



## Ohio Administrative Code

### Rule 5101:9-9-29 Ohio department of job and family services (ODJFS) audit function.

Effective: May 26, 2020

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(A) "Auditing" is the systematic application of procedures to compare historical data to established criteria to prepare an attestation as to the degree of correspondence between the two.

(B) "Historical data" consists of management representations, either explicit or implicit. Management representations include, but are not limited to:

(1) Representations as to characteristics of information such as completeness or accuracy.

(2) The occurrence or non-occurrence of transactions or events.

(3) The existence or non-existence of tangibles, intangibles, rights and obligations.

(4) The valuation or allocation of tangibles and intangibles.

(5) Rights and obligations.

(6) Compliance or non-compliance with laws or regulations.

(7) Operational characteristics.

(C) "Criteria" may be financial or non-financial. Applicable criteria may include, but are not limited to:

(1) Accounting and auditing standards and principles.

(2) State, federal and local laws, regulations, administrative rules, ordinances and court opinions.

(3) Generally accepted principles of accounting and administrative control.



(D) "Person" means an individual, corporation, business trust, estate, trust, partnership, or association as used in any statute, unless another definition is used in such statute or a related statute.

(E) "Public office" means any state agency, public institution, political subdivision, or other organized body, office, agency institution, or entity established by the laws of this state for the exercise of any function of government.

(F) Audits performed by ODJFS include, but are not limited to:

(1) Any examinations or review of books, records or any other evidence relating to the collection, receipt, accounting for use, claim, or expenditure of state or federal funds received from or through ODJFS.

(2) Any examination or review to determine whether any person, public office, vendor, sub-recipient, or provider of goods or services to ODJFS has complied or is in compliance with the federal statute or regulation, state statute or administrative rule, ordinances, or orders pertaining to the collection, receipt, accounting for, use, claim or expenditure of state or federal funds from or through ODJFS.

(3) Any examination or review of any person, public office, vendor, sub-recipient, or provider of goods or services to ODJFS; collecting, receiving, accounting for using, claiming, or expending state or federal funds from or through ODJFS; or submitting to the department data which serves as the basis for funding from or through the department.

(4) Any financial statement, financial-related, performance, economy and efficiency, or program results audits of organizations, agencies, programs, activities, or functions under the authority, aegis, or oversight of ODJFS.

(5) Any examination, review, investigation, or financial statement, financial-related, performance, economy and efficiency, or program results audits required or intended to address federal or state audit, monitoring, or review requirements.



(G) ODJFS may perform or provide for the performance of any audits within the scope of this rule. The timing, frequency, scope, and objectives of audits may vary with ODJFS' assessment of audit needs and the available resources of ODJFS.

(H) ODJFS may develop and implement policies and procedures at variance with the provisions of this rule as necessary to comply with the requirements of federal statute or regulation, or state statute or administrative rule.

(I) For the purpose of audits performed by or provided by ODJFS, auditees must maintain documentation conforming to all requirements prescribed by ODJFS, federal statute or regulation and state statute or administrative rule. Auditees must prepare and maintain documentation to support all transactions and to permit the reconstruction of all transactions and the proper completion of all reports required by state and federal law and regulations, and which substantiates compliance with all applicable federal statutes or regulations, state statutes or administrative rules.

(J) Auditees must make available to ODJFS personnel all records necessary to document all transactions. Records must include sufficient detail to disclose:

(1) Services provided to program participants.

(2) Administrative cost of services provided to program participants.

(3) Charges made and payments received for items identified in paragraphs (J)(1) and (J)(2) of this rule.

(4) Cost of operating the organizations, agencies, programs, activities, and functions.

(K) Auditees must maintain adequate systems of internal control to ensure:

(1) Accurate and reliable financial and administrative reports.

(2) Efficient and effective use of resources.



(3) Compliance with laws and regulations.

(L) Audits performed by other public or private audit organizations on behalf of ODJFS will be reviewed and released by ODJFS. Audit reports for audits performed by ODJFS or by other public or private audit organizations on behalf of ODJFS may be the basis for action by ODJFS as authorized by federal statute or regulation, state statute or administrative rule, including, but not limited to, section 5101.24 of the Revised Code.

(M) A certified copy of any portion of any audit report released by ODJFS containing factual information is prima facie evidence of the facts contained therein for the purpose of any administrative appeal or proceeding.

(N) At the conclusion of an audit, ODJFS will normally conduct an exit conference with the auditee. However, an exit conference is not required where the auditee fails to respond, within a reasonable period of time, to a request by ODJFS to schedule an audit, where an audit conference would impair, impede, or otherwise threaten the ability of ODJFS to satisfy legal requirements that it supervise the auditee or direct compliance with state and federal law, or where the subject matter of the audit is currently the subject of another state or federal audit or criminal investigation. Objectives of exit conferences include:

(1) To provide ODJFS with an opportunity to present the results of the audit and obtain the response of the auditees.

(2) To provide the auditee with an understanding of the audit findings.

(3) To obtain relevant information with respect to issues raised by the audit.

ODJFS will evaluate any written response of an auditee and will consider whether the proposed audit report should be revised based upon the response. When an auditee submits a written response and ODJFS concludes that no revision of the draft audit report is appropriate or warranted, the response shall be attached to or summarized in the final report.