

**STATE OF OHIO
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) PROGRAM
STATE TITLE IV-A PLAN**

Submitted pursuant to 42 U.S.C. §602

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Section I

OVERVIEW OF OHIO'S TANF PROGRAMS

Overview of Ohio's TANF Programs

In Ohio, the following programs and services are supported through the TANF program.

Ohio Works First (OWF) - OWF is a state-supervised, county-administered program that serves every political subdivision in the State. OWF provides time-limited cash assistance to needy families with (or expecting) children, by furnishing parents or specified relatives with work, training, and other support services they need in order to attain permanent self-sufficiency while meeting the family's ongoing basic needs. Non-time-limited OWF cash assistance is also provided to child-only cases.

Prevention, Retention and Contingency (PRC) - PRC is a state-supervised, county-administered program that serves every political subdivision in the State. The program is designed to provide benefits and services that are not considered assistance in accordance with 45 CFR §260.31. PRC provides ongoing services and nonrecurring short-term benefits designed to accomplish one of the four purposes of TANF by addressing supports needed by working families and by addressing the needs of families with barriers to self-sufficiency. The goal is always to provide the appropriate mix of cash and non-cash services that will enable the family to achieve self-sufficiency. Ohio chooses to provide services authorized by the Title IV-A Plan that was in effect on August 21, 1996. This plan authorizes Ohio to fund certain medical services and certain Child Welfare services with TANF dollars. The specific Title IV-A plan is in Appendix A.

Other TANF-Funded Benefits and Services - Ohio also uses TANF funding to support several different Title IV-A programs or program components which serve TANF-eligible individuals. These programs are authorized either by the Ohio General Assembly or an Executive Order of the Governor. TANF funds must be reasonably calculated to achieve one of four purposes, as indicated by federal law. All of the programs listed are reasonably calculated to meet one or more of the four TANF purposes. The benefits and services provided under this section are not considered assistance as defined in 45 CFR §260.31(a) and are benefits and services that 45 CFR §260.31(b) excludes from the definition of assistance.

Family Supports - A very important component in moving people away from public assistance and toward self-sufficiency is the provision of adequate family supports. As families move into regular, meaningful employment, it is imperative that they are given the opportunity to access support services that help them maintain their jobs. Assistance with buying food, getting health coverage, paying for child care and transportation are all family supports that assist families in their pursuit of success. These are programs that are not TANF funded but, in coordination with PRC and OWF, support families as they pursue self-sufficiency.

Overview of Funding

The Ohio Department of Job and Family Services (ODJFS) has structured Federal TANF funds and State Maintenance of Effort (MOE) funds in a manner consistent with federal and state law, as well as the efficient and effective operation of programs designed to serve the needs of families envisioned in the purposes of TANF. The structure of funding may include the following:

- Segregated TANF funds expended in the TANF program.
- Segregated State MOE funds expended in the TANF program.
- Commingled Federal TANF and State MOE funds expended in the TANF program.
- Separate MOE funds expended on state programs operated outside the TANF program.

To the extent allowable under federal law, the State may transfer funding from the TANF Block Grant to the Social Services Block Grant and the Child Care Development Fund.

Section II OHIO'S TANF PROGRAMS

1. Ohio Works First

Ohio Works First (OWF) is Ohio's TANF cash assistance program for needy families. OWF is a temporary cash assistance program that encourages family self-sufficiency through employment. Participation in OWF requires each work-eligible individual, adult and minor head of household to sign and follow a self-sufficiency contract. The self-sufficiency contract requires each individual to engage in work activities. A 'minor head-of-household' is defined as a minor child who is either: (1) married, at least six months pregnant and a member of an assistance group that does not include an adult; or (2) married, and a parent of a child included in the same assistance group that does not include an adult.

When determining eligibility for OWF, the State requires that the assistance group contain a minor child who resides with a custodial parent, legal guardian, legal custodian or specified relative caring for the child (under Ohio law, guardians and custodians stand *in loco parentis*); or a woman who is at least six months pregnant. There is no resource limit/asset test in the OWF program.

Initial Income Test

The first step in determining whether a family is financially eligible to participate in OWF is the state's initial income test. The initial income test is a modified program eligibility test, similar to the initial eligibility test formerly prescribed by the Aid to Families with Dependent Children (AFDC) regulation. The earned income disregard is not applied at this initial income test.

The initial eligibility standards are annually indexed to fifty per cent of the federal poverty level (FPL) effective July 1 of each year.

Continued Eligibility

If the family's gross monthly income does not exceed fifty per cent of the FPL for the appropriate household size, the family passes the initial income test. The family's eligibility for an OWF cash benefit is determined by deducting \$250 and 1/2 the remainder from the family's gross monthly earned income (the earned income disregard) and deducting any verified non-publicly funded dependent care costs. The family's unearned income is added to the remainder, and the total is compared to the OWF payment standard for the family size. The OWF payment is the difference derived from subtracting the family's countable income from the OWF payment standard for the family size.

Temporary Absence

A temporarily absent individual is considered to be in the home for eligibility purposes under OWF. The absence of a member of the assistance group is temporary if all the following conditions are met:

- The location of the absent individual is known;

- There is a definite plan for the return of the absent individual to the home; and
- The absent individual shared the home with the assistance group prior to the onset of the absence.

A minor child or parent/specified relative who, without good cause, has been, or is expected to be, absent from the home for a period of forty-five consecutive days or longer does not meet the temporary absence requirement for OWF. Exceptions to this requirement are limited to the following good cause reasons:

- Hospitalization (includes inpatient drug and alcohol treatment);
- Detention in a juvenile home until a court commitment;
- Attendance at school;
- Vacationing;
- Trip made in connection with current or prospective employment;
- Shared parenting situations;
- Service in the military when it is the sole reason for absence; and
- Removal of a child(ren) by the Public Children Services Agency (PCSA) if a reunification plan is in place and the parents are cooperating with it. Cash assistance for a child(ren) removed can continue to be provided for up to six payment months after the removal date.

State and Federal Time Limits

An assistance group in receipt of OWF that includes an adult or minor head-of-household is subject to state and federal time limits. In Ohio, the state time limit is 36 months. The 36 months count toward the federal 60-month time limit. After 36 months, the assistance group is ineligible for further payments unless the county department of job and family services (CDJFS) approves an extension of benefits.

There are three kinds of CDJFS-determined extensions: (1) “state hardship;” (2) “good cause;” and (3) “federal hardship.”

Both the state hardship and federal hardship extensions are determined in the same manner and both are subject to a 20% limit, i.e., a CDJFS may exempt up to twenty percent of the average monthly number of families receiving OWF from the time limit if the CDJFS determines that the time limit is a hardship. An assistance group can receive a state hardship extension any time after the 36-month limit has been reached. Neither federal nor state law define the term “hardship.” In determining whether the time limit is a hardship, the county must look at the totality of the family’s circumstances to determine whether the 36 or 60-month time limit is a hardship. Most CDJFS have developed a list of situations that they consider to be hardship, but they are also to consider the totality of the circumstances if a family's situation does not fit within one of the listed situations the CDJFS has identified.

An assistance group can only receive a good cause extension after a 24-month waiting period following termination of OWF after 36 months. After 24 months have passed, a CDJFS may determine that good cause exists. The CDJFS have also identified lists of good cause reasons for extending eligibility. When the CDJFS determines that good cause exists, the assistance group may

be eligible for up to an additional twenty-four months of cash assistance.

