



Ohio Administrative Code

Rule 5101:1-23-60 Ohio works first: underpayments.

Effective: June 1, 2021

(A) What is an Ohio works first (OWF) underpayment?

(1) An OWF benefit received by or for an assistance group that is less than the amount the assistance group was eligible to receive; or

(2) The failure by the county agency to issue OWF to an eligible assistance group. This includes a denial or termination of OWF that resulted from an incorrect determination.

(B) How is an underpayment calculated?

(1) An underpayment is calculated from:

(a) The date of the change, per the reporting responsibilities as described in rule 5101:1-2-20 of the Administrative Code; or

(b) The date that the county agency becomes aware of the change, when the reporting responsibilities as described in rule 5101:1-2-20 of the Administrative Code are not met.

(2) An underpayment shall be calculated for no more than twelve months prior to whichever of the situations in paragraph (B)(1) of this rule occurred first.

(3) The amount of the underpayment is the difference between the amount of OWF that an assistance group was eligible to receive for a particular period of time and the lesser amount the assistance group actually received for that same period of time.

(4) In calculating the underpayment amount for situations involving the untimely reporting of income, the county agency shall use the actual income received by the assistance group, provided all of the documentation is available to the county agency. When all of the documentation is not



available, the county agency shall follow the verification provisions as described in rule 5101:1-2-20 of the Administrative Code.

(5) In situations where the error does not involve untimely reporting of income, the county agency shall use the converted income already established for the month(s).

(6) When there is earned income, the appropriate deductions (i.e., earned income disregard, child care costs) are allowed in order to compute the amount of an underpayment.

(7) Underpayments of less than ten dollars are not subject to the minimum payment provisions as described in rule 5101:1-23-40 of the Administrative Code.

(C) How is an underpayment corrected?

Underpayments not offset against erroneous payments as described in rule 5101:1-23-70 of the Administrative Code are adjusted by authorization of a supplemental payment. A supplemental payment shall be issued to correct the underpayment (unless the assistance group declines the benefits in order to avoid using time-limited months) regardless of whether the assistance group is currently in receipt of OWF.