



Ohio Administrative Code

Rule 5101:4-3-11.2 Food assistance: work registration sanctions and compliance.

Effective: November 18, 2021

(A) What happens when an individual does not comply with a work registration requirement?

(1) When an individual fails or refuses to meet the work registration requirements in rule 5101:4-3-11.1 of the Administrative Code, the individual shall be sanctioned from participation in the supplemental nutrition assistance program (SNAP) as follows:

(a) For a first failure or refusal, the county agency shall sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of one benefit month.

(b) For a second failure or refusal, the county agency shall sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of three benefit months.

(c) For the third or subsequent failure or refusal, the county agency shall sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of six benefit months.

(2) When an individual stops receiving SNAP benefits before the actual imposition of the sanction, the sanction will not be held in abeyance. The establishment of new residence in another county or another assistance group by an individual who has been proposed for a sanction or who is currently under sanction does not, in and of itself, negate the sanction.

(B) What is the process for notification of noncompliance?

(1) Prior to issuing a notice of noncompliance in accordance with paragraph (B)(2) of this rule, the county agency is to ensure that the individual was informed of the failure(s) and his or her right to provide good cause information to the county agency.



(a) The county agency or the SNAP (E&T) provider may inform the individual of the failure by any reasonable means (letter, phone call, email, etc.).

(b) The SNAP E&T provider is to adhere to the reporting time frame to the county agency described in paragraph (B)(2) of rule 5101:4-3-30 of the Administrative Code.

(c) The attempt to contact the individual is to be documented in the case record.

(2) Once an individual has been informed in accordance with paragraph (B)(1) of this rule, it is the individual's responsibility to contact the county agency within seven days of the notification of noncompliance to show good cause for the failure. Within ten days of determining the failure was without good cause, in accordance with Chapter 5101:6-2 of the Administrative Code, proper notice of adverse action is to be provided to the individual.

The notification shall contain:

(a) The particular act of noncompliance committed;

(b) The proposed period of the sanction;

(c) Language explaining that the individual may, when appropriate, reapply at the end of the sanction period;

(d) Information on or with the notice describing the action that can be taken to avoid the sanction before the sanction period begins; and

(e) Notice and hearing requirements contained in Chapters 5101:6-1 to 5101:6-9 of the Administrative Code that apply in each instance of noncompliance and subsequent sanction action.

(C) What is the process when it is determined an individual is not suited for participation in an assigned SNAP E&T activity?



(1) When a SNAP E&T provider determines that an individual is not suited for participation, either at the time the individual is referred to the activity or until the activity completion, the provider is to notify the county agency within ten days of the determination to explain the reason the individual is not an appropriate placement in the E&T program. The provider may provide information that will assist in making a change in placement. However, if the provider is unable to provide a reason for the determination, the county agency is to process the provider determination without the reason.

(2) Within ten days of the county agency receiving the provider notification, the county agency is to notify the individual of the provider determination. The notice is to include:

(a) A description of the provider determination when available;

(b) The steps the county agency will take as a result of the determination;

(c) The contact information for the agency;

(d) Information that the individual is not being sanctioned as a result of the provider determination;
and

(e) Information that an able-bodied adult without dependents who receives a provider determination will accrue countable months towards their three-month time limit the next full benefit month after the month during which the county agency notifies the individual of the provider determination unless the individual:

(i) Has met the work requirements as described in rule 5101:4-3-20 of the Administrative Code;

(ii) Has established good cause;

(iii) Lives in a waived county; or

(iv) Is determined to be exempt as described in rule 5101:4-3-11 of the Administrative Code.

(3) Within ten days of the county agency notifying the individual but no later than the next



recertification the county agency is to:

(a) Reassess the physical and mental fitness of the individual to determine if an exemption is met in accordance with rule 5101:4-3-11 of the Administrative Code or determine if an update to the employability plan is needed based on limitations for participating in an activity; and

(b) Update the case record and when necessary the employability plan with any changes.

(D) How does an individual comply to regain eligibility for SNAP?

Except for individuals sanctioned as a result of a voluntary quit or reduction of work effort, the county agency shall require the individual to:

(1) Prior to reinstatement of benefits, the individual shall sign the JFS 03804 "Ohio Works First/Supplemental Nutrition Assistance Program (SNAP) Sanction Compliance Agreement" agreeing to participate in the work program and to comply with the work registration requirements described in rule 5101:4-3-11.1 of the Administrative Code.

(a) When the JFS 03804 is signed prior to the end of the sanction period, the sanctioned individual shall regain eligibility and benefits shall be reinstated after the minimum sanction period is served.

(b) When the JFS 03804 is signed after the end of the minimum sanction period, the individual shall regain eligibility effective the day the JFS 03804 was signed and returned to the county agency and benefits shall be reinstated pursuant to rule 5101:4-7-01 of the Administrative Code.

(2) When the circumstances change and the individual qualifies for an exemption from work registration in accordance with rule 5101:4-3-11 of the Administrative Code, the individual may qualify for SNAP benefits. Such exemptions may occur before the minimum sanction period ends.

(3) Individuals sanctioned as a result of a voluntary quit or reduction of work effort shall be required to regain eligibility in accordance with rule 5101:4-3-19 of the Administrative Code.

(E) How are failures for noncompliance with unemployment compensation or an Ohio works first



(OWF) work requirement handled?

Individuals receiving unemployment compensation or OWF benefits are exempt from work registration. Instead, the individual must comply with the unemployment compensation or OWF requirements. When the assistance group reports a loss or denial of unemployment compensation or OWF eligibility or when the county agency learns of the loss or denial, the county agency shall determine whether the loss or denial was caused by a determination by the administering agency that the individual refused or failed without good cause to comply with an unemployment compensation or OWF requirement. When it is determined the individual failed or refused to meet an unemployment compensation or OWF requirement, the county agency shall:

(1) Determine if the assistance group is an OWF assistance group. An OWF assistance group is a group in which all members are receiving OWF benefits. For OWF assistance groups, the county agency shall follow rule 5101:4-3-09 of the Administrative Code. However, when all of the individuals in the assistance group are not receiving OWF cash benefits (i.e. one or more members are only in receipt of SNAP), the assistance group remains subject to the requirements of this rule.

(2) Determine if the individual meets one of the other work registration exemptions outlined in rule 5101:4-3-11 of the Administrative Code. When the individual meets another work registration exemption in rule 5101:4-3-11 of the Administrative Code, no action is required.

(3) When the individual does not meet another work registration exemption, the individual shall be sanctioned in accordance with this rule. The income and resources of the individual shall be treated in accordance with paragraph (A) of rule 5101:4-6-13 of the Administrative Code.

(4) Assistance group members who fail to comply with an unemployment compensation or OWF requirement that is not equivalent to that of a supplemental nutrition assistance program (SNAP) work requirement shall lose their exemption and must be registered for work when not otherwise exempt.