After 60 months, the assistance group is ineligible for further payments unless the CDJFS approves a federal hardship extension. The 60-month limit counts the first 36 months plus all state hardship and good cause extension months. Both state and federal time limits count any months of TANF cash assistance received in another state. An assistance group approved for OWF as a result of an extension must meet all eligibility requirements and sign a new self-sufficiency contract. Based on a waiver inconsistency (Appendix B), State and Federal time limits began on October 1, 1997, and are not applied retrospectively to participants who received assistance and services before October 1, 1997.

Benefit Levels

The maximum OWF benefit levels available to assistance groups are based on the assistance group size. Current state law requires that effective January 1, 2009, OWF payment standards be increased annually each January based upon the cost-of-living-adjustment by the Social Security Administration in the previous year. The current OWF payment standards can be accessed at the following URL: <http://jfs.ohio.gov/ofam/pdf/OWF.PRC.Standards.Sheet.pdf>

School Attendance for Teen Parents

The Learning, Earning and Parenting (LEAP) Program, is a component of OWF. LEAP is Ohio's program to encourage teen parents to remain in school and obtain a high school diploma or high school equivalence diploma. (This program is a continuation of the program previously operated under a waiver, with changes made to comply with federal regulations.)

All teen parents and pregnant teens under the age of 18, or 18 and attending school are required to participate in LEAP. A \$62 attendance bonus is given to the teen for any month that a teen maintains good attendance. Other bonuses paid to LEAP participants include a one-time \$100 school enrollment bonus, a \$100 grade completion bonus and a \$500 graduation bonus.

A \$62 sanction is imposed for any month that a teen does not maintain good attendance. Certain teen parents who are not attending high school or the equivalent are required to participate in an alternative educational or training program. Failure of the teen parent to complete an assessment, enroll in school, attend school or an alternative educational or training program or withdraw from school result in the teen parent's ineligibility for OWF. A teen parent who is 18 years of age and not attending school is required to participate in work activities.

A teen parent caring for a child less than twelve weeks old, or attending home school or Internet school is exempt from participation in the LEAP Program.

Assessment/Appraisal

The goal of OWF is that every family becomes self-sufficient. As soon as possible after an assistance group submits an application for OWF cash assistance, the CDJFS must conduct an appraisal of each adult or minor head of household member of the assistance group. The appraisal includes screening for domestic violence, and an evaluation of employment history, education, skills, abilities, interests, and work barriers in order to formulate an employment goal and a plan to

achieve self-sufficiency for the individual and the family. The CDJFS also assesses the skills, prior work experience and employability of each participant who is at least 18 years of age, or who is not attending secondary school and who has not completed high school or obtained a high school equivalency certificate.

Self-Sufficiency Contracts

Each work-eligible individual, minor head of household and adult member of the OWF assistance group under 42 U.S.C. 607(i)(1)(A) must enter into a written agreement with the CDJFS. The agreement is called a self-sufficiency contract (SSC). The SSC must be entered into within thirty days of applying for assistance or undergoing a redetermination of eligibility for OWF. The conditions in the SSC should be based on the mandatory appraisal each CDJFS is required to perform when an assistance group applies for assistance. The SSC sets forth the rights and responsibilities of both the assistance group and the CDJFS. Each SSC includes (but is not limited to) the following:

- The assistance group's plan to achieve self-sufficiency and personal responsibility through unsubsidized employment within the time limits specified for participation.
- Work assignments for each work-eligible individual in the family-- including the type of assignment (federally-allowable work activities, and/or alternative activities), the specific assignment and the number of hours of participation required.
- Responsibility of the caretaker member of the assistance group to cooperate in establishing the minor child's paternity and establishing, modifying, and enforcing a support order for the child.
- Other responsibilities that members of the assistance group must satisfy to participate in OWF.
- The consequences to the assistance group for failure or refusal without good cause to satisfy all the responsibilities contained in the SSC.
- Assistance and services to be provided to the assistance group by the CDJFS, the Child Support Enforcement Agency, and the PCSA.
- Other provisions designed to enable the assistance group to achieve self-sufficiency and personal responsibility.
- Procedures for assessing the compliance of both the work-eligible individual(s) and CDJFS with the terms of the SSC and whether the contract should be amended.
- Procedures for amending the contract.
- The good cause reasons for missing hours of participation.

If the work-eligible individual, adult or minor head of household fails or refuses to comply in full with a provision of the SSC without good cause in accordance with the state's good cause policy, the assistance group is sanctioned in accordance with the state's sanction policy.

ODJFS offers a descriptive self-sufficiency contract model to the CDJFS. The CDJFS are not required to use the model, but must remain consistent with OWF provisions if the CDJFS chooses to adopt its own model. ODJFS has also developed a standardized good cause policy that is applicable statewide.

Sanctions

The first failure or refusal without good cause results in OWF ineligibility for the entire assistance group for one payment month or until the failure or refusal ceases, whichever is longer. The assistance group may also receive a reduction in food assistance benefits. The second failure or refusal causes OWF ineligibility for the entire assistance group for three payment months or until the failure or refusal ceases, whichever is longer. The assistance group may also receive a reduction in food assistance benefits. The third or subsequent failure or refusal results in OWF ineligibility for the entire assistance group for six payment months or until the failure or refusal ceases, whichever is longer. The assistance group may also receive a reduction in food assistance benefits. For a third or subsequent work activity failure, the adult work-eligible individual who failed or refused to comply without good cause may also lose Medicaid coverage until he/she complies with the work-activity requirement. Other members of the assistance group remain eligible for Medicaid.

The failure or refusal ceases with the receipt of a compliance form signed by the assistance group member who failed the provision of the SSC.

Assistance groups who are sanctioned remain eligible for publicly-funded child care and support services.

General Work Provisions

An OWF work-eligible individual cannot be assigned to a federal work or alternative activity with an employer when the employer removes or discharges another person for the purpose of substituting the participant in the person's place. This is true for any of the following circumstances where:

- The person is already employed as a regular, full-time or part-time employee;
- The person has been employed full-time or part-time as a participant in a work activity, or alternative activity;
- The person is, or has been, involved in a dispute between a labor organization and the employer; or
- The person is on a layoff from the same or any substantially equivalent job.

An employer cannot hire a participant to circumvent hiring a full-time employee. Each CDJFS shall

have a grievance process to resolve complaints by employers and participants.

Exemptions From Work Activities

There are limited exemptions from work requirements. Child-only cases are exempt and Ohio has taken the state option that exempts a single-parent who is caring for a child under age one from the federal work participation requirements. This is a county option and the county may choose to exempt or assign the individual.

Based on the results of an employability assessment, a work-eligible individual may be exempt from participating in some or all of the hours required for federal work activities.

Work Activities

Each work-eligible individual in the family is required to participate in federally required work activities and/or alternative activities.

Federally Required Work Activities

Ohio conforms with and operates the work activities contained in federal law at 42 U.S.C. § 607(d) and defined under federal regulation at 45 CFR Parts 261 et al. Chapter 5101:1 of the Ohio Administrative Code sets forth the activities to which a county shall assign work-eligible individuals. These rules adopt and augment the federal definitions. Further description of the work activities is found in Ohio's State Work Verification Plan, and is accessible at the following website: http://jfs.ohio.gov/ofam/tanf_info.stm

Alternative Activities

In cases where traditional work activities are unsuitable, and individuals are unable to participate in federal work activities, individuals are placed in alternative activities appropriate to their specific circumstances and needs.

