



## Ohio Administrative Code

### Rule 5101:4-6-29 Food assistance: elderly and disabled individuals living with others.

Effective: September 1, 2018

(A) Can individuals who are elderly and disabled be certified for supplemental nutrition assistance program (SNAP) benefits separately from individuals they purchase food and prepare meals with?

(1) Elderly individuals, age sixty and older, who are disabled as described in paragraph (B) of this rule may be permitted separate assistance group status when they meet the following criteria:

(a) The income of the individuals with whom the elderly and disabled individual resides does not exceed one hundred sixty-five per cent of the poverty level; and

(b) The disabled individual is unable to purchase food and prepare his or her own meals.

(2) If an individual meets these criteria, both the individual and their spouse may be granted separate assistance group status, even if the spouse does not meet the criteria.

(B) What is the disability criteria to be certified for SNAP separately?

The disability shall be considered permanent under the Social Security Act of 1935 or be a nondisease-related, severe, permanent disability. "Disability" as defined in this rule is not the same as "disabled member" as found in rule 5101:4-1-03 of the Administrative Code. The key factor in determining whether or not disability would qualify an individual for separate assistance group status under this provision is an inability to purchase food and prepare meals.

(C) How is a disability verified for separate assistance group status?

Disability shall be verified by one of the following procedures:

(1) A county agency shall use the social security administration's most current list of disabilities as the initial step for verifying if a person has a disability considered permanent under the Social



Security Act. A person who suffers from one of the disabilities listed under the Social Security Act must also be unable to purchase and prepare meals because of the disability in order to meet the designation of a separate assistance group status.

(2) When it is obvious to the county agency that the person is unable to purchase and prepare meals because he or she suffers from a severe physical or mental disability, even if the disability is not specifically mentioned on the Social Security Act list, additional verification is not needed and the nature of the disability shall be documented in the case file.

(3) When the disability is not obvious to the county agency, the person shall be required to provide a statement from a physician or licensed or certified psychologist certifying that the person is unable to purchase and prepare meals because he or she suffers from one of the non obvious disabilities mentioned in the Social Security Act list or is unable to purchase and prepare meals because he or she suffers from some other severe, permanent physical or mental disease or nondisease-related disability.

(D) How is the income of the other individuals in the home determined?

(1) After an elderly individual has been determined disabled in accordance with this rule, the following must occur:

(a) The gross income of the others with whom the individual resides must be considered, as if the others were applying for participation; and

(b) The income of the individual who is elderly and disabled and their spouse shall not be included in the calculation, nor are the elderly and disabled individual and their spouse to be considered assistance group members for this purpose.

(2) The gross monthly income of the others shall be compared to the one hundred sixty-five per cent of the federal poverty level for that assistance group size. If the gross income of the others with whom the elderly and disabled individual resides is no more than one hundred sixty-five per cent of the federal poverty level, the elderly and disabled individual (and their spouse) shall be granted separate assistance group status.



(3) The elderly and disabled individuals who wish to be a separate assistance group shall be responsible for obtaining the cooperation of the individuals with whom they reside in providing necessary income information to the county agency.

(4) Income of the others with whom the elderly and disabled individuals live shall be verified as if the others were also applying for program participation, as discussed in rule 5101:4-2-09 of the Administrative Code.

(E) How are shared expenses handled?

Once separate assistance group status has been established, county agencies shall prorate any expenses shared by the elderly and disabled individual's assistance group and the others with whom the elderly and disabled assistance group resides. If the assistance group is eligible for one of the utility allowances, the utility allowance shall not be prorated.