

**LICKING COUNTY
JOB AND FAMILY SERVICES
HARDSHIP EXEMPTION CRITERIA**

OHIO 36 MONTH TIME LIMIT

Section 5107.18 of the Ohio Revised Code limits participation in Ohio Works First (OWF) to 36 months for families that include an adult head-of-household or spouse of the head-of-household, or a pregnant minor head-of-household, minor parent head-of-household, or spouse of such head-of-household.

FEDERAL 60 MONTH TIME LIMIT

In addition to the 36 month time limit imposed by Ohio Revised Code, federal law (45 C.F.R. Section 264.0) limits receipt of Ohio Works First (OWF) or Temporary Assistance for Needy Families (TANF) to 60 months.

20% EXEMPTION CRITERIA

Section 5107.18 of the Ohio Revised Code allows the County Department of Job and Family Services (LCDJFS) to exempt up to 20% of the average monthly number of families receiving OWF during the previous fiscal year on the grounds that termination of OWF would be a hardship for the family as determined by the County's hardship exemption criteria.

Federal law also permits states/counties to extend assistance paid for by federal TANF funds beyond the federal sixty month limit for up to 20% of the average monthly number of families receiving assistance. Federal regulations provide that a state may extend assistance beyond the 60-month limit based on hardship, as determined by the state. Ohio has chosen to extend benefits beyond the federal 60-month limit due to hardship.

For federal hardship purposes, hardship is defined in paragraphs (H)(1)(a) to (H)(1)(b) of rule 5101:1-23-01. Essentially, paragraph (H)(1)(a) provides that hardship is defined as any circumstances under which the CDJFS determines that the time limit is a hardship, and the CDJFS shall use the same grounds for determining federal hardship as it uses for determining the OWF 36 month hardship.

LICKING COUNTY'S HARDSHIP EXEMPTION CRITERIA

Assistance groups who have reached the 36-month or 60-month time limit for participation in the OWF program may be exempted from the time limit if all criteria in Section A are met along with one or more of the hardship criteria in Section B. This exemption is also contingent upon Licking County having available exemption slots. Section C addresses process for application and approval of a hardship exemption. Section D addresses length of hardship exemption and process and frequency of reviews. Section E addresses additional participation requirements for OWF assistance groups approved for hardship exemption.

SECTION A (Assistance Group must meet all criteria in this section.)

1. The total gross unearned income and/or net earned income after tax deductions of the OWF assistance group does not exceed the OWF grant in OAC Section 5101:1-23-20 for the appropriate household size.
2. The total available resources (as defined in Food Stamp Manual Section 5101:4-4-01) of the OWF assistance group does not exceed \$2,000.
3. OWF assistance group has not been under a first occurrence sanction during the three months prior to reaching the 36-month time limit.
4. OWF assistance group has not been under a second or third occurrence sanction during the twelve months prior to reaching the 36-month time limit
5. There has not been an intentional job loss by any required OWF assistance group member within the six months prior to reaching the 36-month time limit
6. OWF assistance group members must be willing to sign appropriate releases of information to allow LDJFS to share information with all parties named in the self-sufficiency contract and plan, including but not limited to, medical providers, educational institutions, work sites and other social service agencies.
7. If substance abuse is indicated, assistance group member must cooperate with substance abuse assessment process and with any treatment plan recommended.

SECTION B (The OWF adult or minor head-of-household, subject to time limits must meet one or more of the criteria listed below as well as the conditions established for said exemption criteria.)

1. Single custodial parent who is medically certified to be pregnant in the third trimester with complications verified by the doctor or is caring for a newborn child under two months of age - exemption may be extended if parent has not been released by a physician to return to work
2. Provides care for a severely disabled family member
 - # Disability must be documented by a physician on ODJFS 7302 Basic Medical or ODJFS 7308 Mental Functional Capacity Assessment as well as a statement from the physician that 24-hour care is needed.
 - # No other care is available (30 days will be given to seek care and documentation must be provided.)
 - # Must apply for Medicaid waiver as an option for care

3. Caretaker relative over 60 years old
 - # Must be working on a plan for self-sufficiency with Experience Works or other appropriate provider
4. Physical Disability
 - # Must have current (within last 60 days) Basic Medical stating unemployable 9 months or more
 - # Must be actively pursuing SSI or RSDI and working with LCDJFS SSI Case Manager
 - # Must be assigned and cooperating with appropriate program/provider such as Licking/Knox Goodwill
5. Mental Health Disability
 - # Must have current (within last 60 days) Mental Functional Capacity Assessment stating unemployable 9 months or more
 - # Must be actively pursuing SSI or RSDI and working with SSI Case Manager
 - # Must be assigned and cooperating with Moundbuilders Guidance Center Vocational Transitions Program or other structured program
 - # Must be receiving regular counseling
 - # Must be complying with treatment
6. Underemployed
 - # Must still meet financial eligibility
 - # Must meet definition of employment
 - # Employment must be at least minimum wage
 - # Employment plus additional assignment must equal 40 hours per week
7. Active Children's Services Case
 - # Must have written recommendation from Children's Services Worker to continue benefits
 - # All additional extensions must also be recommended by Children's Services Worker
 - # Complying with Children Services plan
8. Homeless
 - # Must meet HUD definition of homelessness - Sleeping in places not meant for human habitation (cars, parks, sidewalks, abandoned buildings, etc.); Sleeping in emergency shelters; Living in transitional or permanent supportive housing for the homeless (but who originally came from streets or emergency shelters); Evicted within the week from private dwelling units (court-ordered eviction) and have no subsequent residence identified and lack of resources to obtain housing; or Discharged within the week from institutions in which they have been residents for more than 30 days and have no subsequent residence identified and lack of resources to obtain housing.