Alternative activities may include, but are not limited to: 1) parenting classes and life-skills training; 2) participating in certified alcohol or drug addiction programs; 3) in the case of a homeless assistance group, finding a home; 3) in the case of a minor head-of-household or an adult with a disability, active work in an individual written rehabilitation plan with the Rehabilitation Services Commission; 4) in the case of an adult or minor head-of-household who has been the victim of domestic violence, residing in a domestic violence shelter, receiving counseling or treatment related to the domestic violence, or participating in criminal justice proceedings against the domestic violence offender.

Alternative activities may be any activity that moves the family toward self sufficiency. The CDJFS shall establish standards for determining whether the work-eligible individual(s) in the family has a temporary or permanent barrier to participating in federal work activities.

Work After Two Years

Each CDJFS must immediately assess and assign each work-eligible individual in each family to a federal work or alternative activity at the time of, or as soon as possible after, application for OWF.

ODJFS and each CDJFS understands that 42 U.S.C. § 602 (a)(1)(A)(ii) requires that each work-eligible individual in the family must be participating in some type of a work activity after receiving cash assistance for 24 months. Since Ohio requires work-eligible individuals to be appraised and assigned to a work activity at the time of or as soon as possible after OWF application, all work-eligible individuals should receive an assignment by the time the 24-month period is reached.

Community Service After Two Months

Ohio opted out of the provision in 42 U.S.C. § 602(a)(1)(B)(iv), which requires a parent or caretaker receiving cash assistance to participate in community service after two months if the parent or caretaker is not engaged in or exempt from work activities. The Community Service Activity is not necessary to offer in Ohio because all work-eligible individuals are assessed and assigned to federal or alternative activities once approved for assistance.

Number of Hours Required to Work

Ohio policy regarding required hours of participation comports with federal TANF law set forth in 42 U.S.C. § 607(c), and when applicable, with the Fair Labor Standards Act (FLSA) of 1938 (29 U.S.C. § 201 et.seq.).

The CDJFS has the option of assigning a parent with a child under the age of one to a federal work activity. That family is included in the federal participation rate calculation.

Based on the results of an employability assessment, an individual may be exempted from some or all of the hours required for federal work activities due to family or individual barriers to participation.

Ombudsperson

Ohio statute requires each CDJFS to have at least one OWF ombudsperson. The OWF ombudsperson acts as a liaison between the OWF applicant/participant and the CDJFS.

Work Participation Rates

Ohio will comply with provisions related to work participation rates outlined in 42 U.S.C. § 607.

Domestic Violence Option

Ohio has adopted a domestic violence waiver program in accordance with the provisions set forth in 42 U.S.C. § 402(a)(7). The program became effective January 1, 2008, and includes the federal definition of domestic violence. Ohio's domestic violence waiver program includes universal notification, screening, referral and waiver of certain program requirements.

Each applicant for and recipient of OWF receives notification about domestic violence at each application and reapplication for benefits. Screening occurs during the appraisal interview, the review of eligibility at the expiration of OWF due to state or federal time limits, when good cause for refusal to cooperate with child support is requested by the individual, when there is a failure to comply with the terms of the self-sufficiency contract, and at other times as determined necessary by the CDJFS.

An individual must be referred for counseling and supportive services if the individual responds affirmatively to any screening question at any interval. Ohio's policy also provides that the individual may decline the referral, or may stop counseling or supportive services at any time.

Waiver of OWF/TANF eligibility requirements is possible if cooperation or compliance with the eligibility requirement would make it more difficult for the individual to escape the domestic violence or unfairly penalize the individual. OWF eligibility requirements that may be waived due to domestic violence include cooperation with the child support enforcement agency, participation in a work activity and time limits for receipt of TANF cash assistance.

Ohio provided domestic violence awareness training to CDJFS and child support enforcement agencies. Under a TANF Demonstration Project, the Ohio Domestic Violence Network offered a domestic violence awareness program for CDJFS. Staff from the CDJFS were trained under that demonstration project. From July 2008 – June 2009, a new TANF domestic violence awareness training developed by ODJFS was made available to staff in the remaining CDJFS and to all 88 county child support enforcement agencies.

Application of Waivers

Under 42 U.S.C. § 615, Ohio will rely on one waiver that was previously approved; Ohio implemented its time limit waiver provision in July 1996 (TANF was implemented in 10/96) and the policies were continually applied through September 30, 1997. Beginning October 1, 1997, Ohio aligned its time limit policies with the requirements of 42 U.S.C. § 608(a)(7). Under 45 CFR § 260.75, Ohio submitted the required certification from Governor Bob Taft relating to waiver inconsistencies (see Appendix B).

2. Prevention, Retention & Contingency Program

Services

The Prevention, Retention and Contingency (PRC) program provides benefits and services to TANF-eligible families who are in need of help with essential supports to move out of poverty and achieve self-sufficiency. The program is designed to provide benefits and services that are not considered assistance under 45 CFR § 260.31. The PRC program offers a broad variety of services and short-term benefits for TANF-eligible families that are designed to accomplish one of the four purposes of TANF.

In addition, Ohio provides services authorized by the Title IV-A Plan that was in effect on August 21, 1996. This plan authorizes Ohio to fund certain medical and certain Child Welfare services with TANF dollars. The specific Title IV-A Plan is in Appendix A.

Prevention services are designed to be given to a PRC assistance group (the PRC assistance group is not necessarily the same as an assistance group as defined in OWF) to divert them from ongoing cash assistance and help them reach self-sufficiency by helping them through the presenting crisis. Retention services are provided to the PRC assistance group to allow an employed member to maintain employment, and thereby achieve or continue self-sufficiency. Contingency services are provided to the PRC assistance group to meet an emergent need which, if not met, threatens the safety, health or well-being of one or more PRC assistance group members.

Among the TANF-allowable services that may be provided to TANF-eligible individuals are: services for unruly and misdemeanor youth; information and referral services to kinship caregivers concerning access to legal services, child care, respite care and financial assistance, adult literacy and child reading services; workforce development and supportive services; micro enterprise development and other entrepreneurship activities; youth job training; job creation and retention services; teen pregnancy prevention services; out-of-wedlock pregnancy prevention services; school readiness services such as counseling and placement, parent education and parent-child activities, peer support groups, and home visits; disaster relief; transportation services; domestic violence services; after-school programs; family preservation and reunification services; mediation services; employer recruitment; early childhood developmental and intervention services; Individual Development Account (IDA) match; and post-secondary education and job training.

PRC Administration

Each CDJFS is required to have a written statement of its PRC program and policy (PRC plan). Each CDJFS must update the county PRC plan at least every two years. A CDJFS may amend its PRC plan at anytime. Effective October 15, 2009, a CDJFS may amend its PRC plan to temporarily suspend operation of its PRC program.

In adopting the PRC plan, each CDJFS must establish or specify all of the following:

- Benefits and services to be provided under the program that are allowable uses of federal IV-A funds under 42 U.S.C. §601 and §604(a), except that they may not be “assistance” as defined in 45 C.F.R. §260.31(a) but rather benefits and services that 45 C.F.R. §260(b) excludes from the definition of assistance.
- Restrictions on the amount, duration, and frequency of the benefits and services;
- Eligibility requirements for the benefits and services.
- Fair and equitable procedures for both of the following:
 - The certification of eligibility for the benefits and services that do not have a financial need eligibility requirement; and
 - The determination and verification of eligibility for the benefits and services that have a financial need eligibility requirement.
- Objective criteria for the delivery of the benefits and services.
- Administrative requirements.
- Other matters the CDJFS determines are necessary.

