



Ohio Administrative Code Rule 5101:12-10-30 Assignment of support.

Effective: January 15, 2014

(A) This rule describes when support is assigned to the Ohio department of job and family services (ODJFS) due to the receipt of Ohio works first (OWF), medical assistance, or Title IV-E foster care maintenance (FCM) benefits.

(B) The following definition applies to rules in division 5101:12 of the Administrative Code:

"Assigns" means the transfer of rights or property from a person to ODJFS.

(C) The following definitions are specific to this rule:

(1) "Assistance group" means, in accordance with section 5107.02 of the Revised Code, a group of individuals treated as a unit for purposes of determining eligibility for and the amount of assistance provided under Ohio works first.

(2) "Authorized representative" means, in accordance with rule 5101:1-2-01 of the Administrative Code, an individual who is age eighteen or older who stands in the place of and acts on behalf of the members of an OWF assistance group.

(3) "Medical assistance" includes, in accordance with section 5160.35 of the Revised Code, medicaid and the children's health insurance program.

(4) "Medical support" means support specified as support for the purpose of medical care by order of a court or administrative agency, which includes:

(a) Current cash medical support;

(b) Current medical support obligations;



(c) Cash medical support arrears that accrued while the person received medical assistance; and

(d) Medical support arrears that accrued while the person received medical assistance.

(5) "Minor child" means, in accordance with section 5107.02 of the Revised Code:

(a) An individual who has not attained the age of eighteen; or

(b) An individual who has not attained the age of nineteen and is a full-time student in a secondary school or in the equivalent level of vocational or technical training.

(6) "Obligee" means the person who is or may be entitled to receive support under the terms of a support order.

(7) "Obligor" means the person who is or may be required to pay support under the terms of a support order.

(8) "Person" means a parent, caretaker, authorized representative, or entity.

(D) Assignment of support in an OWF case.

(1) In accordance with section 5107.20 of the Revised Code, an OWF applicant assigns the right to support of any obligee who participates in OWF as a result of that application for OWF benefits.

(2) When a person applies for OWF benefits for a minor child who resides with that person or is temporarily absent from the home of that person, as defined in rule 5101:1-3-04 of the Administrative Code, and:

(a) Both the minor child and the person receive OWF benefits, then:

(i) Any child support for which that person is the obligee and the minor child is the subject of the support order is assigned.



(ii) Any spousal support for which that person is the obligee is assigned.

(iii) Any child support for which the minor child is the obligee and the minor child's child, who is receiving OWF benefits, is the subject of the support order is assigned.

(iv) Any spousal support for which the minor child is the obligee is assigned.

(b) Only the minor child receives OWF benefits, then:

(i) Any child support for which that person is the obligee and the minor child is the subject of the support order is assigned.

(ii) Any spousal support for which the person is the obligee is not assigned to ODJFS.

(iii) Any child support for which the minor child is the obligee and the minor child's child is the subject of the support order is assigned.

(iv) Any spousal support for which the minor child is the obligee is assigned.

(c) Only the person receives OWF benefits, then:

(i) Any child support for which that person is the obligee and the minor child is the subject of the support order is not assigned to ODJFS.

(ii) Any spousal support for which that person is the obligee is assigned.

(d) A parent of the person receives OWF benefits as a result of the person's application for OWF benefits, then:

(i) Any child support for which that parent of the person is the obligee and the person is the subject of the support order is assigned.

(ii) Any spousal support for which that parent of the person is the obligee is assigned.



(E) Assignment of medical support in a medical assistance case.

In accordance with section 5160.38 of the Revised Code, a medical assistance applicant assigns medical support upon application for or acceptance of medical assistance benefits.

(1) If a person does not receive medical assistance benefits for himself or herself but a child who resides with that person receives medical assistance benefits, then the medical support for which that person is the obligee and that child is the subject of the medical support order is assigned.

(2) If a person receives medical assistance benefits for himself or herself and a child who resides with that person receives medical assistance benefits, then the medical support for which that person is the obligee and the obligee or the child is the subject of the medical support order is assigned.

(3) If a person receives medical assistance benefits for himself or herself but a child who resides with that person does not receive medical assistance benefits, then the medical support for which that person is the obligee and that person is the subject of the medical support order is assigned to ODJFS.

(4) If a person receives medical assistance benefits for himself or herself but a child who resides with that person does not receive medical assistance benefits, then the medical support for which that person is the obligee and the child is the subject of the medical support order is not assigned to ODJFS.

(F) Assignment of support in an FCM case.

The Title IV-E agency assigns any child support for which the Title IV-E agency is the obligee and a child who is eligible to receive FCM benefits is the subject of the support order.

(G) The rules and policies of the OWF, medical assistance, and IV-E programs describe the effective date of the assignment of support.