



Ohio Administrative Code

Rule 5101:6-1-01 State hearings: general.

Effective: April 1, 2023

(A) Chapters 5101:6-1 to 5101:6-9 of the Administrative Code describe the hearing and appeal rights and procedures applicable to family services program benefits, pursuant to section 5101.35 of the Revised Code, child support services, pursuant to section 3125.25 of the Revised Code, and the medicaid program, pursuant to section 5160.31 of the Revised Code.

(B) All rules relating to the right to a hearing and limitations on that right shall be liberally construed in favor of the right to a hearing.

(C) When it appears that an individual may not be able to understand or exercise the right to a state hearing due to factors such as limited mental capability or language barriers, the local agency shall assist the individual in naming a responsible party (guardian, relative, legal aid attorney, etc.) to act as authorized representative and receive a copy of notice in addition to the original to the individual. This requirement applies to notice at the time of application and to all subsequent hearing notices. A referral to social services for assistance in naming a responsible party may be appropriate.

(D) In counting the days contained in a timely appeal specified in Chapters 5101:6-1 to 5101:6-9 of the Administrative Code, the date on which the notice was mailed, sent by electronic means, or otherwise provided is not counted.

If the last day for a timely appeal occurs on a Saturday, Sunday, or state or federal legal holiday, then the time period is extended to include the next workday.

(E) Local agencies may modify the format, but not the content, of state hearing notices mandated in Chapters 5101:6-1 to 5101:6-9 of the Administrative Code to accommodate electronic generation of the notice. All such modifications shall be approved by the bureau of state hearings.

(F) Definitions



As used in Chapters 5101:6-1 to 5101:6-9 of the Administrative Code, the following terms shall have the following meanings unless otherwise specified.

(1) "Agency" shall refer to either the local agency, ODJFS, Ohio department of medicaid or it's designee.

(2) "Appellant" means an individual who is an applicant, participant, former participant, recipient, or former recipient of a family services program and is entitled by federal or state law to a hearing regarding a decision or order of the agency that administers the program.

(3) "Authorized representative" means an individual, eighteen years or older, who stands in the place of the appellant. The authorized representative may include a legal entity assisting in the application process. ODJFS may request proper identification from the authorized representative.

(4) "Benefits" shall refer to benefits under any of the following programs:

(a) Public assistance.

(i) Refugee resettlement program.

(ii) Disability assistance.

(iii) OWF cash assistance.

(iv) Prevention, retention and contingency (PRC) program.

(v) Medicaid.

(vi) Temporary assistance to needy families (TANF) funded programs administered by local agencies or agents of ODJFS or the CDJFS.

(b) Supplemental nutrition assistance program (SNAP).



- (c) Social services.
- (d) State and federal adoption assistance programs.
- (5) "Day" shall refer to a twenty-four-hour calendar day unless otherwise indicated.
- (6) "Electronic" has the same meaning as in section 1306.01 of the Revised Code.
- (7) "Electronic equivalent" means an electronic version of an ODJFS form or application which has not been modified in any way other than format prior to completion and submission of that form to the administrative agency. The administrative agency is not required to accept forms that are materially altered.
- (8) "Electronic signature" or "e-sign" has the same meaning as in section 1306.01 of the Revised Code.
- (9) "Eligibility system" means a computer program determining benefit levels or amounts for individuals or families. Eligibility systems may also generate paper or electronic applications, forms, and notices related to the benefit determination or an action taken on the case of an individual or family.
- (10) "Local agency" shall refer to any of the following:
 - (a) The county department of job and family services (CDJFS), pursuant to section 5101.35 of the Revised Code.
 - (b) The county public children services agency (PCSA), pursuant to section 5101.35 of the Revised Code.
 - (c) The county child support enforcement agency (CSEA), pursuant to section 3125.25 of the Revised Code.
 - (d) A private or government entity administering, in whole or in part, a family services program



benefit on behalf of ODJFS, a CDJFS, a PCSA, or as otherwise designated under law.

(11) "Social services" shall refer to any or all of the following:

(a) Learning earning and parenting (LEAP), supportive services, and support services provided to participants in a work activity under the Ohio works first (OWF) program or the SNAP employment and training program.

(b) Publicly funded child care services provided pursuant to Chapter 5101:2-16 of the Administrative Code.

(c) Title XX services provided pursuant to Chapter 5101:2-25 of the Administrative Code.

(12) "Virtual" refers to a hearing that is scheduled through an online platform and attended via an online link with a computer or mobile device, or by telephone using an identification number that is unique to the hearing.