



## Ohio Administrative Code

### Rule 5101:9-9-21.1 Public assistance records: retention periods.

Effective: May 26, 2020

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(A) The following definitions are applicable to this rule:

(1) "Inactive records" means closed case files, where the assistance group (AG):

(a) Is no longer receiving benefits;

(b) Has no pending administrative action, hearing or appeal; and

(c) The county agency no longer has a legal duty to act on the case.

(2) "Public assistance record" means any record maintained in a case file related to an Ohio works first (OWF), food assistance, prevention, retention, and contingency (PRC), disability financial assistance, or refugee cash assistance group (AG).

(3) "Record" has the same meaning as defined in section 149.011 of the Revised Code.

(B) The minimum retention period for public assistance records is seven years, except as provided in paragraphs (C) and (D) of this rule.

(C) The following records may not be destroyed while the AG is active, and must be maintained for a minimum of three years from the date the AG becomes inactive:

(1) Enumeration verifications;

(2) Application forms and verifications that established initial program eligibility; and

(3) Documents that establish eligibility factors such as incapacity, limiting physical factors, and eligibility for supplemental security income (SSI).



(D) Notwithstanding the requirements in rule 5101:4-1-05 of the Administrative Code, any records existing in the AG file on the date the AG becomes inactive must be maintained for a minimum of three years from the date the AG becomes inactive, regardless of the age of the records.

(E) Rule 5101:4-1-05 of the Administrative Code governs the retention of food assistance records and must be followed in conjunction with the requirements of this rule.

(F) Counties that wish to selectively destroy documents from public assistance AG records in accordance with the requirements of this rule must specify the retention periods of the affected documents on the appropriate retention schedules.