



Ohio Administrative Code

Rule 5101:4-6-02 Food assistance: shared parenting.

Effective: October 1, 2023

This rule describes the process the county agency shall use when determining eligibility for a dependent child in a shared parenting arrangement.

(A) What are shared parenting arrangements?

Shared parenting arrangements include:

- (1) Formal, court ordered arrangements;
- (2) Informal arrangements agreed upon mutually by both parents; or
- (3) A combination of both formal, court ordered arrangements and informal arrangements.

(B) How does the county agency verify shared parenting arrangements?

(1) To verify shared parenting arrangements, the county agency is to:

- (a) Use the procedures described in rule 5101:4-2-09 of the Administrative Code;
- (b) Use the best available information to determine eligibility;
- (c) Ensure that all supporting documents are located in the assistance group's case file, as well as documented in the Ohio benefits integrated eligibility system; and
- (d) Evaluate the actual circumstances when the parents follow an arrangement that is different from the formal, court ordered shared parenting arrangement or when there is no formal, court ordered arrangement.



(2) When there is a discrepancy between the parents' statements regarding the child's living arrangement and a formal, court ordered arrangement exists, the county agency is to refer to that order to establish which assistance group should include the child.

(C) Can both parents receive supplemental nutrition assistance program (SNAP) for the same child in the same month?

Both parents cannot receive SNAP for the same child in the same month despite a shared parenting arrangement permitting the child to live with each parent for part of the month.

(D) How does the county agency determine which assistance group should include the child?

(1) Since shared parenting arrangements are not the same in each case, assistance group composition is to be determined on a case-by-case basis.

(2) When one parent applies for the child and the child lives with him or her for part of the month, then the child shall be included in that parent's assistance group.

(3) When both parents apply for the child:

For the purposes of determining which assistance group the child is to be included, "majority" means more than fifty per cent.

(a) The child shall be included in the assistance group where he or she lives the majority of the time.

(b) When the child lives with each parent an equal amount of time, then the county agency shall determine who provides the majority of the child's meals:

(i) When one parent provides the majority of the child's meals, then the county agency shall include the child in the assistance group with that parent.

(ii) When both parents provide fifty per cent of the child's meals, then the parents are to agree which parent's assistance group should include the child.



(iii) When both parents provide fifty per cent of the child's meals but the parents cannot agree which assistance group should include the child, then the county agency shall include the child with the parent who applied first.

(E) How often should the shared parenting arrangement be evaluated?

The child shall remain in the parent's assistance group through the assigned certification period once the county agency determines the child should be included in that assistance group based on the process outlined in paragraph (D) of this rule. Eligibility shall only be re-evaluated when there is a:

(1) Change reported in assistance group composition;

(2) Change reported in the shared parenting arrangement;

(3) Recertification; or

(4) The other parent applies for the same child and:

(a) The county has not made a determination under paragraph (D)(3) of this rule for the current certification; or

(b) There has been a change in circumstances since a determination was last made under paragraph (D)(3) of this rule.