their work requirement.

SNAP E&T is available in all Ohio counties and is intended to provide SNAP recipients with the skills, training, and experience necessary to secure regular employment that meets the needs of employers in their community. However, the US Department of Agriculture, Food and Nutrition Service (FNS) has found that the current design of Ohio's SNAP E&T program does not meet the needs of employers, does not have positive employment outcomes and funding for the program primarily goes to the administration of the program, not services to clients. In addition, the General Assembly has required that the SNAP E&T program be redesigned to meet the needs of employers in Ohio.

ODJFS relied on input from employers, county Departments of Job and Family Services, workforce professionals, and advocacy groups to identify a programmatic framework and is now proposing rules to implement the redesigned program to be effective in federal fiscal year 2025. The redesigned SNAP E&T program will meet the needs of Ohio's employers by enhancing participants' basic job skills and work etiquette and creating forward momentum into the workforce. Moreover, the redesigned program will preserve funding from FNS, which means the state can make SNAP E&T available to all SNAP recipients.

As part of the redesign of SNAP E&T, ODJFS is also proposing to amend this rule to clarify the responsibilities of a county agency's responsibility for determining if any member of the assistance group is subject to a work requirement.

8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule describes the process of initial interviews for SNAP. Changes to the rule include:

- * Removed paragraph (D)(3) and added language in new paragraph (D)(11) to clarify the rights and responsibilities that should be given to each assistance group during the initial interview;

- * Removed paragraph (D)(9) because the process has been automated;

- * Added new paragraph (D)(10) to clarify the federal requirement that individuals are

to be screened for exemption from work requirements;

* Removed paragraph (D)(12) due to being repetitive of language included in new paragraph (D)(11)(a); and

* Amended new paragraph (D)(12) to clarify what information an individual receives about their work requirement;

* Made other non-substantive changes for clarity; and

* Regulatory restrictive words were removed.

- 9. Does the rule incorporate material by reference? Yes**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(d).

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75(B)(4).

This rule incorporates one or more dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(c).

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

This rule has no expected fiscal impact on current or future budgets.

13. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No new costs.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

16. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable.

III. Common Sense Initiative (CSI) Questions

17. **Was this rule filed with the Common Sense Initiative Office? No**

18. **Does this rule have an adverse impact on business? No**

A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**

B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**

C. **Does this rule require specific expenditures or the report of information as a condition of compliance? No**

D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding to this rule? 0

B. How many existing regulatory restrictions do you propose removing from this rule? 21

(A)(1) Upon receipt of an application, as defined in rule 5101:4-2-01 of the Administrative Code, the county agency shall conduct an interactive interview with a member of the assistance group or an authorized representative for the assistance group making application.

(A)(2) The county agency shall schedule an interview for all applicant assistance groups who are not interviewed on the day they submit an application.

(A)(2) The interview notice shall contain the date and time of the interview.

(A)(2) The notice shall also list the phone number the county agency will call when completing a phone interview, or the phone number the applicant will call to complete the interview with the county agency.

(A)(3) When separate applications are filed for assistance groups residing in the same household, each assistance group that has applied on a separate application shall be interviewed or scheduled for an interview.

(A)(4) When scheduling an interview, the county agency shall consider and attempt to accommodate any special circumstances or requests from an assistance group, including the assistance group's work schedule.

(A)(5) The county agency shall schedule all interviews as promptly as possible to ensure eligible assistance groups receive an opportunity to participate within thirty days after the application is filed.

(B)(2) The county agency shall grant a face-to-face interview to any assistance group that requests one.

(C)(2) When it is obvious the applicant is not mentally competent and is not able to understand the hearing rights, the applicant shall be required to name an authorized representative to receive notices.

(C)(3)An applying assistance group shall report all changes related to its supplemental nutrition assistance program (SNAP) eligibility and benefits at the certification interview.

(C)(4)The JFS 01846, "Case Worksheet- Cash, Food Stamps, and Medical Assistance Interview," shall be completed by the county agency when the statewide automated eligibility system is down for an extended period of time or a home visit is necessary.

(D)(5) Facilities shall be adequate to preserve the privacy and confidentiality of the interview.

(D)(8)In accordance with rule 5101:9-2-02 of the Administrative Code, the county agency shall comply with the Americans with Disabilities Act of 1990 (ADA) plan adopted by the county agency.

(E)(1)The county agency shall notify an assistance group of its missed interview appointment by using the JFS 04218 "Notice of Missed Interview" or the statewide automated eligibility system equivalent, in accordance with rule 5101:4-5-07 of the Administrative Code and inform the assistance group they are responsible for rescheduling a missed interview.

(E)(2)When the assistance group contacts the county agency within the thirty-day application processing period, the county agency shall schedule a second interview.

(E)(3)The county agency shall not deny an assistance group's application prior to the thirtieth day when the assistance group fails to appear for the first scheduled interview.

(E)(4)When the assistance group requests a second interview during the thirty-day application processing period and is determined eligible, the county agency shall issue prorated benefits from the date of application.

(D)(2)Perform necessary collateral contacts and collect required verifications

(D)(3)(b)For all work registrants required to participate in the SNAP employment and training program (E&T), the requirements described in rule 5101:4-3-30 of the Administrative Code;

(D)(13)(f)What is required to maintain eligibility under each applicable work requirement;

(C)(2)When it is obvious the applicant is not mentally competent and is not able to understand the hearing rights, the applicant shall be required to name an authorized representative to receive notices.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable