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Ohio Administrative Code

Rule 5101:1-23-40 Ohio works first: payments.

Effective: November 1, 2026

Ohio works first (OWF) payments are payments made to an assistance group (AG) that represent the difference between the countable income and the appropriate OWF payment standard.

(A) How are OWF payments calculated?

(1) An AG's countable income is determined by the appropriate calculation as described in rules 5101:1-23-20, 5101:1-23-20.1 and 5101:1-23-20.2 of the Administrative Code.

(2) Payments are calculated based on a thirty-day month.

(a) When an AG is eligible for a certain level of assistance on the first day of the month, the AG remains eligible for at least that level of assistance for the entire month.

(b) A change in circumstances during the month does not reduce the level of assistance that the AG is eligible for that month, with the exception of the following provisions:

(i) OWF cannot be provided for a minor child, parent or specified relative who, without good cause, has been, or is expected to be, absent from the home for a period of more than forty-five consecutive days. The period of ineligibility begins with the forty-sixth day from the date that the member left the AG, unless a public children services agency removes the AG's minor children in accordance with section 5107.10 of the Revised Code.

A parent(s) or specified relative who fails to report that the absence of a child will exceed or has exceeded forty-five consecutive days as described in rule 5101:1-3-04 of the Administrative Code is also ineligible for a specified period of time. The beginning date of ineligibility shall be the same day as the beginning date of ineligibility for the absent child. The ineligibility continues until the day the absence was reported by the parent(s) or specified relative or was discovered by the county agency.

(ii) A child who was eligible for, and receiving OWF benefits on the first of the month, and who is removed from the AG during the month and placed in IV-E foster care, is not eligible to receive both OWF and IV-E foster care in that month, unless a public children services agency removes the AG's minor children in accordance with section 5107.10 of the Revised Code.

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(B) How is the beginning date of OWF eligibility determined?

(1) OWF eligibility shall not begin prior to the date of application.

(2) When all OWF eligibility factors have been verified and the verifications indicate that all OWF eligibility factors were met prior to the date of verification, OWF eligibility begins on the date all eligibility factors were met.

(3) When all OWF eligibility factors have been verified and the verifications do not indicate the date that all OWF eligibility factors were met prior to the date of verification, OWF eligibility begins on the date all eligibility factors are verified.

(4) Certain eligibility factors have special considerations that apply when determining if the eligibility factor has been met. As an eligibility factor:

(a) Pregnancy is met:

(i) When it is medically verified that the woman is pregnant; and

(ii) If born, the child would otherwise be eligible for OWF.

(b) The social security number (SSN) requirement is met when the applicant provides or applies for a SSN.

(c) For newborns, the SSN requirement is met on the child's date of birth when the SSN is applied for but no later than the first day of the second month following birth or following the mother's discharge from the hospital.

(d) For a teen parent who is required to enroll in school as a condition of OWF, the enrollment requirement is met on the date the teen parent enrolls in school.

(C) What happens when an individual is added to an existing OWF AG?

(1) An individual is considered to be a part of the AG as of the date that individual becomes a required AG member as described in rule 5101:1-23-10 of the Administrative Code and meets all eligibility requirements as described in this rule.

(2) When an individual is added to the OWF AG and all other eligibility factors are met, the beginning date of OWF is:

(a) The date the individual enters the home, when the reporting responsibilities as described in rule 5101:1-2-20 of the Administrative Code are met; or

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(b) The date the change was reported to the county agency or the date the county agency becomes aware of the change, when the reporting responsibilities as described in rule 5101:1-2-20 of the Administrative Code are not met.

(c) For newborns, the beginning date of OWF is the date of birth, provided the reporting responsibilities are met.

(d) For specified relatives in need, the beginning date of OWF is the date that assistance is requested.

(3) The county agency shall determine eligibility for the AG using the individual's needs and income from the date that the individual is a required AG member, or in the case of the specified relative in need, the date that the assistance is requested and all other eligibility factors are met.

(4) OWF can only be authorized for the period of time that all eligibility factors have been met. For purposes of determining the beginning date of OWF, enumeration and child support assignment may be deemed to be met retroactive to the date the individual was a required AG member. The deeming of eligibility requirements are only allowed when:

(a) The individual's presence in the home is reported to the county agency on a timely basis as described in rule 5101:1-2-20 of the Administrative Code; and

(b) The AG cooperates with the county agency in satisfying all required eligibility factors.

When the AG fails to meet these conditions, deeming criteria for enumeration and child support are not met.

(5) When the county agency receives verification from a hospital indicating that a child has been born, the county agency shall follow the provisions described in paragraph (C)(2) of this rule.

(D) What is concurrent receipt of assistance?

(1) Concurrent receipt of assistance is the receipt of OWF assistance by an AG under more than one public assistance grant in the same month. The receipt of public assistance, from two or more different states, for the same time period also constitutes concurrent receipt of assistance.

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(2) An AG member shall not be eligible to receive OWF in more than one AG or county in any given month. The exception to this provision is the removal of a child by a public children services agency, as described in section 5107.10 of the Revised Code. In these situations, OWF could be authorized for up to six payment months for the following AGs:

(a) The OWF AG where the child(ren) was removed from and an OWF AG where the child(ren) is placed; or

(b) The OWF AG where the child(ren) was removed from and a Title IV-E foster care AG where the child(ren) is placed.

(3) An individual that receives supplemental security income (SSI) shall not be eligible for OWF concurrently.

(4) An AG member is not ineligible for inclusion in a new AG solely because their needs are still included in a former AG. The county agency must determine at what point the AG member became ineligible for inclusion in the first AG. The county agency shall then determine eligibility and authorize assistance for the new AG. The fact that the AG member's needs have not been removed from the former AG shall not preclude eligibility or delay the beginning date of OWF for the new AG.

(5) When the AG is receiving or is believed to be receiving cash assistance from another state, the county agency shall determine at what point the AG became ineligible for cash assistance in the former state prior to approving OWF.

(E) What happens when an AG is eligible to receive less than ten dollars?

OWF shall not be authorized when the amount an AG is eligible to receive is at least one dollar but less than ten dollars per month.

(F) When are payments prorated and do time limits apply to a prorated month of benefits?

(1) The county agency shall prorate the OWF payment when an AG has eligibility for less than a full month's grant. Retroactive benefits may be authorized as the result of a hearing decision or court order or when OWF was erroneously denied, terminated, or delayed and corrective action is being taken.

(2) Support services (e.g., transportation) and learning, earning and parenting (LEAP) program's allowances are never prorated.

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(3) Time limits, as described in rule 5101:1-23-01 of the Administrative Code are applicable for any prorated or retroactive OWF payment. The AG has the option to decline a prorated month of benefits.

(G) To whom are OWF payments issued?

Subject to the limitations provided in 42 U.S.C. 608 (10/2012) OWF payments are delivered unconditionally to the parent, specified relative, legal custodian or legal guardian, except as described in paragraph (H) of this rule.

(1) The benefit is issued only to the AG or protective payee. When the child is living with a parent, specified relative, custodian or legal guardian, the benefit shall be paid to that individual, unless there is a protective payee designated to receive payment as described in paragraph (H) of this rule.

(2) For two-parent AGs, the payee will be decided by the AG and should be paid to the parent who will act in the best interest of the family.

(3) In an emergency situation that deprives an eligible dependent child of care from the parent, specified relative, custodian or legal guardian, that individual may designate another person to act as the protective payee during the emergency period, when that person is willing to be designated. When the individual is not capable of making a choice, the county agency shall designate a protective payee.

(4) The emergency period must not exceed a maximum of two consecutive months following the month the emergency occurred. When the parent, specified relative, custodian or legal guardian will not resume care of the child within that period, or it appears doubtful, alternative plans for the child's care must be completed within that period of time.

(H) Who can be designated as a protective payee and why?

(1) A protective payee is a representative of the AG who is responsible for receiving and managing the payment on behalf of the AG.

(2) The selection of the protective payee is to be made by the AG or the county agency with participation and consent from the AG. The protective payee may be a relative or friend of the AG, an agency providing protective services or a member of the AG. When no protective payee can be located, the disqualified member or minor parent can continue to receive the benefits in their name.

The following individuals are excluded from serving as a protective payee:

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(a) A county agency director;

(b) The eligibility determiner for the AG;

(c) Any county agency employee responsible for any fiscal aspects of the AG;

(d) A county agency special investigative or resource staff;

(e) Landlords, grocers, or any other vendor of goods or services dealing directly with the AG.

(3) Situations in which it is appropriate to have a protective payee include:

(a) An AG where a member is serving a permanent disqualification penalty due to an intentional program violation under the former aid to families with dependent children program.

(b) The AG with a minor parent or pregnant minor, as described in section 5107.24 of the Revised Code. The protective payment continues until the minor marries, turns eighteen years of age, or the adult parent, specified relative, custodian or legal guardian cannot or will not continue as the protective payee. Protective payments are not required for a minor residing in an adult-supervised supportive living arrangement as described in section 5107.24 of the Revised Code.

(c) The AG has a money mismanagement situation that means a demonstrated inability to manage funds. A determination of mismanagement shall not be made solely on the fact that bills are not paid in a timely manner. The following are examples of money mismanagement situations and are not all inclusive:

(i) Payments received by the parent, specified relative, custodian or legal guardian have not been or are not currently used in the best interest of the child.

(ii) The parent, specified relative, custodian or legal guardian has misused funds to the extent that allowing that individual to manage the OWF grant is a threat to the health and safety of the child(ren).