Each CDJFS determines the number of programs it will administer, and the eligibility criteria

including financial eligibility threshold for each program. Each program must meet federal TANF requirements. Each program designed to meet TANF purpose 1 or purpose 2 must have financial eligibility requirements. Maintenance of effort (MOE) funds are only claimed for PRC programs reasonably calculated to accomplish TANF purposes 1 or 2. The funds are commingled and are not separate state programs.

Each CDJFS must ensure that the PRC plan is consistent with Title IV-A, federal regulations, state law, the Title IV-A state plan submitted to the United States Secretary of Health and Human Services, and amendments to the plan.

In addition, each CDJFS must provide ODJFS with a written copy of the PRC plan and any amendments to the plan not later than ten calendar days after the effective date of the plan or amendment. The receipt of these plans does not constitute an approval or disapproval of the policies and practices outlined by the counties and does not represent the concurrence of the State with any claims by the County.

Each CDJFS PRC Plan can be accessed at: <http://jfs.ohio.gov/owf/prc/>

3. Other TANF-Funded Benefits and Services

Ohio also uses TANF funding to support different Title IV-A programs and program components which serve TANF-eligible individuals. These programs are authorized either by the Ohio General Assembly or an Executive Order of the Governor. TANF funds must be reasonably calculated to achieve one of four purposes, as indicated by federal law:

- (1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
- (2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
- (3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and
- (4) encourage the formation and maintenance of two-parent families.

All of the programs listed are reasonably calculated to meet one or more of the four TANF purposes. Additionally, the benefits and services provided under this section are not considered assistance as defined in 45 CFR §260.31(a) and are benefits and services that 45 CFR §260.31(b) excludes from the definition of assistance.

A. Governor's Office of Faith-Based and Community Initiatives

The Governor's Office of Faith-Based and Community Initiatives (GOFBCI) serves as a clearinghouse of information on federal, state and local funding for charitable services. The GOFBCI encourages and coordinates collaboration between governmental entities and not-for-profit organizations who share a common mission. The GOFBCI has multiple sources of funding,

including TANF block grant funds available in state fiscal year 2012.

The long-term goal of the GOFBCI is to strengthen Ohio families, improve child well-being and reduce childhood poverty by directing efforts to expand, enhance and build community capacity. Federal TANF funds (not state MOE funds) are used for the following initiatives:

- *Ohio Benefit Bank*
The Ohio Benefit Bank is a web-enabled, counselor assisted program used by faith-based and community service groups and public agencies at sites throughout Ohio. It allows low and moderate income Ohioans to electronically file federal and state income tax returns, check potential eligibility for assistance programs, provide information and referrals for fatherhood programs, and complete applications for tax credits and benefits such as the earned income tax credit (EITC), food assistance, child care subsidies, home energy assistance, children's health care insurance, and student financial aid, with assistance from trained volunteers. This initiative is reasonably expected to achieve outcomes under all 4 TANF purposes.
- *Ohio National Guard Marriage Workshops/Youth Camps*
This initiative is designed to provide marriage enrichment for Ohio National Guard parents and to provide training, teambuilding and other youth workshops for their children. This initiative is reasonably expected to achieve outcomes under purposes 2 and 3 for the Youth Camps and 4 for the Marriage Workshops.

Additionally, the GOFBCI will be exploring additional initiatives in the following areas: after school programs, case management services for families affected by drug abuse, summer food service capacity building, and neighborhood empowerment to improve the lives of youth in inner city neighborhoods.

B. Other TANF-funded programs

Independent Living Services

TANF funds are used to expand services for individuals who have or will soon emancipate from the foster care system. TANF funds are used to expand services to this population and supplement the federal Chafee Independent Living funds. The services assist individuals in the development of skills needed to successfully transition from youth to adulthood, from foster care to independent living in the community, by choosing healthy and productive options that result in responsible and self-sufficient lives and decrease the incidence of out-of-wedlock births in this population. Individuals served include older children in the custody of the Public Children Services Agency who are likely to remain in custody until age 18 and young adults aged 18 to 21 who have exited the custody of the Public Children Services Agency.

Kinship Permanency Incentive Program (KPI)

The KPI Program was created to promote permanency for a minor child in the legal and physical custody of a kinship caregiver. The program provides an initial one-time incentive payment to the kinship caregiver to defray the costs of initial placement of the minor child in the kinship caregiver's

home. The program may provide additional permanency incentive payments for the minor child at six month intervals for a total period not to exceed thirty-six months, as long as the child remains in the legal and physical custody of the kinship caregiver.

The KPI Program is administered by the local County Public Children Services Agencies. The kinship caregiver must be the custodian or guardian of the minor child. The gross income of the kinship caregiver's family, including the minor child, cannot exceed 300% of the Federal Poverty Level.

This program is reasonably expected to achieve outcomes under TANF purpose 1. Expenditures under the KPI program are claimed as MOE.

Ohio Association of Second Harvest Foodbanks Through a memorandum of understanding with the Ohio Association of Second Harvest Foodbanks, the state will claim the value of private donations of food and money received by the foodbanks for TANF-eligible families with incomes at or below 200% of the federal poverty level as MOE in one quarter of each federal fiscal year, starting with federal fiscal year 2009. This program is reasonably expected to achieve outcomes under TANF purpose 1.

Additionally, starting in federal fiscal year 2011, the state will claim the allocable portion of volunteer in-kind time provided to the food banks for administration. The dollar value of the volunteer time is based on data compiled by the Bureau of Labor Statistics. Ohio's volunteer hourly rate is currently determined to be \$18.54. The rate is adjusted annually and can be found at http://www.independentsector.org/volunteer_time

Ohio Fatherhood Initiative Grants

This initiative provides grants to support programs designed to strengthen the role that fathers play in the lives of their children, as well as to support young men and reduce the incidence of premature fatherhood. This initiative is reasonably expected to achieve outcomes under TANF purpose 3, to reduce out of wedlock pregnancies. There is no financial eligibility test for this program. The populations to be served by this initiative are fathers and their young children, and young men at risk of becoming fathers.

Child Care Subsidy Program

In Ohio, TANF funds may specifically be used to support Ohio's state child care subsidy program in the provision of services to:

- OWF families, and
- Low-income employed families with incomes that are at or below the state established income ceiling at the time of application for child care subsidy services and at each redetermination for such services. While the state has the authority to adjust income ceilings in order to manage child care expenditures, per state statute, the ceilings can never exceed 200% of the federal poverty level for the child care subsidy program.

This program is reasonably expected to achieve outcomes under TANF purpose 2.

Early Childhood Education

This program is administered by the Ohio Department of Education (ODE). It provides funding to city, local, exempted village, joint vocational school districts, or Educational Service Centers to provide preschool services for 3 and 4 year old children of income eligible families. The target population served by this program is eligible children who are at least three years of age, not of the age to be eligible for kindergarten, and with family income of 200% or less of the federal poverty level. The program is reasonably expected to achieve outcomes under TANF purposes 3 and 4. Expenditures for this program are claimed by the TANF program as MOE, in accordance with a Memorandum of Understanding between ODJFS and ODE, under which ODE provides data to ODJFS on the number of children served.

Additional Provisions

Fair & Equitable Treatment

Ohio determines eligibility and delivers benefits in a manner consistent with 42 U.S.C.

