



Ohio Administrative Code

Rule 5101:4-6-16 Food assistance: reduction of cash assistance benefits due to assistance group's failure to perform a required action.

Effective: September 1, 2021

(A) When are supplemental nutrition assistance program (SNAP) benefits not to be increased?

The county agency shall not increase the SNAP allotment as the result of a decrease in Ohio works first (OWF) when the decrease is due to the failure of an assistance group member to perform a required action. OWF benefits shall be considered decreased when reduced, suspended or terminated.

(B) What is considered a failure to perform a required action?

(1) Failure to perform a required action shall be limited to a situation when benefits are being received and then decreased. The individual must be certified for SNAP benefits at the time of the failure to perform a required action for this rule to apply.

(2) Failures to perform a required action include:

Ohio works first:

(a) Learnfare failure as described in rule 5101:1-3-14 of the Administrative Code.

(b) Intentional violation of program requirements disqualification as described in rule 5101:1-23-75 of the Administrative Code.

(c) Termination of employment without just cause as described in rule 5101:1-3-14 of the Administrative Code.

(d) Fraud provisions (assistance group ineligibility) as described in rule 5101:1-23-75 of the Administrative Code.



(e) Refusal to accept unconditionally available income as described in rule 5101:1-3-14 of the Administrative Code.

(f) Refusal of a minor parent to reside in an adult-supervised living arrangement as described in rule 5101:1-3-03 of the Administrative Code.

(g) Failure of a learning, earning and parenting (LEAP) participant to perform a required action with the high school equivalency diploma as described in rule 5101:1-23-50 of the Administrative Code.

(h) Imposition of a LEAP sanction (does not apply to situations where the LEAP bonus is not paid, but no sanction is imposed) as described in rule 5101:1-23-50 of the Administrative Code.

(i) Failure to perform a required action with a provision of the OWF self-sufficiency contract as described in rule 5101:1-3-14 of the Administrative Code.

(j) Residence fraud as described in rule 5101:1-3-14 of the Administrative Code, that does not result in a period of ineligibility for SNAP benefits for the individual(s) who was convicted.

(C) How are SNAP benefits affected when there is a penalty in both SNAP and OWF programs for the same failure to perform a required action?

(1) The appropriate SNAP penalty shall be applied.

(2) After the SNAP penalty is applied (i.e. individual failing or refusing is removed from the assistance group), the allotment is calculated based on the new assistance group size and the actual benefit amount issued by the OWF program, if any. When there is no increase, the calculated allotment shall be issued. For example, when a penalty occurs in the OWF program and a penalty is also applied to the SNAP OWF member, the SNAP allotment is calculated based on a zero OWF grant and one less member in the assistance group.

(3) When the allotment calculation results in a greater amount of SNAP benefits than the assistance group was receiving prior to the OWF penalty, the county agency shall issue the SNAP allotment being issued prior to the month of the OWF penalty. The county agency shall then subtract the



allotment that the assistance group was receiving prior to the OWF penalty from the newly calculated allotment. This difference is the amount by which the SNAP benefits cannot increase when other changes occur. The calculated difference shall continue to be the amount deducted from a newly calculated allotment when other changes unrelated to the failure to perform a required action occur for the duration of the penalty.

(4) After the SNAP penalty is served, if there are any remaining months of the OWF penalty to be served, SNAP benefits shall not be increased during the remaining month(s) of the OWF penalty due to the decrease in the payments.

(D) How are SNAP benefits calculated when there is no penalty in SNAP for failure to perform a required action but there is a penalty for OWF?

When there is no penalty in SNAP for a failure to perform a required action with the OWF program, the county agency shall calculate the SNAP benefits using the OWF benefit amount that would be issued if no penalty had been imposed. When the OWF benefit amount cannot be specifically identified, the prohibition on increased SNAP benefits do not apply.

(E) How are SNAP benefits calculated when there is a recoupment and a reduction of benefits?

(1) When an assistance group is subject to both a recoupment and a reduction for the same act of noncompliance, SNAP benefits shall be calculated based on the amount of the OWF benefit prior to recoupment and reduction.

(2) Monies that are voluntarily or involuntarily withheld from OWF, or returned to repay a prior overpayment that is not considered a failure to complete a required action, shall be handled as recoupments in accordance with rule 5101:4-4-13 of the Administrative Code.

(F) How long does the prohibition on increasing SNAP benefits apply?

The prohibition on increasing SNAP benefits applies for no longer than the duration of the decrease in OWF. When the penalty is still in effect at the end of one year, the county agency shall review the case to determine if the penalty continues to be appropriate. For example, when the assistance



group is still not receiving OWF after one year, it may not be appropriate to continue the penalty. Penalties extended beyond one year shall be reviewed at least annually but may be ended by the county agency at any time when appropriate. The penalty shall be concurrent with the reduction in the other assistance program to the extent allowed by normal SNAP change processing and notice procedures. When the county agency can no longer determine the amount of the reduction in assistance, the county agency must document the case accordingly and end the SNAP penalty.

(G) What requirements must the county agency meet to comply with this rule?

(1) The county agency shall lift the ban on increasing SNAP benefits when it becomes aware that the person is ineligible for OWF during the disqualification period for some other reason.

(2) The county agency shall not decrease or terminate an assistance group's current SNAP allotment when the assistance group's benefits under another assistance program, other than OWF, have been decreased due to a failure to perform a required action of that program.

(3) When an individual joins a new assistance group, the prohibition on increasing SNAP benefits shall be applied unless that person is ineligible for the assistance program for some other reason. When an individual moves to a new state, the prohibition on increasing benefits shall not be applied.

(4) The county agency shall restore lost benefits when necessary in accordance with rule 5101:4-8-03 of the Administrative Code when it is later determined that the reduction in the OWF benefit was not appropriate.

(5) The county agency shall act on changes that are not related to the assistance group's violation and that would affect the assistance group's benefits.