



## Ohio Administrative Code

### Rule 5101:4-7-11 Food assistance: providing replacement issuance to assistance groups.

Effective: September 1, 2023

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County agencies shall provide replacement issuances to an assistance group when the assistance group reports that food purchased with supplemental nutrition assistance program (SNAP) benefits was destroyed in an assistance group's misfortune. Lost or stolen benefits cannot be replaced.

#### (A) How is a replacement requested?

(1) Prior to issuing a replacement, the county agency shall obtain a signed JFS 07222, "Statement Requesting Replacement of Supplemental Nutrition Assistance Program (SNAP) Benefits," from a member of the assistance group or authorized representative attesting to the assistance group's loss.

(2) The JFS 07222 may be mailed to the county agency if the assistance group member is unable to come into the office because of age, handicap or distance from the office and is unable to appoint an authorized representative.

#### (B) What are the time limit requirements for requesting and issuing replacement benefits?

(1) Replacement issuances shall be provided only when an assistance group timely reports a loss orally or in writing. The report will be considered timely if it is made to the county agency within ten days of the date food purchased with SNAP benefits was destroyed in an assistance group misfortune.

(2) Prior to issuing a replacement a JFS 07222 must be received. The JFS 07222 must be received within ten days of the date the misfortune was reported.

(3) Replacement issuances shall be provided to an assistance group within ten days after a loss is reported or within two working days of receiving the signed JFS 07222, whichever date is later.

(4) When the signed JFS 07222 is not received by the county agency within ten days of the date of



reporting the misfortune, no replacement shall be made. When the tenth day falls on a weekend or holiday, and the JFS 07222 is received the day after the weekend or holiday, the county agency shall consider the JFS 07222 received timely. When the JFS 07222 is received more than ten days after the date of the report, a JFS 07235, "Action Taken on Your Request for Replacement of Food Assistance Benefits," or its computer-generated equivalent in accordance with Chapter 5101:6-2 of the Administrative Code denying the replacement shall be issued within two working days.

(5) The county agency shall deny or delay replacement issuances in cases in which available documentation indicates that the assistance group's request for replacement appears to be fraudulent.

(C) What are the replacement restrictions?

(1) There shall be no limit on the number of replacements of food purchased with SNAP benefits that was destroyed in an assistance group misfortune.

(2) When a federal disaster declaration has been issued and the assistance group is eligible for disaster SNAP benefits under the provisions of 7 C.F.R. 280.1 (12/2005), the assistance group shall not receive both the disaster allotment and a replacement allotment for the misfortune.

(3) Replacement issuances shall be provided in the amount of the loss to the assistance group, up to a maximum of one month's allotment.

(D) How is assistance group misfortune verified?

Upon receiving a request for replacement the county agency shall determine:

(1) If the issuance was validly issued; and

(2) That the destruction occurred in an assistance group misfortune or disaster, such as, but not limited to, a power outage of four hours or more, a fire or flood. This shall be verified through a collateral contact that may include but is not limited to: documentation from the fire department, red cross, a utility company or a home visit.



(E) Is there a requirement to track replacements?

(1) The county agency shall document in the assistance group's case file each request for replacement, the date, the reason, and whether or not the replacement was provided. This information may be recorded exclusively on the JFS 07222 required in paragraph (A) of this rule.

(2) The county agency shall maintain, in readily-identifiable form, a record of the replacements granted to the assistance group, the reason, and the month. The record may be a case action sheet maintained in the case file, notations on the master issuance file, when readily accessible, or a document maintained solely for this purpose.

(F) Are there hearing rights on replacements?

The assistance group shall be informed of its right to a fair hearing to contest a denial or delay of a replacement issuance in accordance with Chapter 5101:6-2 of the Administrative Code.

Replacements shall not be made while the denial or delay is being appealed.

(G) What is the process for intercounty replacements?

When an assistance group that has recently moved from one county to another requests a replacement of benefits of food destroyed in a misfortune, both county agencies shall cooperate in determining whether replacement is appropriate. When it is determined a replacement issuance is appropriate, the county of current residence shall issue the replacement.

(H) What is the process when there is presidential disaster declaration?

When there is a presidential disaster declaration, the Ohio disaster SNAP plan developed in accordance with 7 C.F.R. 280.1 is utilized.