



## Ohio Administrative Code

### Rule 5101:12-80-14 Limited assignment, PRWORA assignment, and distribution of assigned support collections.

Effective: October 1, 2021

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(A) The purpose of this rule is to provide definitions and describe the provisions of limited assignment and Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) assignment. This rule and its supplemental rules do not apply to medical support.

(B) The following definitions are applicable to this rule and its supplemental rules:

(1) "Assignment period" means a finite time period when support is assigned because public assistance or Title IV-E foster care maintenance (FCM) benefits are received. Any break in the public assistance or FCM benefits is a termination of the assignment period.

(2) "Current assistance case" means a IV-D case currently receiving public assistance or FCM benefits.

(3) "Distribution" means the monthly process of determining the amount of a support collection the Ohio department of job and family services (ODJFS) is entitled to retain pursuant to a public assistance or FCM assignment, and the amount of the collection owed to the family.

(a) The support enforcement tracking system (SETS) calculates distribution during month end processing.

(b) The child support enforcement agency (CSEA) shall use the JFS 07027, "Single Order Distribution Record" (effective or revised effective date as identified in rule 5101:12-80-99 of the Administrative Code), and JFS 07028, "Multiple Order Distribution Record" (effective or revised effective date as identified in rule 5101:12-80-99 of the Administrative Code), to complete distribution on support collections received before a case was converted to SETS.

(4) "Former assistance case" means a IV-D case that formerly received public assistance or FCM benefits.



(5) "Limited assignment," in accordance with 42 U.S.C. 608(a)(3) (June 18, 2008), means child, past care, or spousal support is assigned to ODJFS pursuant to a public assistance assignment only during the period that the child or family receives public assistance.

"Limited assignment" applies to child, past care, and spousal support that is assigned on or after October 1, 2009.

(6) "Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) assignment" means child, past care, or spousal support is assigned to ODJFS pursuant to a public assistance assignment in accordance with paragraph (D) of this rule.

"PRWORA assignment" applies to child, past care, and spousal support that is assigned on or after October 1, 1997 and before October 1, 2009.

(7) "Public assistance" is defined in rule 5101:12-80-10 of the Administrative Code.

(8) "Sweep" means the transfer of a balance amount from one account to another as a result of an assignment period starting or terminating.

(C) Provisions of PRWORA assignment and limited assignment.

(1) Any public assistance assignment period that starts on or after October 1, 1997 and before October 1, 2009 is subject to PRWORA assignment provisions, including a public assistance assignment period that starts before October 1, 2009 and is still active on October 1, 2009.

(2) Any public assistance assignment period that starts on or after October 1, 2009 is subject to limited assignment provisions.

PRWORA assignment and limited assignment provisions only apply to a public assistance assignment and do not apply to an FCM or medicaid assignment.

(D) PRWORA assignment provisions.



(1) Upon the effective date of the public assistance assignment period:

(a) Current support is assigned to ODJFS.

(b) Unassigned arrears sweep to conditionally assigned arrears.

(i) Never assigned arrears sweep to assigned conditionally assigned arrears.

(ii) Unassigned conditionally assigned arrears sweep to assigned conditionally assigned arrears.

(iii) Unassigned during assistance arrears sweep to assigned conditionally assigned arrears.

(c) Permanently assigned arrears remain permanently assigned arrears.

(d) Unassigned futures shall be used to reduce the next month's current obligation.

When unassigned futures were issued to the obligee before the effective date of the assignment period, the CSEA shall not recoup the funds from the obligee.

(2) During the assignment period, arrears that accrue are permanently assigned arrears.

(3) Upon termination of the public assistance assignment period:

(a) Current support is unassigned.

(b) Support arrears are treated as follows:

(i) Permanently assigned arrears that are:

(a) Less than or equal to the unreimbursed assistance (URA) amount remain permanently assigned arrears.



(b) Greater than the URA amount sweep to unassigned during assistance arrears.

(ii) Conditionally assigned arrears that are:

(a) Less than or equal to the remaining URA amount (after the comparison to permanently assigned arrears has been done) sweep to unassigned conditionally assigned arrears.

(b) Greater than the URA amount sweep to never assigned arrears.

(c) Futures are treated as follows:

(i) Assigned futures sweep to unassigned futures.

(ii) Unassigned futures remain unassigned.

(E) Limited assignment provisions.

(1) Upon the effective date of the public assistance assignment period:

(a) Current support is assigned to ODJFS.

(b) Unassigned arrears remain unassigned arrears.

(i) Never assigned arrears remain never assigned arrears.

(ii) Unassigned conditionally assigned arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, shall remain unassigned conditionally assigned arrears.

(iii) Unassigned during assistance arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, shall remain unassigned during assistance arrears.



(c) Permanently assigned arrears remain permanently assigned arrears.

(d) Unassigned futures shall be used to reduce the next month's current obligation.

When unassigned futures were issued to the obligee before the effective date of the assignment period, the CSEA shall not recoup the funds from the obligee.

(2) During the assignment period, arrears that accrue are permanently assigned arrears.

(3) Upon termination of the public assistance assignment period:

(a) Current support is unassigned.

(b) Unassigned arrears remain unassigned arrears.

(i) Never assigned arrears remain never assigned arrears.

(ii) Unassigned conditionally assigned arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, remain unassigned conditionally assigned arrears.

(iii) Unassigned during assistance arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, remain unassigned during assistance arrears.

(c) Permanently assigned arrears that are:

(i) Less than or equal to the URA amount remain permanently assigned arrears.

(ii) Greater than the URA amount sweep to never assigned arrears.

(d) Futures are treated as follows:



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- (i) Assigned futures sweep to unassigned futures.
  
- (ii) Unassigned futures remain unassigned.