

Bureau of State Hearings

County Desk Aid



September 2008





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Bureau of State Hearings

County Desk Aid



September 2008



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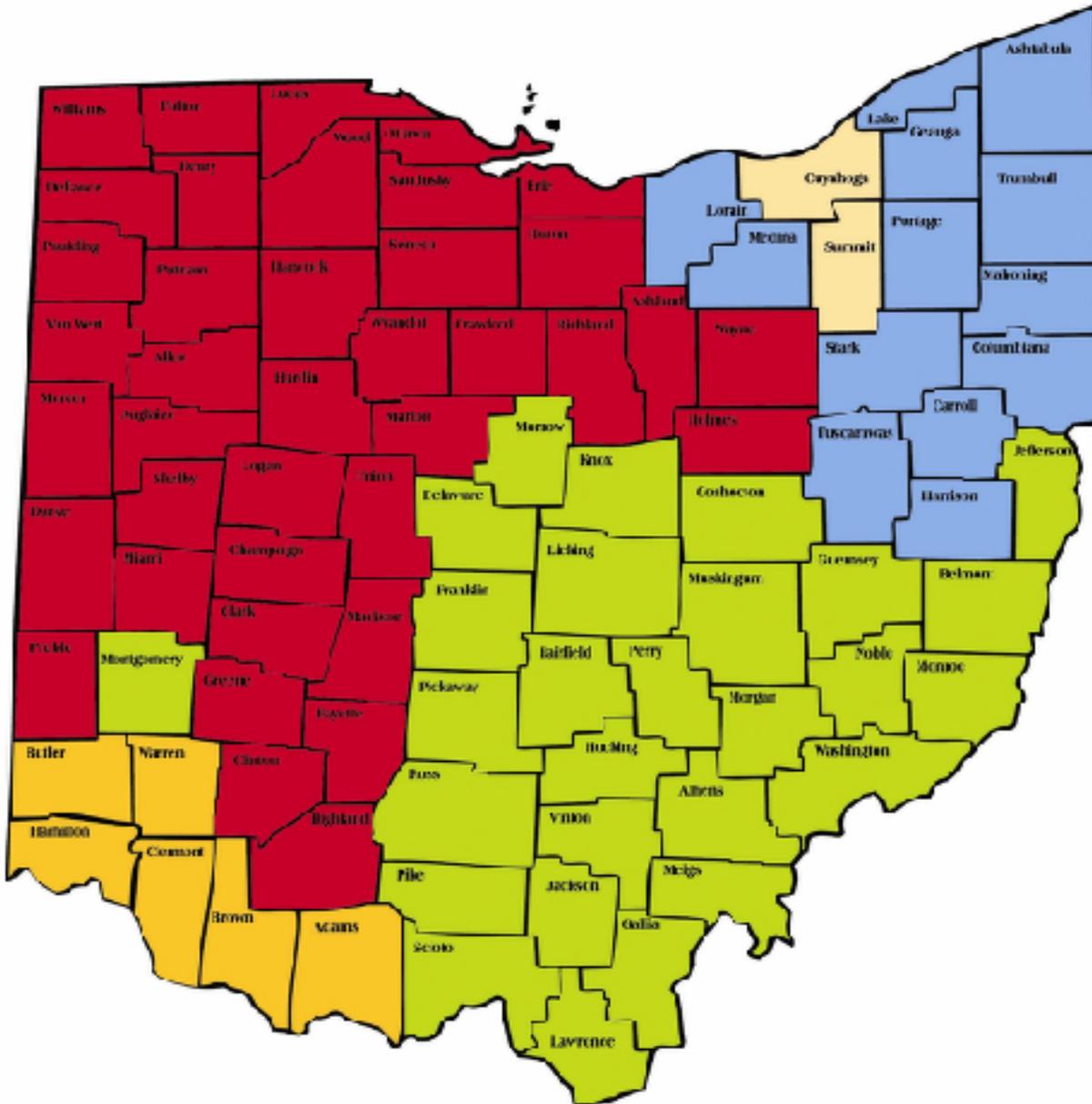
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Bureau of State Hearings Map



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OHIO ADMINISTRATIVE CODE

§ 5101:6-5-01

An appeal summary shall be completed by the agency proposing the action about which the individual requested the state hearing.

"Procedures prior to the state hearing" is currently in the clearance process. Section (B) of the rule explains completion/submission of the appeal summary.

