

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**DATE: 08/24/2023**

**TIME: 10:00 A.M.**

**LOCATION: Teleconference and Room 3110B, Rhodes State Office Tower  
30 East Broad St., Columbus, Ohio 43215**

**This meeting will be held by teleconference and in person. If you would like to submit oral testimony, please attend the meeting site location or call in at the date and time to 1-614-721-2972. Then enter the meeting I.D. # which is 397 858 981#. Written testimony may also be submitted electronically to [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).**

Pursuant to Section 5101.54 and Chapter 119. of the Ohio Revised Code, 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 as a result of a management evaluation of the State's supplemental nutrition assistance program (SNAP) employment and training (E&T) program and in order to take corrective action and be released from the finding. This rule describes the process of initial interviews for SNAP. Changes to the rule include amending paragraph (D)(9) to align with federal regulations and clarify that during the interview county agencies are to screen each individual who is either an adult or a sixteen or seventeen year old who is the assistance group name and is not in school or in the SNAP E&T program, to determine if an individual is required to register for work and for appropriateness for referral to the SNAP E&T program, by using the JFS 07208, "Supplemental Nutrition Assistance Program Work Registration, ABAWD, and Employment and Training Screening Tool" or other automated system equivalent approved by the Ohio department of job and family services (ODJFS).

Rule 5101:4-3-11, entitled Food Assistance: Work Registration and Exemptions is being amended as a result of a management evaluation of the State's SNAP E&T program and in order to take corrective action and be released from the finding. This rule describes the process for determining which SNAP recipients are subject to the work registration requirements. The changes to the rule include: paragraph (C)(4) was amended to clarify that county agencies are to screen each individual who is either an adult or a sixteen or seventeen year old who is the assistance group name and is not in school or in the SNAP E&T program, to determine if an individual is required to register for work and for appropriateness for referral to the SNAP E&T program by using the JFS 07208, "Supplemental Nutrition Assistance Program Work Registration, ABAWD, and Employment and Training Screening Tool" or other ODJFS approved automated system equivalent; new paragraph (C)(5) was added to align with federal regulations and clarify that when appropriate, SNAP recipients subject to the work registration requirement in paragraph (A)(5) of

rule 5101:4-3-11.1 of the Administrative Code are to be referred to the SNAP E&T program; and minor language changes for clarity.

Rule 5101:4-3-11.2, entitled Food Assistance: Work Registration Sanctions and Compliance is being amended as a result of a management evaluation of the State's SNAP E&T program and in order to take corrective action and be released from the finding. This rule describes the consequences for failing to meet the work registration requirements. The changes to the rule include: paragraph (B)(1)(a) was amended to clarify that county agencies are to inform individuals of failures by issuing the JFS 07209, "Supplemental Nutrition Assistance Program Notification of Alleged Failure" and documenting the case record; paragraph (B)(1)(b) was amended to update the cited rule paragraph; paragraph (B)(1)(c) was stricken as it was repetitive of new language added in paragraph (B)(1)(a); language in paragraphs (B)(2) was stricken and moved to new paragraph (B)(2)(b); paragraph (B)(2)(a) was amended to clarify that county agencies are to complete the JFS 07210, "Supplemental Nutrition Assistance Program Employment and Training Pre-Sanction Checklist" and save it to the case record, prior to processing a noncompliance within the Ohio benefits integrated eligibility system; and paragraphs (B)(2)(c), (d) and (e) were stricken and moved to new paragraph (B)(2)(b).

Rule 5101:4-3-20.1, entitled Food Assistance: Regaining Eligibility is being amended to align with guidance issued by the United States Department of Agriculture (USDA) Food and Nutrition Services (FNS) that able-bodied adults without dependents (ABAWDs) who have reached the 3 of 36-month ABAWD time-limit are not to be considered recipients of supplemental nutrition assistance program (SNAP) benefits and therefore SNAP employment and training (E&T) activities should not be used to regain eligibility. This rule describes the process for how ABAWDs who have reached the ABAWD time-limit are to regain SNAP eligibility. The changes to the rule include: paragraph (B) was amended to align with FNS guidance and clarify that an ABAWD who has lost eligibility due to the ABAWD time-limit may regain eligibility by meeting ABAWD exemption criteria or by engaging in work or a work program for eighty hours during any thirty consecutive days as determined by the county agency; paragraph (C) was amended to clarify when eligibility is considered to have been regained; and paragraph (E)(2)(b) was amended to align with federal regulations.

Rule 5101:4-3-29, entitled Food Assistance Employment and Training: Case Management is being amended to clarify that the appraisal process is a condition of continued SNAP eligibility for individuals subject to the work registration requirement described in paragraph (A)(5) of rule 5101:4-3-11.1. 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: paragraph (B)(1) ) was amended to clarify that as a condition of continued eligibility, individuals subject to the work registration requirement described in paragraph (A)(5) of rule 5101:4-3-11.1 of the Administrative Code are required to be appraised; and paragraph (B)(3)(a) was amended to clarify that at certification and recertification, a comprehensive appraisal is to be completed immediately following certification but no later than thirty days from authorization of benefits.

Rule 5101:4-3-33, entitled Food Assistance Employment and Training: Supervised Job Search is being amended due to a five-year rule review. This rule describes the supervised job search component of the SNAP E&T program. The changes to the rule include: paragraph (D)(1) was amended to clarify that supervised job search should not be assigned as a continuous year round assignment, however, for a SNAP E&T participant who is either a volunteer or an ABAWD who

resides in a county subject to a waiver of the ABAWD time-limit, supervised job search may continue to remain the assignment when the county agency determines it most suitable and it continues to provide reasonable opportunity to find suitable employment; new paragraph (D)(2)(a)(i) was added to align with federal regulations and to describe that when supervised job search is assigned immediately following certification of SNAP benefits, it is not to exceed thirty days prior to making a work experience program (WEP) assignment and when assigned in this manner, supervised job search is part of the WEP assignment and participants are considered to be participating and complying with the requirements of WEP; new paragraph (D)(2)(a)(ii) was added to clarify that ABAWDs subject to the ABAWD time-limit may be assigned to supervised job search at any time during the certification period but it must be paired with another SNAP E&T activity and the required hours spent in supervised job search must be less than half of the total number of hours the ABAWD is required to participate in SNAP E&T; and minor language changes for clarity.

Rule 5101:4-3-34, entitled Food Assistance Employment and Training: Work Experience Program is being amended due to a five-year rule review. This rule describes the work experience program (WEP) component of the SNAP E&T program. The changes to the rule include minor language changes for clarity.

Rule 5101:4-3-35, entitled Food Assistance Employment and Training: Education and Training Activities is being amended due to a five-year rule review. This rule describes the education and training activities of the SNAP E&T program. The changes to the rule include minor language changes for clarity.

Rule 5101:4-3-36, entitled Food Assistance Employment and Training: Displacement of Other Persons is being amended due to a five-year rule review. This rule describes the prohibition on the displacement of other persons from employment in regards to SNAP E&T. The changes to the rule include minor language changes for clarity.

Rule 5101:4-3-38, entitled Food Assistance Employment and Training: Conciliation Process is being amended due to a five-year rule review. This rule describes the conciliation process within the SNAP E&T program. The changes to the rule include minor language changes for clarity.

Rule 5101:4-3-40, entitled Food Assistance Employment and Training: Work-Based Learning is being amended to align with changes to the aforementioned rules and federal regulations. This rule describes the work-based learning component of the SNAP E&T program. The changes to the rule include minor language changes for clarity.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. These rule(s) is 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](mailto:rules@jfs.ohio.gov) .