



Ohio Administrative Code

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

Effective: January 22, 2024

County agencies are to provide replacement benefit issuances to an assistance group(AG) in accordance with paragraph (A) to (G) of this rule when the AG reports that food purchased with supplemental nutrition assistance program (SNAP) benefits was destroyed in an AG misfortune.

When the AG reports that their SNAP electronic benefit transfer (EBT) card was lost, stolen or damaged, the county agency is to provide a replacement card to the AG in accordance with paragraph (H) to (K) of this rule.

Electronically stolen benefits are to be replaced in accordance with the food assistance change transmittal found in the food assistance certification handbook on the Ohio department of job and family services website.

(A) How is a replacement benefit requested?

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

(2) The JFS 07222 may be mailed to the county agency if the AG 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 are to be provided only when an AG 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 AG misfortune.



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

(3) Replacement issuances are to be provided to an AG 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 is to 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 is to 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 is to be issued within two working days.

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

(C) What are the replacement benefit restrictions?

(1) There is no limit on the number of replacements of food purchased with SNAP benefits that was destroyed in an AG misfortune.

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

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

(D) How is AG misfortune verified?

Upon receiving a request for replacement the county agency is to determine:



(1) If the issuance was validly issued; and

(2) That the destruction occurred in an AG misfortune or disaster, such as, but not limited to, a power outage of four hours or more, a fire or flood. This is to 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 benefit replacements?

(1) The county agency is to document in the case file of the AG 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 as mandated in paragraph (A) of this rule.

(2) The county agency is to maintain, in readily-identifiable form, a record of the replacements granted to the AG, 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 benefit replacements?

The AG is to 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 are not to be made while the denial or delay is being appealed.

(G) What is the process for intercounty benefit replacements?

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

(H) What happens when an AG requests a fourth EBT replacement card within a rolling twelve-month period due to the EBT card being lost, stolen, damaged or for any other reason?



(1) When an AG requests a fourth EBT replacement card within a rolling twelve-month period, the AG is to be notified in writing by an automated system generated notice indicating that at the next request for a card replacement, the AG is to contact the county agency to provide an explanation for the requests before the next replacement card will be issued.

(2) When a trafficking violation is suspected prior to the fourth card request, the county agency is to refer the individual to the fraud unit for investigation.

(I) What happens when an AG requests a fifth or more EBT replacement card within a rolling twelve-month period?

When an AG requests a fifth or more EBT replacement card within a rolling twelve-month period, a replacement card is not to be issued until the AG contacts the county agency to provide an explanation for the request. The written automated system generated notice is to include the following:

(1) Specify the number of card request and over what period of time it covers;

(2) Explain that the request exceeds the threshold and contact is to be made with the county agency before another card is issued;

(3) Provide all applicable information on how the individual is to comply by providing contact information such as whom to contact, a telephone number and address; and

(4) Include a statement that explains what is considered a misuse or fraudulent use of benefits and the possibility of referral to the fraud investigation unit for suspicious activity.

(J) What is the process when an AG makes contact with the county agency after receiving the written notice, when five or more EBT cards have been requested?

(1) When an AG makes contact with the county agency to provide an explanation for the card request, the county agency is to make the replacement EBT card available within two business days



following the contact from the AG, regardless of whether or not an explanation was provided.

(2) When the AG contacts the county agency but refuses to provide an explanation for the card request or the explanation provided appears to be a trafficking violation as described in rule 5101:4-8-17 of the Administrative Code, the AG is to be referred to the fraud unit for investigation. The replacement EBT card is to be issued so that the AG has access to benefits while the investigation is being conducted.

(3) When the explanation is deemed appropriate, the county agency is to educate the AG on proper use of the card and the AG does not need to contact the county agency for additional EBT card requests, unless the pattern of card activity has changed since the initial contact and indicates possible trafficking activity. An appropriate explanation would be when the AG states they are homeless, disabled, a victim of crime, are in a domestic violence situation, or other vulnerable persons in situations who may lose their EBT card but are not committing fraud.

(K) What happens when an AG does not contact the county agency to provide an explanation?

When five or more EBT cards have been requested and an individual does not contact the county agency in response to the written notice, the replacement card is not to be issued and the case is to be referred to the county agency's fraud unit for investigation.

(L) 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 (12/2005) is utilized.