Currently, the rule requires the local agency to prepare the appeal summary, with appropriate attachments, and send it to the assigned hearings section within five workdays from the date the hearing request is received.

The **proposed change** in the rule will allow the local agency to prepare the appeal summary, with appropriate attachments, and send it to the assigned hearings section and the individual or authorized representative, at least three business days prior to the scheduled hearing date.

OHIO ADMINISTRATIVE CODE

§ 5101:6-5-03 (9/1/2008)

Verbal Withdrawal of Hearing Request, which has been implemented. As of 9/1/2008, any State Hearing Personnel could accept a verbal withdrawal. The JFS Call Center will be used to accept hearing requests and withdrawals beginning November 2008.

OHIO ADMINISTRATIVE CODE

§ [5101:6-6-02](#)

Rights and Responsibilities (2006)

(A) The Agency Representative

The agency representative presents and is the advocate for the agency's case at the hearing. This person shall explain the reasons for the agency's action, cite the regulations upon which the action was based, provide relevant case information and documents, and answer relevant questions from the individual and the hearing officer. The agency representative has the same rights as the individual to confront and cross-examine during the hearing.

When the hearing involves action or lack of action by a managed care plan, the managed care plan representative shall have the same rights and responsibilities as those of the agency representative.

- (1) If the issue being addressed at the hearing is an action taken by the agency, based on the agency's prevention, retention and contingency (PRC) plan, and the agency wants to have the application of that plan considered in the decision making process, a copy of the plan must be provided to the hearing officer for inclusion in the record.
- (2) If the issue being addressed at the hearing deals with an Ohio works first participant's failure or refusal to comply in full with the provisions of a self-sufficiency contract without good cause, the agency must submit a copy of those good cause standards, established in accordance with section 5101.16 of the Revised Code, to the hearing officer at the hearing.

(B) The individual requesting the hearing

- (1) The individual and representative shall have the opportunity to present their case in their own way. The hearing shall be conducted informally, and formal rules of evidence shall not apply.
- (2) The individual and authorized representative shall have adequate opportunity to:
 - (a) Examine, at a reasonable time before the hearing as well as during the hearing, the contents of the case file, except for confidential information protected from release, as well as all records and documents to be used by the local agency at the hearing.
 - (b) Bring witnesses.
 - (c) Submit evidence to establish all pertinent facts and circumstances.
 - (d) Advance arguments without undue interference.
 - (e) Question or refute any testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses.

OHIO ADMINISTRATIVE CODE

§ 5101:6-6-02

Rights and Responsibilities (2006)

(C) The Hearing Officer

- (1) State hearings shall be conducted by an impartial ODHS hearing officer who has no personal stake or involvement in the case and was not directly involved in the initial determination being appealed. The hearing officer shall be under the direction and supervision of the bureau of state hearings.
- (2) The hearing officer shall not consult with either party concerning the substance of the case prior to the hearing, except for review of the hearing request and appeal summary.
- (3) Hearings are normally held at the local agency office. The hearing officer shall assure that the accommodations provided by the local agency for the hearing are adequate and that the hearing can be conducted in privacy, with the proper decorum, and with a minimum of distractions.
- (4) The hearing officer shall regulate attendance at the hearing in accordance with rule 5101:6-6-01 of the Administrative Code. If limited space requires, witnesses may be called into the hearing room one at a time.
- (5) The hearing officer shall begin the hearing by starting the recording equipment and providing the following introductory information:
 - (a) The name and role of the hearing officer, the case name, and the appeal number.
 - (b) How the hearing will be conducted, including the order of presentation and questioning.
 - (c) The time frame within which a decision must be issued.
 - (d) Who will issue the decision.
 - (e) How the parties will be notified of the decision.
 - (f) Where the complete hearing record will be kept after the decision is issued.
 - (g) The available appeal rights.
- (6) After the opening remarks, the hearing officer shall state the issue to be heard, as it appears on the hearing request. The issue shall always be whether the agency's action or inaction was in accordance with applicable regulations. The hearing officer shall entertain requests from either party to amend the issue as stated. Amendment is appropriate so long as it does not substantially alter the nature of the issue or the ability of the parties to address the issue at the hearing. Any amendment of the issue as stated on the hearing request shall be formally recorded.
- (7) The hearing officer shall ask both parties for any additional issues, and shall rule on their inclusion in the hearing. An additional issue may be heard only if both parties agree, and if the hearing officer determines that both parties are prepared to address the additional issue and that there is adequate time to do so.