NOTE: Persons who are at risk of homelessness (living doubled-up or behind in

rent or mortgage payments) **do not** meet the definition of homeless persons

- # Must be referred to and cooperating with the Licking County Coalition for Housing or other appropriate provider
 - # Additional extensions will be evaluated based on reports and recommendations of the Licking County Coalition for Housing or other appropriate provider
9. Domestic Violence (Child or Adult)
- # Must be documented (Police Report, Emergency Room, Domestic Violence Shelter, etc.)
 - # Must be current occurrence (last 6 months)
 - # Must be attending counseling
10. Enrolled in Educational Program
- # Has not previously completed a degree program (Associate, Bachelor, or Master)
 - # Has not previously completed a certificate program
 - # Must be scheduled to complete within 6 month period
 - # Must maintain satisfactory progress and provide copies of all schedules and grades so that we may monitor
 - # Must be a full-time student as defined by school of attendance
 - # Must be enrolled in an Educational program and be verified of completion within 6 months
11. LEAP eligible - Under 20 with no high school diploma or GED
- # Total assignment per individual, including school hours, must be 30 hours per week (school hours will be supplemented with an additional assignment such as life skills class, work experience, etc. based on self-sufficiency plan)

SECTION C

As OWF assistance groups approach the 36-month time limit, CRISE the state computer system, is generating notices to inform the household of the number of months remaining on OWF. In addition, the Licking County Department of Job and Family Services will generate a manual notice prior to the end of the 36-month period notifying the household of the date their OWF benefits will end and of the process to apply for an exemption. An appointment will be scheduled with a Workforce Development Counselor and/or an Eligibility Referral Specialist to conduct a self-sufficiency progress review to determine if eligibility for an exemption exists and also if any additional services or referrals are needed to assist with self-sufficiency. At this time, additional participation requirements associated with the extension of benefits will be discussed. All services offered, either refused or accepted, must be documented for future reference. Assistance groups will be asked to sign a waiver if they have refused services offered. All recommendations for approval or denial of a hardship exemption will be reviewed

by a Workforce Development Supervisor and an Eligibility Referral Supervisor.

Assistance groups will be notified in writing of their eligibility or their denial for an exemption

SECTION D (Hardship exemptions granted are subject to the time limits and reviews specified below.)

Hardship exemptions will be granted for a time period to address the barrier established but in no more than three month increments. An OWF assistance group's hardship exemption will be reviewed every three months to determine if the assistance group continues to meet the exemption criteria, or sooner if the Agency becomes aware of changes that may affect the assistance group's eligibility for hardship exemption. It will also be the responsibility of the assistance group to report any changes during the three month period that might affect continued eligibility.

After a hardship exemption is granted, there will be monthly progress summary with a Workforce Development Counselor and/or an eligibility Referral Specialist to evaluate progress and identify additional services needed.

If, at any time, the assistance group fails, without good cause, to meet the requirements of the self-sufficiency contract and plan during the exemption period, the time remaining under their hardship exemption will be forfeited and their OWF case closed.

Pursuant to ORC 5107.18, the Licking County Department of Job and Family Services is limited to the total number of exemption slots. Therefore, the County and the Licking County Department of Job and Family Services reserves the right to limit exemptions, reduce the time an exemption has been granted, or modify the hardship program in order to maintain compliance with State regulations governing the number of allowable exemptions.

SECTION E (Assistance groups granted a hardship exemption will be subject to the following additional participation requirements to enable them to reach self-sufficiency prior to the expiration of the hardship exemption.)

1. Single parent households, with the exception of LEAP households will be assigned 40 hours per week. Paid employment at minimum wage or higher will be considered toward the 40-hour requirement.

2. In the case of two parent households, both parents must participate and combined hours must total 60 hours per week. Each adult must participate a minimum of 20 hours per week as a part of the 60-hour requirement. A part of the monthly review will include a progress summary completed by each parent.

John Fisher, Director
Licking County Department of Job and Family Services

Date

Albert Ashbrook
Licking County Board of Commissioners

Date

Jay Baird
Licking County Board of Commissioners

Date

Marcia Phelps
Licking County Board of Commissioners

Date

Merel Pickenpugh, Chairperson
Licking County DJFS Planning Committee

Date

Approved as to form and legal sufficiency:

Licking County Prosecutor

Date

