

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: September 16, 2021
TIME: 10:00AM
LOCATION: Teleconference

Due to COVID-19 precautions this meeting will be held by teleconference. If you would like to submit oral testimony, please call in at the above date and time to 1-614-721-2972. Then enter the meeting I.D. which is 555 636 027#. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

Pursuant to Section 5101.54 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the adoption, amendment, or rescission of the rule or rules identified below and of a public hearing thereon.

Rule 5101:4-2-07, entitled Food assistance: Initial Interview Process is being amended due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 "Farm Bill") final regulations issued by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS). This rule describes the process of initial interviews for Supplemental Nutrition Assistance Program (SNAP). The changes to the rule include: Paragraphs (D)(12) and (D)(13) were added to describe the consolidated written and oral noticing requirements; and minor changes for clarity.

Rule 5101:4-3-11, entitled Food assistance: Work Registrations and Exemptions is being amended due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 "Farm Bill") final regulations issued by FNS. This rule describes the process for determining which SNAP recipients are subject to work registration requirements. The changes to the rule include: Paragraph (C)(5) was added to include the consolidated written and oral noticing requirements; and minor changes for clarity.

Rule 5101:4-3-11.1, entitled Food assistance: Work Registration Requirements is being amended due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 "Farm Bill") final regulations issued by FNS. This rule describes the work registration requirements of a work registered individual. The changes to the rule include: Paragraph (C)(2) was added to describe that an able-bodied adult without dependents (ABAWD) who receives good cause for SNAP Employment and Training (E&T) requirements also receives good cause for failure to comply with ABAWD work requirements; paragraph (C)(3) was added to define the requirements of a provider determination for good cause when an ABAWD is found not suited to participate in a SNAP E&T component; paragraph (C)(4)(g) was added as a new good cause reason when an appropriate SNAP E&T component is not available; language from previous paragraph (C)(2) was reorganized and moved to paragraph (C)(4) for clarity; and minor changes for clarity.

Rule 5101:4-3-11.2, entitled Food assistance: Work Registration Sanctions and Compliance is being amended due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 “Farm Bill”) final regulations issued by FNS. This rule describes the consequences for failing to meet the work registration requirements. The changes to the rule include: Paragraph (C) was added to define the process of a provider determination for good cause when an ABAWD is found not suited to participate in a SNAP E&T activity; “Food Assistance” has been changed to “SNAP”; and minor changes for clarity.

Rule 5101:4-3-20 entitled, Food assistance: Able-Bodied Adults Without Dependents is being amended due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 “Farm Bill”) final regulations issued by FNS. This rule describes the process for determining who is considered an ABAWD; the work registration, SNAP E&T and work requirements applicable to ABAWDs; and the ABAWD time limit. The changes to the rule include: Paragraph (B)(3)(b) was amended to clarify that a “work program” must be a program under Title 1 of the Workforce Innovation and Opportunity Act (WIOA); paragraph (C)(3)(b) was amended to clarify that when an individual missed hours from work, a work program, or work experience, and the absence was temporary, then good cause would be considered to have been met; and minor changes for clarity.

Rule 5101:4-3-29 entitled, Food Assistance Employment and Training: Case Management is being rescinded and replaced with a new rule due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 “Farm Bill”) final regulations issued by FNS. This rule describes the process for providing case management services for individuals required to participate in SNAP E&T. The changes to the rule include: The title of the rule was changed to case management; new paragraph (A) was added to describe case management and applicable activities; new paragraph (B) was amended and restructured to describe the comprehensive appraisal process; new paragraph (C) was amended and restructured to describe the individualized employability plan; new paragraph (D) was added to describe ongoing progress monitoring; new paragraph (E) was amended to clarify procedures for failures to comply with the comprehensive appraisal and employability plan; new paragraph (G) was added to describe how hours are counted for case management; and minor changes for clarity.

Rule 5101:4-3-30 entitled, Food Assistance Employment and Training Program is being amended due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 “Farm Bill”) final regulations issued by FNS. This rule describes the requirements of the SNAP E&T program. The changes to the rule include: Paragraph (A) was amended to include that a required SNAP E&T participant must participate in case management services in addition to a SNAP E&T component; paragraph (B)(2) was added to explain that a county SNAP E&T program must consist of one or more SNAP E&T components and case management services; paragraph (B)(3) was amended to include that the county agency is to ensure that a contractor or agency operating a SNAP E&T component notify the county agency within ten days when a participant is found not suited for an assigned SNAP E&T component; updated date references in paragraph (B)(4) to align with federal regulations; and minor changes for clarity.

Rule 5101:4-3-31 entitled, Food Assistance Employment and Training: Required Hours is being amended due to a five-year rule review and to implement the Agricultural Improvement Act of 2018 (2018 “Farm Bill”) final regulations issued by FNS. This rule describes the hour requirements of the SNAP E&T program. The changes to the rule include: Paragraph (A)(4) was added to explain the minimum hour requirement for case management; paragraph (B)(4) was added to explain the limitations on the hours that a required participant can complete in case management; paragraph (C) was amended to align with federal regulations for volunteers; and minor changes for clarity.

Rule 5101:4-3-33 entitled Food Assistance Employment and Training: Supervised Job Search is being amended to implement the Agricultural Improvement Act of 2018 (2018 “Farm Bill”) final regulations issued by FNS. This rule describes the supervised job search component of the SNAP E&T program. The changes to the rule include: Paragraph (A) was amended to align with federal regulations; paragraphs (B)(1) through (B)(4) were amended to define the requirements for supervised job search; paragraph (C) was added to define responsibilities of county agencies when implementing supervised job search; and minor changes for clarity.

Rule 5101:4-3-35 entitled Food Assistance Employment and Training: Education and Training Activities Search is being amended to implement the Agricultural Improvement Act of 2018 (2018 “Farm Bill”) final regulations issued by FNS. This rule describes the education and training activities for the SNAP E&T program. The changes to the rule include: Paragraph (E)(1) was amended to replace job skills assessments with employability assessments; and minor changes for clarity.

A copy of the proposed rule(s) are available, without charge, to any person affected by the rule(s) at the address listed below. These rule(s) are 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 .