§602(a)(1)(B)(iii). All applicants and participants are treated in a fair and equitable manner, including those who move to Ohio from another state, those participants who have been adversely affected and claim hearing rights, and, to the extent allowable under Federal law, legal aliens who are not United States citizens.

An appellant who appeals under Federal or State law a decision or order of a CDJFS, shall be granted a state hearing by ODJFS at the appellant's request. A state hearing decision is binding upon the agency and department, unless reversed or modified on appeal to the director of ODJFS or a court of common pleas. An appellant who disagrees with a state hearing decision may make an administrative appeal to the director of ODJFS, who shall review it and may affirm, modify, remand, or reverse the state hearing decision.

Inalienability and Exempt from Execution

OWF and benefits and services provided under the PRC program are inalienable whether by way of assignment, charge or otherwise and exempt from execution, attachment, garnishment, and other like process.

Applicability of other Federal Laws

Under §408(d) of the Social Security Act, the following provisions of law apply to any program or activity funded with TANF funds: (1) The Age Discrimination Act of 1975; (2) §504 of the Rehabilitation Act of 1973; (3) The Americans with Disabilities Act of 1990; and (4) Title IV of the Civil Rights Act of 1964.

The limitation on federal regulatory and enforcement authority at §417 of the Act does not limit the effect of other federal laws, including federal employment laws (such as the FLSA), the Occupational Safety and Health Act (OSHA) and unemployment insurance (UI) and nondiscrimination laws. These laws apply to TANF beneficiaries in the same manner as they apply to other workers.

Confidentiality Provisions

Pursuant to 42 U.S.C. §602(a)(1)(A)(iv), ODJFS takes steps to ensure the confidentiality of all

information collected in Ohio's TANF-funded programs. Under the guidelines established that govern Ohio's TANF plan, no person or government entity shall solicit, disclose, receive, use or knowingly permit or participate in the use of any information regarding a TANF client for any purpose not directly connected with the administration of the TANF program except that to the extent permitted under Federal law, the State will:

- Release information regarding a TANF recipient for purposes directly connected to the administration of the TANF program to a government entity responsible for administering TANF;
- To the extent permitted by federal law, ODJFS and CDJFS shall provide TANF information, except information directly related to the receipt of medical assistance or medical services, for purposes of investigations, prosecutions, and criminal and civil proceedings that are within the scope of the law enforcement agencies' official duties;
- Provide, for purposes directly connected to the administration of a program that assists needy individuals with the costs of public utility services, information regarding a recipient of TANF to an entity administering the public utility services program;
- Provide information to the following persons: the recipient, an authorized representative, a legal guardian of the recipient, and the attorney of the recipient, if the attorney has the recipient's written authorization; and
- Provide information only in accordance with the written authorization.

To the extent permitted under federal law, the State may do both of the following:

- Release information about a TANF recipient if the recipient or the recipient's guardian gives voluntary, written authorization; and
- Release information regarding a TANF recipient to a state, federal, or federally assisted program that provides cash or in-kind assistance or services directly to individuals based on need or for the purpose of protecting children to a government entity responsible for administering a children's protective services program.

Out-of-Wedlock Pregnancies

Ohio's goal is to reduce the number of out-of-wedlock births by at least 1% per year, thus reducing the illegitimacy ratio. Ohio hopes to achieve this reduction through a number of initiatives.

Because Ohio's LEAP program works closely with the teen parent population, another desired outcome of the LEAP program is the reduction of teen births and out-of-wedlock births.

The CDJFS participate in a community planning process to determine the specific needs of their communities and address those needs through the CDJFS PRC plans. As a result of this process,

many CDJFS have developed relationships with local health departments and other agencies to develop strategies aimed to reduce the number of out-of-wedlock births.

Better access to Medicaid services through outreach also contributes to this reduction.

Statutory Rape

Pursuant to 42 U.S.C. §602(a)(1)(A)(vi), the State operates a public outreach program related to statutory rape. The Sexual Assault and Domestic Violence Prevention Program (SADVPP) in Ohio is administered by the Ohio Department of Health. The SADVPP program seeks to improve the health status of Ohio women by identifying issues that affect women's health and developing programs to address those issues. These programs include those that address sexual assault and domestic violence prevention and services.

Treatment of Individuals Moving From Other States

For the purposes of benefits and services offered under Ohio's TANF-funded programs, Ohio treats individuals who have moved from other states within the last twelve months no differently from residents who have resided in the state for more than twelve months.

Treatment of Aliens

ODJFS provides OWF cash assistance, PRC and other TANF-funded services and benefits to qualified aliens to the extent allowable under Federal law, and in the same manner as they are provided to residents of Ohio.

Ohio's Long-Term Direct Service Workforce Initiative

Ohio faces an overall health workforce shortage at a time when changing demographics will place greater demand on the health delivery system, and more consumers want to receive services and supports in home-and community-based settings. The issues surrounding the direct service workforce and consumers exist within the broader context of health workforce needs in Ohio and nationally. The goal of this initiative is to unify our efforts across state and community agencies related to the education and training, credentialing, registration, wages and career advancement opportunities of the direct service workforce to address these very issues.

Am. Sub. H.B. 119 of the 127th General Assembly created a unified budget workgroup chaired by the Director of the Department of Aging, under the Unified Long-Term Care System workgroup, the Workforce subcommittee made the following recommendations which were approved and are currently being worked on:

1. Create a Direct Service Workforce Consortium.
2. Use the Consortium to develop a multifaceted communications strategy to help connect system stakeholders to resources, programs and data, and to link direct service workers with potential long-term care service and support provider employers.

3. Conduct a long-term care system asset mapping process that identifies courses within Ohio's university system that match the core and specialized skills, creating a "stackable" infrastructure where workers can apply their direct service coursework to health and human service degree programs.

4. Commission a study to determine the relationships (including strengths and limitations) between existing reimbursement models and efficient long-term care service delivery.

The Ohio proposal is to work together, as a unified state government, to lead the implementation of a comprehensive and flexible education and training system for direct service workers in all settings and sectors.

4. Family Supports

The following support services are offered to individuals to help them maintain their jobs:

- **Medicaid Eligibility.** To the extent allowed by law, Medicaid eligibility is aligned with eligibility for the OWF program, so that all participants have access to quality health care. Upon leaving OWF, former participants may have up to one year of extended Medicaid eligibility to help them make the transition from public assistance to self-sufficiency. Additionally, many families who are diverted or sanctioned from public assistance may still be eligible for Medicaid through the Ohio Healthy Start and Healthy Families programs.
- **Transportation.** OWF work participants must have access to employment opportunities in order to successfully enter and remain in the labor force. For this reason, state law requires each board of county commissioners to develop a written transportation plan that establishes policies regarding the transportation needs of low income residents of the county seeking or striving to retain employment. In developing the transportation plan, the board is required to consult with various entities within the county including the CDJFS.
- **Child Care Assistance.** Reliable child care is essential for families to obtain and retain long-term employment. In addition, families participating in employment and training programs require child care assistance. For these reasons, OWF participants with children under 13 years old are eligible for subsidized child care, with the subsidies varying according to the income of the assistance group. Child care is guaranteed to OWF participants and to families who leave OWF for employment for up to one year, or until their income exceeds 150% of the federal poverty level. All families with incomes up to the state established income ceiling may be eligible for non-guaranteed child care assistance. The state child care subsidy program is funded with Ohio General Revenue, CCDF, TANF and SSBG funds.
- **Food Assistance.** Participating OWF assistance groups are considered categorically eligible for participation in the Ohio food assistance program. Additionally, individuals leaving OWF may continue to be eligible if their income remains below 130% of the federal poverty level and they meet all other eligibility criteria of the Food Assistance program. Ohio expanded categorical eligibility to cover the four purposes of the TANF block grant in accordance with 7 CFR § 273.2(j)(2)(i)(C).

