



Ohio Administrative Code

Rule 5101:4-1-05 Food assistance: personnel standards, bilingual staff and materials, records and reports.

Effective: October 1, 2020

(A) What are the personnel standards?

(1) County agency personnel used in the certification process shall be employed in accordance with the current standards for the merit system of personnel administration or any standards later prescribed by the United States civil service commission under section 208 of the Intergovernmental Personnel Act of 1970. County agency employees meeting the requirements of this paragraph shall perform the interview required by rule 5101:4-2-07 of the Administrative Code. Volunteers and other non-county agency employees are not to conduct certification interviews or certify supplemental nutrition assistance program (SNAP) applicants.

(2) Supplemental security income (SSI) assistance groups certified under the joint processing requirements and disaster victims applying under emergency eligibility standards authorized by the United States department of agriculture food and nutrition services (FNS) may be certified by personnel who are not under the state merit personnel system.

(3) County agencies are encouraged to use volunteers in related activities such as: outreach, prescreening, assisting applicants in the application and certification process, and securing needed verification.

(4) Individuals and organizations who are parties to a strike or lockout may not be used in the certification process except as a source of verification of information supplied by the applicant.

(5) Only authorized employees of the state, county agencies, electronic benefit transfer (EBT) card issuers, and federal employees involved in administration of the program are to be permitted access to issuance documents.

(6) Any individuals involved in a work activity program who have access to the statewide automated eligibility system will be subject to existing confidentiality regulations. Work experience program



(WEP) participants who work at the county agency will be fully informed of confidentiality provisions and are to sign a nondisclosure pledge. County agencies are to follow their own policies and procedures regarding confidentiality issues.

(7) The county agency shall employ sufficient staff to certify and issue benefits to eligible assistance groups and process fair hearing requests within the timeliness standards. Outreach activities and other program functions must also be performed as specified.

(B) What are the requirements for bilingual staff and certification materials?

(1) Based on the estimated total number of low-income assistance groups in a county speaking the same non-English language (a single language minority), the county agency shall provide bilingual program information and certification materials, and staff or interpreters. "Single language minority" refers to assistance groups speaking the same non-English language and do not contain adult(s) fluent in English as a second language.

(2) The county agency shall provide certification materials used in program informational activities in the appropriate language(s) as follows:

(a) In counties with less than two thousand low-income assistance groups, when approximately one hundred or more of those assistance groups are of a single language minority;

(b) In counties with two thousand or more low-income assistance groups, when five per cent or more of those assistance groups are of a single language minority; or

(c) In counties with bilingual county agency staff.

(3) The county agency shall provide both certification materials in the appropriate language and bilingual staff or interpreters when they provide service to over one hundred single language minority low-income assistance groups, or when the county has a total of less than one hundred low-income assistance groups and a majority of those assistance groups are of a single language minority.

(a) Certification materials shall include the SNAP application form, change report form, and notices



to assistance groups.

(b) When notices are required in only one language other than English, notices may be printed in English on one side and in the other language on the reverse side. When the county agency is required to use several languages, the notice may be printed in English and may contain statements in other languages summarizing the purpose of the notice and the telephone number (toll-free number or a number where collect calls will be accepted for assistance groups outside the local calling area) the assistance group may call to receive additional information.

(4) In counties with a seasonal influx of non-English speaking assistance groups, the county agency shall provide bilingual materials and staff or interpreters as required when, during the seasonal influx, enough single language minority, low-income assistance groups move into the area to trigger the requirements.

(5) The county agencies subject to the requirements of paragraph (B)(2) or (B)(3) of this rule shall provide sufficient bilingual staff or interpreters for the timely processing of non-English speaking applicants.

(C) What are the requirements for maintaining records and reports?

(1) Each county agency shall keep such records and submit such reports and other information as required by the Ohio department of job and family services (ODJFS). Each county agency shall retain all program records in an orderly fashion for audit and review purposes.

(2) Program records shall be retained in an automated system or manually for a period of three years from the month of origin of each record. These records include applications for certification or recertification, including required FNS or state agency forms: work sheets used in the computation of income for eligibility and benefit level; documentation including verification techniques employed by the eligibility worker; copies of forms sent to the issuance unit authorizing or changing participation or basis of issuance; and copies of notices of adverse action and other notices sent to the client. County agencies shall also retain responses received from applicants, fair hearing decisions, reconsiderations, and copies of compliance reports completed by the county agency.



(3) The county agency shall retain fiscal records and accountable documents in an automated system or manually for three years from the date of fiscal or administrative closure. Such records include, but are not limited to, claims and documentation of lost benefits. "Fiscal closure" means the obligation for or against the federal government has been liquidated. "Administrative closure" means no further action to eliminate the obligation is appropriate. Acceptable alternative retention methods for issuance documents are provided in rules 5101:9-9-21 to 5101:9-9-21.1 of the Administrative Code.

(4) All other records and reports not otherwise mentioned above shall be retained indefinitely unless prior approval for destruction has been received from the ODJFS office of legal services.

(5) All county-published forms that do not exactly duplicate the format of state-approved forms require the approval of the ODJFS, food assistance policy section prior to their use. No state hearing form shall deviate from copies of forms in the "State Hearings Manual," or their statewide automated eligibility system equivalents, unless prior approved by ODJFS.

(6) In order to safeguard certification and issuance records, the county agency shall establish an organizational structure dividing responsibility for eligibility determinations and SNAP benefit issuance among certification, data management, and issuance units.

(7) Under the Food and Nutrition Act of 2008, each state agency is responsible for determining and reporting certification error rates as calculated by the state's quality control subsystem that is one part of the performance reporting system (along with the management evaluation program). State quality control reviews must be conducted in accordance with the provisions of 7 CFR sections 275.10 to 275.14 (6/2010) as well as the material contained in the "FNS Handbook" section 310.