



Ohio Administrative Code

Rule 5101:4-6-27 Food assistance: shelters for battered persons and their children.

Effective: April 1, 2021

(A) What requirements must a shelter for battered persons and their children meet for residents to be eligible for supplemental nutrition assistance program (SNAP)?

The shelter must:

(1) Be a public or private non-profit residential facility;

(2) Serve battered persons and their children; and

(3) When the facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered persons and their children.

(B) What are the county agency's responsibilities prior to determining eligibility of an individual in a shelter?

(1) The county agency shall confirm and document that the shelter meets the requirements described in paragraph (A) of this rule.

(2) Shelters already authorized by the United States department of agriculture (USDA) food and nutrition service (FNS) as retailers shall be considered as meeting the definition and the county agency is not required to make any further determination.

(3) The county agency shall maintain a list of shelters meeting the definition.

(C) Can individuals residing in a shelter for battered persons and children be certified as separate SNAP groups?

Residents shall be certified as individual assistance groups rather than considered as part of a single



assistance group consisting of all shelter residents.

(D) Can an individual that is currently on an open SNAP case be certified as a new assistance group when he or she becomes a resident of a shelter?

When an individual becomes a resident of a shelter and applies for SNAP, the county agency shall:

(1) When determining eligibility, verify whether the individual's open SNAP case was certified with or without the abuser.

(a) Certified with the abuser: shelter residents who are included in already certified assistance groups may still apply and, when otherwise eligible, participate in the program and be certified as separate assistance groups when they were previously certified with the individual who subjected them to abuse.

(b) Certified without the abuser: individuals leaving a certified assistance group not containing the person who subjected them to abuse are not allowed to be certified in two assistance groups at one time. They should get their share of the benefits from the current assistance group. Duplicate participation is limited to those shelter residents who were forced to leave their prior place of residence because of the person who abused them.

(2) Take prompt action to ensure that the former assistance group's eligibility or allotment reflects the change in the assistance group's composition in accordance with rule 5101:4-7-01 of the Administrative Code.

(3) Issue a notice of adverse action in accordance with division 5101:6 of the Administrative Code.

(4) In situations where two or more counties share one shelter, the county agency accepting the application from the individual shall take action in accordance with rule 5101:4-7-01.1 of the Administrative Code, when necessary.

(E) How are income, resources, and expenses of shelter residents treated?



Shelter residents who apply as separate assistance groups shall be certified solely on the basis of their income, resources and expenses for which they are responsible. They shall be certified without regard to the income, resources, and expenses of their former assistance group. Jointly held resources shall be considered inaccessible in accordance with rule 5101:4-4-07 of the Administrative Code. Room payments to the shelter shall be considered as shelter expenses.

(F) Can shelter residents receive expedited service?

Shelter residents are entitled to expedited service when they meet the criteria set forth in rule 5101:4-6-09 of the Administrative Code.

(G) Can a shelter redeem SNAP benefits?

Under the USDA FNS regulations, the only way a shelter can redeem benefits is when the shelter is classified as a retail food store. To become an authorized SNAP retailer the shelter must:

- (1) Be tax exempt as determined by the internal revenue service;
- (2) Have a portion of the facility set aside on a long-term basis to shelter battered persons and their children when they serve other groups of individuals;
- (3) Be a residence that serves meals or provides food to its residents; and
- (4) Contact USDA FNS to apply to become a retailer. The shelter authorized by USDA FNS as a retail food store may be penalized or disqualified when it is determined administratively or judicially that benefits were misappropriated or used for purchases that did not contribute to a certified assistance group's meals.