



Ohio Administrative Code Rule 5122-36-03 Application process.

Effective: September 3, 2022

(A) An individual or legal representative may apply for the RSS program by submitting an ODM 07120 form or its electronic equivalent to the appropriate CDJFS or by applying through an electronic system designated by OhioMHAS . In addition, the individual or legal representative will include with the RSS application an application for medicaid if the individual is not currently a medicaid recipient.

(B) OhioMHAS will record the following information about the individual:

(1) The individual's name, address, telephone number, date of birth, and social security number;

(2) If the individual has a legal representative, the legal representative's name, address, and telephone number; and

(3) Whether the individual receives social security, SSI, or SSDI benefits.

(C) The day the RSS application is completed and submitted to OhioMHAS will be considered the date of application.

(D) Once a completed application has been submitted to OhioMHAS, OhioMHAS will make the non-financial eligibility determination available to the department of medicaid and the CDJFS within ten business days. The department of medicaid and the CDJFS will use the non-financial eligibility determination for the determination of medical assistance eligibility in accordance with rule 5160:1-5-01 of the Administrative Code.

(E) OhioMHAS will allow any individual to withdraw from the RSS application process at any time.

(F) OhioMHAS will offer enrollment in the RSS program to any individual when both of the following are the case:



(1) The individual is determined eligible in accordance with rule 5160:1-5-01 of the Administrative Code; and

(2) RSS program funds are sufficient to provide cash assistance to all enrollees.

(G) OhioMHAS may deny an individual's enrollment in the RSS program if the applicant fails to cooperate in the enrollment process for either of the following reasons:

(1) The individual did not apply for medicaid pursuant to rule 5160:1-2-10 of the Administrative Code before the tenth working day after the date of the determination of RSS non-financial eligibility ; or

(2) The individual did not select a living arrangement for a determination of the living arrangement's appropriateness before the thirtieth day after the date of determination of medicaid eligibility in rule 5160:1-2-10 of the Administrative Code.

An application denied for the reasons listed in this paragraph will be held as pending by OhioMHAS until such time as the applicant requests it be withdrawn or updates the application to be in compliance with this paragraph.

(H) Consistent with division (D) of section 5119.41 of the Revised Code, if an applicant is denied eligibility for the RSS program pursuant to rules in this chapter, the appropriate CDJFS or the department of medicaid will notify the applicant of the right to a hearing and how to request one. If the individual requests a hearing, the hearing is to be provided in accordance with section 5101.35 of the Revised Code.