- Service Integration. The CDJFS are proactively involved in local service integration to serve TANF eligible families. Each county is required by Ohio law to have a Family Services Planning Committee to provide advice to County Commissioners on implementation, administration, and evaluation of social service programs in the county. In addition, each county is encouraged to engage in a community planning process. These efforts are designed to help counties determine the needs in the county and to develop goals and strategies necessary to serve those needs and meet those goals. These efforts are intended to link public and private service providers with needs of low income families and employers.

Section III GOVERNANCE

State-County Relationship

With the provision of TANF-funded services (i.e., OWF and PRC) in Ohio, each Board of County Commissioners is provided TANF allocations that must be used in accordance with state administrative rules. State administrative rules require counties follow all applicable federal and state law including, but not limited to, federal regulations and Office of Management and Budget circulars.

The purpose of the state administrative rules is to establish requirements governing reporting, cash management, audits, allowable use of funds, and other requirements to provide accountability for the use of financial assistance awarded by ODJFS.

Community Plans

Each Board of County Commissioners must establish a County Family Services Planning Committee to address the service needs of the county and make recommendations to the County Commissioners. The Planning Committee is encouraged to develop a County Community Plan designed to identify the county's goals and objectives under the OWF and PRC programs, and the strategies the county will utilize in achieving desired outcomes. While the plan is the end product and ultimately becomes the county's road map, it is the planning process that produces the greatest benefits for the community. The involvement of community stakeholders may maximize the utilization of resources and lead to consensus on strategies outlined in the plan.

Other TANF-Funded Benefits and Services

Ohio's other TANF-funded benefits and services are administered in accordance with respective interagency agreements or contracts. A more detailed discussion of these is provided in Section II.

APPENDIX

- A. Title IV-A State Plan in effect on August 21, 1996
- B. Governor's Letter and Certifications regarding Waiver Inconsistencies

Appendix A

Title IV-A State Plan In Effect on August 21, 1996

IV-A STATE OF OHIO

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CITATIONS
233.120

EMERGENCY ASSISTANCE TO NEEDY FAMILIES WITH CHILDREN

A. Kinds of emergencies covered.

Situations in which lack of food, clothing, shelter, appliances, or medical supplies may lead to the destitution of a child. Also covered are situations in which a family is encountering an emergency that could lead, or has led, within the past six months, to removal of a child from the family's home due to child abuse, neglect or dependency.

B. Kinds of assistance provided to meet emergency situations.

Emergency assistance payments may not be issued in a warrant payable to the recipient. Emergency Assistance payments may be in the form of a relief supply order or by warrant payable to the provider of the service.

C. Kinds of service provided to meet the emergency situations.

- (1) Food - When there is no eligibility for food stamps.
- (2) Necessary clothing - Replace items lost or destroyed due to a natural disaster such as fire, flood, tornado, blizzard, or chemical disaster or due to a state of civil disorder as declared by the Governor of Ohio.
- (3) Household items - Limited to replacement of bedding, linens, and cooking/eating utensils lost or destroyed due to a natural disaster such as fire, flood, tornado, blizzard, or chemical disaster or due to a state of civil disorder as declared by the Governor of Ohio.

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C. Kinds of service provided. (continued)

- (4) Furniture - Limited to the replacement of bed (bed frame, mattress, box spring) and kitchen table and chairs when lost or destroyed due to a natural disaster such as fire, flood, tornado, blizzard, or chemical disaster, or due to a state of civil disorder as declared by the Governor of Ohio.

- (5) Appliances - Limited to the repair or replacement of cooking stoves, heating stoves, refrigerators, and, if needed, due to a verified medical disability of a household member, washing machines.

- (6) Home repairs - Limited to those affecting the basic structures or the home including wall, roof, flooring, plumbing, water supply, electric, heating, and water/sewage system.

- (7) Rent - When there is a court-ordered eviction pending or when the conditions of the home cause it to be uninhabitable.

- (8) Interest on principal of mortgage - Must serve to forestall foreclosure on the home.

- (9) Emergency Family Housing - Used only in extreme situations, when an individual/family is homeless and has no alternative living arrangement available, to provide temporary housing or arrange permanent housing.

- (10) Security deposits - Issued only when the landlord will not waive it and when the individual / family is homeless due to court-ordered eviction, uninhabitable conditions of the previous home due to natural or chemical disaster, living in temporary shelter, or forced to live in a domestic violence shelter.

- (11) Heating fuel and utilities - Includes any type of fuel used to provide heating for the home, electricity, water, cooking fuel.

- (12) Deposit for heating fuel or utilities - Issued only when the provider will not waive it and a deposit is necessary to establish, maintain, or restore service.

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C. Kinds of service provided. (continued)

(13) Telephone installation - Issued only when medically verified as necessary.

(14) Medical service - Includes payment for medical supplies (hypodermic needles and syringes for diabetic, oxygen, catheters, etc), laboratory and x-ray services, pharmaceutical supplies (prescription drugs, insulin, no "medicine cabinet" items such as first aid supplies, vitamins, etc), licensed physician care (limited to the minimum appropriate procedure needed to relieve the pain), and dental care (limited to minimum procedure needed to relieve pain or infection).

(15) Family preservation/reunification services - Includes diagnostic services, emergency caretaker services, home health aide services, home maker services, parent education services, in-home services, respite care services, special services for alcohol and drug abusers, therapeutic counseling, transportation services, domestic violence services, emergency shelter, post finalization services. See attachment 3-C for service definitions contained in Ohio Administrative Code Rule 5101:2-39-01.

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IV-A

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CITATIONS

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EMERGENCY ASSISTANCE TO NEEDY FAMILIES WITH CHILDREN

Other eligibility requirements are in effect.

1. Voluntary residence within the state with intent to remain permanently or for an indefinite period of time is a requirement.

Residency may be established when an individual is not receiving assistance from another state and/or has entered the state with a job commitment or seeking employment.

2. Co-payment is that portion of the cost of EA items for which the family is responsible. The net income in excess of the financial eligibility standard for the appropriate household size as set forth in attachment 3-D is considered available towards the emergent need. This is the income which remains after all deductions as set forth in attachment 3-D are allowed.

In computing the amount of resources available for co-payment the first \$50 is exempt. Any liquid assets of the assistance group in excess of \$50 are considered countable resources to be applied toward the emergent need as a co-payment.

Liquid assets are those resources which are in cash or payable in cash upon demand. For EA purposes, liquid assets are those which can be converted to cash within the budget period as defined in state policy so that the funds are available to help meet the emergent need. The most common types of liquid assets are cash on hand, saving accounts, checking accounts, stocks, bonds, mutual funds, promissory notes, and burial accounts.

The countable income and countable resources are added together to become the family's co-payment. The co-payment amount is the family's obligation to pay towards the emergent need. The co-payment is then applied toward the emergent need to determine the amount of the FEA payment. If the co-payment is equal to or exceeds the emergent need, no FEA payment is made. If co-payment is less than the emergent need, the amount of co-payment is applied towards the emergent need and the FEA payment is issued along with the co-payment to meet the total amount needed to meet the emergency.

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Other eligibility requirements are in effect.(cont.)

