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Office of Family Stability Letter # 36  
September 8, 2005

**TO:** Directors, County Departments of Job and Family Services

**FROM:** Jeanne Carroll, Deputy Director  
Office of Family Stability

**SUBJECT: HURRICANE KATRINA EVACUEES: OHIO WORKS FIRST  
AND DISABILITY FINANCIAL ASSISTANCE**

The unprecedented damage from Hurricane Katrina has made it necessary for people to be evacuated, not only from the area where they live, but even from the state. As a result of the extensive devastation caused by Hurricane Katrina, many individuals in the Gulf Coast region of Alabama, Louisiana and Mississippi will be evacuating to Ohio. This letter provides clarification for expeditious processing of Ohio Works First (OWF) and Disability Financial Assistance (DFA) for families and individuals who evacuate to Ohio. These applications should be treated as a priority.

**Residence: OWF and DFA**

In order to receive DFA or OWF benefits, an individual or family must reside in Ohio voluntarily with the intention of making his home in Ohio. The CDJFS may presume intent to remain if the applicant is from an affected area and is uncertain whether they intend to remain. Refer to rules 5101:1-5-10 and 5101:1-3-03 for policy pertaining to the residence requirement.

The Office of Family Stability has been advised by the Chicago regional HHS office that while taking applications for TANF cash assistance from Hurricane Katrina evacuees, other states are informing them of the federal prohibition under 42 U.S.C. §608(a)(8) against making fraudulent statements or representations with respect to place of residence in order to receive TANF cash assistance simultaneously from 2 or more states.

**Verification: OWF and DFA**

In determining financial eligibility, the CDJFS should only consider income **available** to the family. Most families evacuated from the affected areas will not have any income available to them. Individuals and families may not have verification available to document eligibility requirements. If verification is not available, self-declaration is acceptable.

All other requirements for DFA and OWF must be met in order for individuals or families to be eligible.

### **Ohio Works First**

The federal Department of Health and Human Services has indicated it cannot waive federal TANF cash assistance requirements when serving victims of Hurricane Katrina. These requirements include assignment of child support, work requirements and time limits.

However, 45 C.F.R. §262.5(a)(1) provides that HHS will not impose a penalty against a state if they determine that a state had reasonable cause for its failure, and includes natural disasters (such as hurricanes) whose disruptive impact was so significant as to cause the state's failure as a factor HHS will consider. This reasonable cause provision applies to allegations of improper use of TANF funds in violation of federal law, failure to comply with the five year time limit on receipt of cash assistance and failure to meet either of the federal work participation rates.

*Time Limits* - The policy regarding allowing self-declaration when verification is not available applies to verifications regarding receipt of 60 months of TANF cash assistance under programs in the areas affected by Hurricane Katrina.

If someone declares that they have received 60 months under programs in areas affected by Hurricane Katrina, the CDJFS is encouraged to include as a hardship extension a category for Hurricane Katrina evacuees, assuming all other eligibility requirements have been met.

*Work Requirements* - Evacuees may not be able to immediately engage in work-related activities when they arrive. The CDJFS is encouraged to consider activities that families are engaged in to stabilize their living situation as meeting the work requirement for alternative work activities. Alternative work activities can be assigned for as many hours as determined necessary by the CDJFS.

### **Tracking**

For tracking and accountability purposes, it is imperative that ODJFS be able to identify all Hurricane Katrina evacuee families for whom OWF benefits are provided. To that end, the CDJFS must "red flag" all hurricane evacuee families in CRIS-E. We are also requesting this information for all programs that an evacuee is available for. The red flag codes are entered by individual on the AEIIA CRIS-E screen. Two new codes have been added to the TRFL table for this purpose. They are:

- HF Hurricane Evacuee – Family (for OWF)
- HI Hurricane Evacuee – Individual (for DFA)

The importance of the use of the red flag codes is critical for the success of these programs and will facilitate the efficient extraction of data for ODJFS to use in reporting the impact and cost of these programs.

**Technical Assistance**

If you have any questions regarding Ohio Works First or Disability Financial Assistance, please contact Fayette Moore, Program Policy Services Section at 866-886-3537 (Option 6) or through the TANF-FSTA mailbox.

Thank you for your attention to this matter.

JC:bk

cc:	Barbara Riley, Director	Family Stability staff
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