

5101:6-2-06 NOTICE OF CHANGE IN LAW OR POLICY, AUTOMATIC BENEFIT ADJUSTMENT, OR FOOD STAMP MASS CHANGE.

- (A) WHEN A CHANGE IN STATE OR FEDERAL LAW, OR LOCAL AGENCY POLICY ADOPTED PURSUANT TO OPTIONS AUTHORIZED IN STATE LAW, REQUIRES AUTOMATIC ADJUSTMENT OF PUBLIC ASSISTANCE OR SOCIAL SERVICES FOR CLASSES OF RECIPIENTS, THE ASSISTANCE GROUP SHALL BE PROVIDED PRIOR WRITTEN NOTICE OF THE ACTION.
- (1) THE NOTICE SHALL BE MAILED OR PERSONALLY DELIVERED NO LESS THAN FIFTEEN CALENDAR DAYS PRIOR TO THE PROCESSING OF THE ACTION.
  - (2) THE NOTICE SHALL CONTAIN A CLEAR AND UNDERSTANDABLE STATEMENT OF THE PROPOSED ACTION AND THE REASONS FOR IT, CITE THE APPLICABLE REGULATIONS, EXPLAIN THE ASSISTANCE GROUP'S RIGHT TO AND THE METHOD OF OBTAINING A COUNTY CONFERENCE AND A STATE HEARING, EXPLAIN THE CIRCUMSTANCES UNDER WHICH A TIMELY HEARING REQUEST WILL RESULT IN CONTINUED BENEFITS, AND CONTAIN A TELEPHONE NUMBER TO CALL ABOUT FREE LEGAL SERVICES.
  - (3) WHEN A CHANGE IN STATE OR FEDERAL LAW REQUIRES SUCH AN ADJUSTMENT STATEWIDE, THE "PRIOR NOTICE OF RIGHT TO A STATE HEARING - CHANGE IN LAW OR POLICY," ODHS 4025, ITS CRIS-E EQUIVALENT, OR OTHER NOTICE SPECIFICALLY DEVELOPED AND DESIGNATED BY THE OHIO DEPARTMENT OF HUMAN SERVICES, SHALL BE USED. LOCAL AGENCIES SHALL RECEIVE INSTRUCTIONS CONCERNING NOTICE PRIOR TO IMPLEMENTATION OF THE CHANGE.
  - (4) WHEN A CHANGE IN LOCAL AGENCY POLICY REQUIRES SUCH AN ADJUSTMENT, THE LOCAL AGENCY IS RESPONSIBLE FOR DEVELOPING THE CONTENT OF THE NOTICE, IN ACCORDANCE WITH PARAGRAPH (A)(2) OF THIS RULE. THE LANGUAGE UNDER "YOUR RIGHT TO A STATE HEARING" CONTAINED ON THE ODHS 4025 MUST BE DUPLICATED EXACTLY ON ANY SUCH LOCAL AGENCY NOTICE.
- (B) WHEN A CHANGE IN STATE OR FEDERAL LAW OR POLICY REQUIRES A MASS CHANGE IN THE FOOD STAMP PROGRAM, AS DESCRIBED IN RULE 5101:4-7-03 OF THE ADMINISTRATIVE CODE, THE ASSISTANCE GROUP SHALL BE PROVIDED WRITTEN NOTICE OF THE ACTION.
- (1) THE NOTICE SHALL BE MAILED OR PERSONALLY DELIVERED TO THE ASSISTANCE GROUP AS MUCH BEFORE THE SCHEDULED ISSUANCE DATE AS REASONABLY POSSIBLE, BUT NOT LATER THAN THE DATE THE ASSISTANCE GROUP IS SCHEDULED TO RECEIVE THE ALLOTMENT WHICH HAS BEEN CHANGED.
  - (2) THE NOTICE SHALL CONTAIN A CLEAR AND UNDERSTANDABLE STATEMENT OF THE PROPOSED ACTION AND THE REASONS FOR IT, CITE THE APPLICABLE REGULATIONS, EXPLAIN THE ASSISTANCE GROUP'S RIGHT TO AND THE METHOD OF OBTAINING A COUNTY CONFERENCE AND A STATE HEARING, EXPLAIN THE CIRCUMSTANCES UNDER WHICH A TIMELY HEARING REQUEST WILL RESULT IN REINSTATEMENT OF BENEFITS AND THE ASSISTANCE GROUP'S LIABILITY FOR ANY OVERISSUANCE IF THE HEARING DECISION IS ADVERSE, AND CONTAIN THE NAME AND TELEPHONE NUMBER OF THE PERSON TO CONTACT FOR MORE INFORMATION AND A TELEPHONE NUMBER TO CALL ABOUT FREE LEGAL SERVICES.

- (3) THE LOCAL AGENCY IS RESPONSIBLE FOR DEVELOPING THE CONTENT OF THE MASS CHANGE NOTICE IN ACCORDANCE WITH PARAGRAPH (B)(2) OF THIS RULE. A MODEL NOTICE OF FOOD STAMP MASS CHANGE HAS BEEN DEVELOPED BY ODHS. THE LANGUAGE UNDER "YOUR RIGHT TO A STATE HEARING" CONTAINED ON THE MODEL NOTICE MUST BE DUPLICATED EXACTLY ON THE NOTICE DEVELOPED BY THE LOCAL AGENCY.

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Certification: Arnold R. Tompkins

May 18, 1993  
Date

Promulgated Under: Revised Code Chapter 119.

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Rule Amplifies: Revised Code Section 5101.35

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