2. Co-payment may be waived upon approval of the CDHS Director or his designee in situations in which income anticipated to be received during the budget period must be used for payment of another bill which, if not paid promptly, would create another emergent situations.

The co-payment requirement is waived in emergency situations that could lead to the removal of a child from the family's home and in emergency situations involving the return of a child in substitute care to his family's home.

3. In no instances will emergency assistance be issued to cover needs for more than 180 days.

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FAMILY PRESERVATION/REUNIFICATION DEFINITIONS AS CON-
TAINED IN OHIO ADMINISTRATIVE CODE 5101:2-39-01

1. DIAGNOSTIC SERVICES -

Medical, psychiatric, or psychological services performed by a licensed physician, psychiatrist, psychologist, licensed professional counselor with clinical endorsement, or a licensed independent social worker for the purpose of evaluating an individual's current physical, emotional, or mental condition.

2. DOMESTIC VIOLENCE SERVICES -

The provision of direct assistance to victims of domestic violence and their dependents for the purpose of preventing further violence. This includes services such as meals, transportation, housing, information referral, legal advocacy, children's counseling and supportive services.

3. EMERGENCY CARETAKER SERVICES -

Services provided by a person placed within a child's own home to act as a temporary caretaker when the child's own caretaker is unable or unwilling to fulfill the responsibility.

4. EMERGENCY SHELTER -

The short-term crisis placement of any child who is threatened or alleged to be abused, neglected, or dependent to an extent that there is imminent risk to the child's life, physical or mental health, or safety.

5. HOME HEALTH AIDE SERVICES -

Personal care and maintenance activities provided to individuals for the purpose of promoting normal standards of health and hygiene. Services are provided during periods of disability, illness, or in the presence of any such condition that prohibits the individual from performing daily living tasks. This includes services such as assistance with bathing, grooming, walking, getting in and out of bed, and nutrition.

6. HOMEMAKER SERVICES -

Professionally directed or supervised simple household maintenance or management services provided by trained homemakers or individuals in their own home. This includes services such as basic cleaning, shopping, laundry, food preparation, check-cashing, bill paying and any other such tasks as may be necessary to strengthen or enhance the individual's or family ability to function in their own house.

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7. IN-HOME SERVICES -

Services provided intensively to children and families in their own homes. The service is multi-faced, immediate, intense, family-oriented, and generally time limited.

8. PARENT EDUCATION SERVICES -

A teaching process to assist a parent, guardian, or custodian in developing the basic skills necessary to provide adequate care and support to a child in his own home.

9. POST FINALIZATION SERVICES -

Services provided and arranged by the PCSA and PCPA to support, maintain and assist an adoptive family after finalization of an adoption.

10. SPECIAL SERVICES FOR ALCOHOL AND DRUG ABUSERS -

Services to provide a rehabilitation program for alcohol and drug dependent persons. Service activities includes:

- " Work with the individual, family members, and appropriate social service agencies to develop and carry out an individual rehabilitation plan.
- " Providing or arranging for individual, family and group counseling.
- " Services to assist the individual to recognize the danger of continued substance abuse.
- " Providing or arranging for alcohol or drug detoxification medical services in a facility, including room or board coasts; not to exceed seven days.

11. THERAPEUTIC COUNSELING -

Includes psychiatric or psychological services performed by a licensed psychiatrist or psychologist, licensed or certified social worker or a licensed professional counselor to correct or alleviate any mental or emotional handicap or disorder of a person.

12. TRANSPORTATION SERVICES -

Arrange or provide transportation to and from needed resources and facilities. (It may include the provision of escort assistance).

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13. RESPITE CARE SERVICES -

Services designed to provide temporary relief of child-caring functions which includes services such as crisis nurseries, day treatment, protective day care, and volunteers or paid individuals who provide such services within the home and may include respite care for children placed in foster homes or with relatives.

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CITATIONS
233.120

Financial Eligibility Chart

The following chart is used in determining financial eligibility for EA.

<u>Number in Assistance Group</u>	<u>Financial Eligibility Standard</u>
1	\$368
2	498
3	627
4	757
5	886
6	1015
7	1144
8	1273
9	1402
10	1531
11	1660
12	1789
13	1918
14	2047
15	2176

Add \$129 to the financial eligibility standard for each person above 15, i.e., a family of 20 would receive \$2821.

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Earned Income Deductions

Deductions for work-related expenses may be allowed from the gross earnings of each employed assistance group member to arrive at net income. Because of the nature of EA, it may not always be possible to verify the exact amount of work-related expenses in a timely manner. Therefore, the amount of the work expenses to be disregarded is calculated by either one of the following methods:

- (1) If verification of work expenses is not readily available, the eligibility determiner will deduct the first \$90 from the gross earnings. In addition, if there are child care costs, the actual charge up to a maximum of \$175 per child or \$200 if the child is under the age of two, is deducted. The \$90 and \$175 (or \$200 if child is under the age of two) disregards are not adjusted for part-time employment.
- (2) If verification of work expenses is readily available, the actual verified amounts which will be deducted from the gross earnings or paid by the individual during the 30-day period are disregarded from gross earnings.

Following is list of the earned income exclusions to be deducted from gross earnings of each employed member of the assistance group when allowing the actual verified costs. This list is all-inclusive and may not be expanded:

- (1) Mandatory deductions of involuntarily withheld, income taxes (federal, state, and city), social security, compulsory retirement, unemployment, and disability insurance contributions.
- (2) Transportation to and from work. A mileage allowance equal to the amount which is reimbursed to state staff is deducted when the individual uses his own vehicle.
- (3) Child care costs.
- (4) Expenses for union dues involuntarily withheld.
- (5) Miscellaneous deductions required by the employer.

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Other Income Exclusions

For the determination of EA, there are two additional income exclusions. These may be excluded from either earned or unearned income. The amount of the exclusion is limited to the actual verified expense.

The two additional income exclusions are:

- (1) Court-ordered child support and alimony when paid to an individual not included in the eligible assistance group.
- (2) Court-ordered garnisheed payments.

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Date 09/01/94

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Appendix B

**Governor Taft's Letter and Certifications
Regarding Waiver Inconsistencies**

Bob Taft
Governor



Jacqueline Romer-Sensky
Director

Ohio Department of Human Services

30 East Broad Street, Columbus, Ohio 43266-0423

July 22, 1999

Joyce Thomas
Hub Director
105 West Adams Street, 20th Floor
Chicago, Illinois 60603

Dear Ms. Thomas,

In accordance with federal TANF regulations at 45 CFR 260.75, Ohio is submitting the required certification from Governor Bob Taft relating to waiver inconsistencies. The two specific waivers that Ohio is addressing are the LEAP waiver and the time limit waiver operated under our "Ohio First" terms and conditions.

If there are any questions relating to the waiver inconsistencies, please contact Jeanne Carroll of the Bureau of Family Stability at 614/466-3698.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacqueline Romer-Sensky".

Jacqueline Romer-Sensky
Director

JRS:jf
Attachment

OHIO
the heart of it all!

An Equal Opportunity Employer

**CERTIFICATIONS BY THE GOVERNOR OF OHIO
REGARDING CLAIMS OF WAIVER INCONSISTENCIES IN
THE TANF PROGRAM**

I, Bob Taft, Governor of the State of Ohio and, in accordance with Article III, Section 5 of the Ohio Constitution vested with the supreme executive power of the State, do hereby make the attached certifications which claim waiver inconsistencies exist in Ohio's TANF program for work and time limit policies.

