

BELMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES

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Belmont County's Ohio Works First Hardship Criteria

Under O.R.C. § 5107.18, a County Department of Job and Family Services can declare up to twenty percent (20%) of its average caseload during the prior Federal Fiscal Year to be under a "hardship" and grant such Assistance Groups an exemption in order to continue assistance. Prior to the expiration of an Assistance Group's thirty-six (36) months of assistance, the Assistance Group will be reviewed to determine potential eligibility for a hardship exemption. Additionally, any Assistance Group whose thirty-six (36) months of eligibility has expired will be reviewed to determine potential eligibility upon the Assistance Group's application for a hardship exemption. Belmont County DJFS, at its sole discretion, will extend benefits to not more than twenty percent (20%) of its average caseload under the circumstances described below.

The Belmont County Department of Job and Family Services (BCDJFS), formerly the Belmont County Department of Human Services, has adopted the following criteria for determining whether an Assistance Group may qualify for a hardship exemption under O.R.C. § 5107.18. Hardship exemptions will be determined by the client's case manager, at least two BCDJFS supervisors and at least one BCDJFS Deputy Director and the Director.

Hardship exemptions are only available to Assistance Groups whose members are complying with all aspects of the self-sufficiency contract, and who meet all other requirements for OWF cash assistance except for the expiration of the thirty-six (36) month time limit. The Assistance Group may not have any other income unless exempted by the Ohio Revised Code and the Ohio Administrative Code.

Assistance Groups receiving an exemption must continue to abide by the provisions of the self-sufficiency contract.

An Assistance Group which includes an adult or minor head-of-household who has participated in Ohio Works First (OWF) for thirty-six (36) months while head-of-household or while married to the head-of-household may be eligible for a "hardship exemption" if one (1) or more of the following circumstances exists:

1. The presence of the Assistance Group's adult or minor head-of-household who has exhausted eligibility is medically necessary to provide care for a disabled

immediate family member (i.e., child, spouse, parent, sibling) living in the same household and no other supportive services are available. The medical necessity of the individual's presence to provide care must be verified by a physician's statement on a designated form, and the medical necessity of the individual's presence must prevent the individual from pursuing, obtaining, and/or maintaining employment. BCDJFS reserves the right to secure a second opinion from a medical provider of its choice. In the event the second opinion conflicts with the original physician's statement, BCDJFS may secure and rely upon a third opinion from a medical provider of its choice. Such third opinion shall be final and binding. Such an Assistance Group may receive an exemption of up to six (6) months and can be extended if circumstances warrant.

2. The Assistance Group's adult who has exhausted eligibility is a caretaker, as defined under O.R.C. 5107.22, who is sixty (60) years of age or older.
3. The Assistance Group's adult or minor head-of-household who has exhausted eligibility is a victim of domestic violence who can verify that he or she is actively participating with an established support provider or is actively seeking redress of the domestic violence through court action which currently prevents him or her from pursuing, obtaining and/or maintaining employment. Such an Assistance Group may receive an exemption of up to six (6) months and can be extended if circumstances warrant.
4. The Assistance Group's adult or minor head-of-household who has exhausted eligibility is enrolled in and has completed at least one-half (½) of an educational or training program which is directly related to, and will prepare the individual for, an employment opportunity, and the individual remains enrolled and in good standing as determined by the educational or training institution. The education or training program must, by itself or in combination with the assignments, meet the individual's work participation requirement. Such an Assistance Group may receive an exemption of up to six (6) months to complete the program. Eligibility may be extended if circumstances warrant.
5. The Assistance Group's adult or minor head-of-household who has exhausted eligibility has a serious physical or mental illness or condition which renders him or her incapacitated for employment. The incapacity must be verified by a physician and the individual must be in the process of applying for SSI/SSD benefits except that women who are experiencing medical complications during pregnancy need not apply for SSI/SSD benefits. BCDJFS reserves the right to secure a second opinion from a medical provider or other competent professional of its choice. In the event the second opinion conflicts with the

original verification, BCDJFS may secure and rely upon a third opinion from a medical provider or other competent professional of its choice. Such third opinion shall be final and binding. Such an Assistance Group may receive an exemption for the duration of the application process and any associated appeal process, until such time as a decision is rendered by an Administrative Law Judge.

6. The Assistance Group's adult or minor head-of-household who has exhausted eligibility is unable to work due to participation in an approved residential drug and alcohol dependency rehabilitation program. Such an Assistance Group may receive an exemption for the duration of the rehabilitation program, up to a maximum of six (6) months. Eligibility may be extended if circumstances warrant.
7. The Assistance Group's adult or minor head-of-household who has exhausted eligibility loses his or her employment due to a natural disaster which causes the individual's employer to close. Such an Assistance Group may receive an exemption of up to six (6) months, or until employment is found, whichever is shorter.
8. The CDJFS has not provided a substantial portion of the services listed in the self-sufficiency contract.

Assistance Groups qualifying for a hardship exemption under these criteria will be evaluated on a monthly basis to determine if the hardship exemption is still applicable.

An Assistance Group which exhausts its initial exemption and which still meets the criteria for a hardship exemption may re-apply for an exemption. Such requests will be evaluated on a case-by-case basis. Extensions are not automatic.

The Belmont County Department of Job and Family Services reserves the right to amend the above criteria at any time. Should the Belmont County Department of Job and Family Services determine that these criteria should be amended, such amendments will be approved by the County Commissioners prior to their effective date.

The Ohio Department of Job and Family Services continually monitors the percentage of the average monthly number of Ohio Works First participants in each county that are granted hardship exemptions. Once a county department's exemptions equal or exceed eighteen percent (18%), the state department will immediately notify the county department. Upon notification from the State that BCDJFS has met or exceeded eighteen percent (18%), or at any point prior to such notification when BCDJFS determines such review to be beneficial, BCDJFS will review all Assistance Groups receiving an exemption, to determine if any Assistance Groups no longer qualify for an exemption. Such review may be in addition to

any regularly scheduled monthly review of individual Assistance Groups.

If, at any point, BCDJFS can no longer grant hardship exemptions to all qualifying Assistance Groups due to the operation of the twenty percent (20%) limitation, BCDJFS may amend, delete and/or add to any of the above criteria and/or may develop and implement alternative hardship criteria to address the situation.

Any BCDJFS assistance group who has been denied the granting of an exemption or received a later decision terminating an exemption retains the right to request a state hearing regarding any adverse action to the case.