(C) The Hearing Officer (continued)

- (8) The hearing officer shall record the name and role of each person in attendance and shall administer an oath or affirmation to all who intend to offer testimony.
- (9) The hearing officer shall regulate the order of presentation by the parties. Normally, the agency presentation will be made first, subject to questioning by the individual and the hearing officer, followed by the individual's presentation, subject to questioning by the agency and the hearing officer. Both parties will then be allowed a brief closing statement.
- (10) In regulating the conduct of the hearing, the hearing officer is responsible for developing the fullest possible record upon which to base all necessary findings of fact. Each party shall be treated fairly and impartially and given adequate opportunity to address the issues. The hearing officer has an affirmative obligation to assist unrepresented individuals in understanding the nature of the issue and the regulations that relate to it, and in presenting testimony and evidence necessary to address all relevant factual questions. The hearing officer shall take an active part in questioning the parties and the evidence presented, insofar as that is necessary to develop the fullest possible record.
- (11) After all relevant testimony and evidence has been presented, the hearing officer shall determine whether a sufficient record has been developed upon which to make the decision. If not, the hearing officer may either order that the hearing be continued to a later date or leave the record open for the submission of additional evidence.
 - (a) Where relevant and useful, the hearing officer may order an independent medical assessment or professional evaluation.
 - (b) If the hearing is to be continued to a later date, as for instance to take testimony from a witness not present at the initial hearing, the hearing officer shall schedule the continuance at the earliest possible date acceptable to all parties and shall formally record the new date and time, as well as the specific purpose of the continuance. Notification of the parties at the hearing shall be followed by written notification via state hearing scheduling notice.
 - (c) If the record is to be left open to allow the submission of additional documentary evidence, the hearing officer shall formally record the nature and purpose of the additional evidence and shall establish the earliest possible realistic deadline for its submission to the hearing officer.
 - (d) Additional evidence submitted prior to the deadline shall be forwarded to the other party with notice of the deadline for response. Evidence submitted after the deadline may be returned to the submitting party with notice that it will not be used in reaching the decision.
 - (e) The hearing officer shall also have the authority to reconvene the hearing if the nature of the additional evidence or response requires. When the record has been left open for submission of additional evidence by the agency, the individual shall always be afforded the right to rebut such evidence in person at a reconvened hearing if he or she chooses.

(C) The Hearing Officer (continued)

- (f) When the record has been left open, the hearing decision shall so indicate, and shall record the resulting submissions or failure to submit, as well as the substance of any rebuttal.
- (12) If assistance has been continued due to a timely appeal, the hearing officer shall determine, prior to adjourning the hearing, whether the sole issue is one of state or federal law and not one of fact or judgment. If so, the hearing officer shall direct the agency, via "Authorization to Take Proposed Action During Pendency of Hearing Decision," JFS 04050, to take the proposed action immediately.
- (13) The hearing officer shall close the hearing by informing the parties when they can expect the written decision, adjourning the hearing, and turning off the recording equipment.
- (14) Following the hearing, the hearing officer shall not discuss the substance of the case with either party, unless at a supplemental hearing at which both parties are present.
- (15) Finally, the hearing officer shall prepare the "State Hearing Decision," JFS 04005, to include the issue, findings of fact, conclusions of policy, and recommendations, and submit it to the assigned hearing authority for issuance.

PRE-HEARING CHECKLIST FOR AGENCY REPRESENTATIVES

Case Name: _____

Case Number: _____

How did the client request a state hearing?

Through the Bureau of State Hearings?

Prior notice: _____ Phone call: _____
(date) (date)

Through the local Agency?

Prior notice: _____ Phone call: _____
(date) (date)

Delivered in person _____
(date)

NOTE: If the state hearing is requested through the local agency, the request must be forwarded to the Bureau of State Hearings the same date.

Explain action(s) under appeal:

Appeal Summary with documentation to support action:

- ___ budgets
- ___ notices
- ___ income verification
- ___ resource verification
- ___ household composition verification
- ___ other relevant documentation

Presentation:

- Remain calm and professional
- Present fact pattern in chronological order
- Identify all documents used in the determination
- Explain budgets, if necessary
- Provide regulations used in the determination
- Avoid the use of acronyms
- Summarize your conclusions

Prepared by: _____ Date: _____
(Agency Representative)

APPEAL SUMMARY JFS04067

Saving Tip: In your printer options, choose Adobe PDF, and save your completed form with the Appeal Number.