Bob Taft

BOB TAFT
GOVERNOR

CERTIFICATIONS FOR LEAP WAIVER:

260.75(a)(1):

Existing LEAP policies have been continually applied since September 1, 1996 (Ohio implemented its TANF program October 1, 1996). Ohio initially implemented the LEAP waiver in September 1989.

260.75(a)(2):

Ohio's LEAP technical waivers allow the state to conduct the demonstration statewide for all pregnant and parenting teens under the age of 20 who do not possess a high school diploma or its equivalent. Specifically, Ohio was granted a waiver of Sections 402(a)(19)(A), (C)(iii), (v), (vi) (E) of the Social Security Act and various provisions of the regulations at 45 CFR 250.30(b)(1), (8) and (9), 250.32 and 250.41.

260.75(b):

Inconsistencies exist with respect to exemptions from the LEAP program, with special requirements concerning educational activities in determining monthly participation rates and with respect to applicable sanctions at Section 408(a)(4) of the Act.

260.75(b)(1)(i):

In accordance with the LEAP waiver, the following two-parent and all-parent cases are exempt from participation for the purpose of determining the denominator of the work participation rate:

- (1) the teen is the primary caregiver of a child who is less than six weeks old.
- (2) child care services are necessary for the teen to attend school, but child care is unavailable.
- (3) transportation to or from the teen's school is necessary and there is no public, private, or CDHS-supported transportation available.
- (4) transportation to or from child care is necessary and there is no public, private, or CDHS-supported transportation available.
- (5) the teen is reasonably prevented from attending school by a physical or mental illness which is expected to last one month or longer.
- (6) the child of the teen parent is ill with a physical or mental illness which is expected to last at least one month or longer and this requires full-time care by the teen.
- (7) the teen is unable to attend school because the teen was expelled from school and another school or GED program is not available because:
 - (A) there is no public or private school or GED program within reasonable travel time or distance which will accept the teen;

(B) there is no public, private, or CDHS-supported transportation available to another school or GED program; or

(C) there is a public or private school which will accept the teen but the tuition charge is prohibitive and the teen's school district refuses to pay the tuition.

(8) there are other exceptional circumstances that reasonably prevent the teen from attending school.

Ohio will include the case in the numerator and denominator if another individual in the family meets the standard for being “engaged in work”.

260.75(b)(1)(ii):

In accordance with the LEAP waiver, all non-exempt two-parent and all-parent cases will be required to attend secondary school or the equivalent and will be required to meet the minimum attendance requirements in accordance with state policy. It should be noted that, due to their age, some LEAP teens attend elementary or middle schools to fulfill their LEAP requirements. These requirements apply to all pregnant or parenting teens under the age of 20 regardless of marital status or head-of-household designation.

Individuals required to participate in the LEAP program who are age 18 and over may meet the LEAP program requirements through participation in work activities in place of educational activities if it is determined that participation in educational activities is inappropriate.

For the duration of the waiver, LEAP teens who are deemed to be engaged in work by participating in LEAP activities will be excluded from the 30% limit specified in 45 CFR Section 261.33.

260.75(b)(1)(iii):

Teens subject to LEAP requirements receive a sanction in the following situations:

- T** Failure, without good cause, to meet the assessment and orientation, school enrollment, regular attendance requirement, or to cooperate with home-based case management, as assigned, results in a \$62 reduction in the OWF payment.

- T** Individuals who have had two consecutive sanctions are required to participate in a face-to-face interview to resolve issues or barriers. Failure, without good cause, to attend the face-to-face interview or to comply with LEAP requirements following the interview results in the imposition of the \$62 sanction for a period of six months or until compliance. The calculation of the six-month period includes the two-consecutive months which prompted the face-to-face interview.

- T** If the individual has not complied by the end of the six-month sanction period, the OWF payment is decreased by the amount for the individual required to participate and for any child or children of such individual in the assistance group.

- T** Teens age 18 or over who meet LEAP program requirements through participation in work activities are subject to Ohio’s progressive full-family sanction, in lieu of the above sanctions.

CERTIFICATIONS FOR TIME LIMIT WAIVER:

260.75(a)(1):

Ohio implemented its time limit waiver provision in July 1996 (TANF was implemented in 10/96) and the policies were continually applied through 9/30/97. Beginning 10/1/97, Ohio aligned its time limit policies with the requirements of Section 408(a)(7) of the Social Security Act.

260.75(a)(2):

One of our technical waivers for the “Ohio First” demonstration permits Ohio to conduct a demonstration statewide that allows the state to establish time limits for the receipt of benefits and exemptions from those limits. Receipt of cash benefits was limited to 36 months out of any 60 month period for assistance groups headed by adults. Specifically, Ohio was granted a waiver of Section 402(a) of the Social Security Act to enable the state to establish time limits for the receipt of benefits and exemptions from those limits.

260.75(b):

Inconsistencies existed from 10/1/96 through 9/30/97 with respect to exemptions from the time limit, with respect to the applicability of time limits to the control and experimental groups and with respect to the effect of the time limit on individuals who were not exempt from the time limit.

260.75(b)(2)&(3):

In accordance with the time limit waiver, the following cases were exempt from 10/1/96 through 10/1/97 and therefore, any month in which the adult was exempt will be excluded from the determination of the number of months of federal assistance received by the family during that time period:

- T** the assistance group consisted of a dependent child who resided with a caretaker relative who was not a required member of the assistance group
- T** the assistance group was one for which staff of the local county department of human services determined that the time limit would impose a hardship (a local department could exempt up to 15% of the county’s recipient population for this reason.
- T** the assistance group was headed by an individual who was exempt from JOBS (this reason would encompass all the prior law JOBS exemptions)
- T** the assistance group was headed by an individual who was not able to actively participate in a JOBS component because he/she was on a waiting list as maintained by the county department of human services; or
- T** other good cause existed as determined by criteria established by the county department of human services. Good cause included, at least, the inability, through no fault of the individual, to obtain or retain employment at or after the expiration of the time limit which provides income, in combination with other income, which equals the cash payment standard plus the work expense deduction. The state could specify that individuals in such cases must have substantially complied with all JOBS requirements and may not have voluntarily turned down or terminated employment or substantially reduced hours of employment, without good cause as established in state policy approved by the department.

During the period 10/1/96 through 9/30/97, in accordance with the terms and conditions of the demonstration, Ohio implemented a random assignment evaluation. Ohio chooses to exclude cases assigned to the experimental and control groups during that time period, which were not otherwise exempt, for the purpose of determining compliance with the federal time limit.

We agree with the provision in 45 CFR section 260.74(b)(1) that states that generally a state will count , toward the Federal five-year limit, all months for which the head-of-household or spouse of the head-of-household subject to the state time limit receives assistance with federal TANF funds, just as it would if it did not have an approved waiver. However, the manner in which Ohio applied the time limit to non-exempt cases is inconsistent with the time limit requirements of section 408(a)(7) of the Act. Under Ohio's time limit for the period 10/1/96 through 9/30/97, receipt of cash benefits was limited to 36 months out of any 60 month period rather than to a lifetime limit of 60 months. Individuals who were subject to Ohio's waiver time limits would be unfairly disadvantaged by retroactively counting their months of receipt toward the federal lifetime limit of 60 months.

Based on the stated inconsistency, any month in which the non-exempt adult received benefits during the period 10/1/96 through 9/30/97 will be excluded from the determination of the number of months of federal assistance received by the family.