



## Ohio Administrative Code

### Rule 5101:9-6-02 County subgrant agreement and allocation process.

Effective: April 15, 2020

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(A) Section 5101.21 of the Revised Code requires each county to enter into a grant agreement with the Ohio department of job and family services (ODJFS) before federal awards are issued to the county. In addition to subawarding federal funding received by ODJFS, as grantee, ODJFS also administers federal awards to county family service agencies on behalf of the Ohio department of medicaid (ODM).

(B) Definitions:

(1) For the purposes of this rule, the term "departments" shall mean ODJFS and ODM as it relates to the three-way grant agreement.

(2) For the purpose of this rule, the term "subgrant" shall mean an award for one or more family services duties of federal financial assistance that a federal agency provides in the form of money, or property in lieu of money, to the departments and that the departments award to a county grantee. For the purposes of this rule, the term "subgrant" may include state funds the departments award to a county grantee to match the federal financial assistance, but does not mean either of the following:

(a) Technical assistance that provides services instead of money; or,

(b) Other assistance provided in the form of revenue sharing, loans, loan guarantees, interest subsidies, or insurance.

(3) For the purpose of this rule, the term "county subgrantee" shall have the same meaning as the term "county grantee," defined in section 5101.21 of the Revised Code as meaning all of the following:

(a) A board of county commissioners;



(b) A county children services board appointed under section 5153.03 of the Revised Code; and

(c) A county elected official that is a child support enforcement agency.

(4) For the purpose of this rule, the term "allocation period" shall have the same meaning as the term "period of availability" as defined in Chapter 5101:9-7 of the Administrative Code as meaning:

(a) The funding period for the allocation; and

(b) The liquidation period for the allocation.

(C) Effective with the 2016/2017 biennium, ODJFS and ODM will jointly enter into a subgrant agreement with the county. The departments and the county subgrantee shall enter into subsequent agreements before the first day of each successive fiscal biennial period.

(D) For subgrant agreements entered into by the board of county commissioners, if a subgrant agreement is not entered into by the first day of the biennial period, but is entered into before the last day of July, the ODJFS director, at the director's discretion, may establish a retroactive effective date of the first day of July. The director will consider a retroactive effective date only if the board of county commissioners submits a request for a retroactive date that satisfactorily documents good cause that the subgrant agreement was not entered into on or before the first day of July.

(E) Conditions, requirements, and restrictions applicable to subgrant agreements include the following:

(1) Revisions to subgrant agreements are not required for the purpose of adding new or amended conditions, requirements, or restrictions for a family services duty that are established by federal or state law, state plan for receipt of federal financial participation, agreement between ODJFS, ODM and a federal agency, or an executive order issued by the governor;

(2) A requirement for a subgrant established by an Administrative Code rule adopted by the director of ODJFS is applicable to a subgrant agreement without having to be restated in the subgrant agreement; and



(3) A requirement established by a subgrant agreement is applicable to the subgrants that are the subject of that subgrant agreement without having to be restated in an Administrative Code rule.

(F) The conditions, requirements, and restrictions of the subgrant will be an addendum to the subgrant agreement. Rules establishing the methodology and reporting requirements of individual subgrants are adopted as internal management rules and included in Chapter 5101:9-6 of the Administrative Code.

(G) Subject to timely budget approval by the legislature, ODJFS will notify the county subgrantees of county allocation funding levels. Adjustments may be made to allocations if either of the following conditions are met:

(1) The departments may revise county allocations within the allocation period due to an increase or decrease in federal and/or state funds; or

(2) At the discretion of the department's director, ODJFS will distribute any additional funds that become available to county agencies requesting additional funds up to the maximum statewide amount available.

(H) A county subgrantee will be given, at a minimum, the opportunity to request ODJFS to redistribute funds twice during the state fiscal year, during January and April, as follows:

(1) ODJFS will notify the county subgrantee of the remaining balance of each allocation. The county subgrantee may request additional funds or release excess funds by completing and returning the notice no later than the last day of January for the first redistribution and the last day of April for the second redistribution. ODJFS will redistribute released funds to counties demonstrating additional need, at the discretion of the director of ODJFS; or

(2) A county subgrantee may enter into an agreement to release and receive funds by means of an inter-county adjustment of allocations as outlined in rule 5101:9-6-82 of the Administrative Code.

(I) ODJFS will reconcile each allocation issued to the county subgrantee in accordance with the



rules contained in Chapter 5101:9-7 of the Administrative Code.

(J) The definitions, requirements and responsibilities contained in rule 5101:9-6-50 of the Administrative Code are applicable to this rule.