Reset Form	APPEAL SUMMARY		
<p>Information contained in this Appeal Summary is provided with the knowledge that it will be used in reaching a decision on the issue raised in the appeal and will be made available to the appellant and the appellant's authorized representative.</p> <p>Instructions: Complete all applicable sections of this summary and attach all documentation supporting the action. Documentation should include 1) A complete description of the facts and circumstances upon which the local agency action was passed; 2) Copies of all relevant verification; 3) Copies of all relevant correspondence, including hearing notices; 4) A copy of the assistance budget or case plan being appealed as well as a copy of the former assistance budget or case plan and 5) A report of all assistance and services continued pending the state hearing.</p>			
Section I. Identifying Information			
Appellant's Full Name	Assistance Group Name		
Street Address	Assistance Group Number		
City, State, Zip Code	Program		
Telephone Number (include area code)	County		
Section II. Public Assistance/Services/Child Support			
<input type="checkbox"/> Denial	Program	Effective Date	
<input type="checkbox"/> Reduction	Program	Effective Date	Amount From \$ To \$
<input type="checkbox"/> Termination	Program	Effective Date	Previous Amount
<input type="checkbox"/> Suspension	Program	Effective Date	Previous Amount
<input type="checkbox"/> Other	Specify Program and Action		
Section III. Food Stamps			
Type of Program	<input type="checkbox"/> Non-PA <input type="checkbox"/> PA	Certification Period Under Appeal	From To
Type of Action . .	<input type="checkbox"/> Denial <input type="checkbox"/> Change	Change in Allotment	From \$ To \$
Section IV. Basis For Action			
Reason for the Action			
Regulations that Support the Action			
Section V. Additional Information			
Was prior notice sent?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Has proposed action been taken?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, attach a copy and give date mailed	Date	If yes, give date action effective	Date
Hearing request received	Date	If no, give amount of continuing assistance	\$
Prepared By	Title	Telephone Number	Date

JFS 04067 (Rev. 5/2001)

Appeal Summary

OWF/DFA – APPLICATIONS/REAPPLICATIONS

Examples of Appeal Summary attachments possibly needed for application/reapplication issues:

- Appointment notice (detail screen)
- Date of Application/reapplication
- Date of face-to-face interview (if necessary)
- Household Composition (members, relationship, ages)
- Documentation of income/resources used in the determination
- Budget used in the determination (copy of and explanation, if necessary)
- Documentation of household composition
- Correspondences regarding requests for documentation
- Verification of established deadline dates for providing information
- Documentation of any assistance offered
- Notice of denial /reduction or termination
- Rule reference supporting the determination
- Relevant CRIS-E screens
- County plan for time limit extensions/hardship or good cause.
- Verification of whether this is a proposed action or action been taken
- Other relevant documentation



Appeal Summary

OWF SANCTIONS

Examples of Appeal Summary attachments possibly needed for OWF sanction issues:

- Copy of the sanction notice provided to appellant
- Household composition (members, relationships, ages)
- Copy of a signed self-sufficiency contract (SSC)
- Copy of an employability plan (aka: self-sufficiency plan, or SSP)
- Copy of the good cause policy/plan the agency provided to the individual

- Copy of any assignment agreement signed by the appellant
- Verification of the sanction level proposed (first, second, third, etc.)
- Verification of previous sanction(s)
- Verification of assistance group information (movement?)
- Rule reference supporting the determination
- Identification of supportive services needed during assessment
- Relevant CRIS-E screens
- Verification of whether this is a proposed action or the action has been taken
- Other relevant documentation



Appeal Summary

FOOD STAMPS

Examples of Appeal Summary attachments possibly needed for food stamp determination issues:

- Date of Application/reapplication/reported change
- Date of face-to-face interview (if necessary)
- Assistance group (members, relationships, ages)
- Documentation of income/resources used in the determination
- Food Stamp Budget (copy of and explanation)
- Verification of shelter/utility expenses, dependent care, excess medical expenses, (all allowable deductions)
- Explanation if shelter/utility expenses are disallowed
- Explanation/documentation of excess medical expenses (if allowed)
- Documentation of household composition
- Correspondences regarding requests for documentation
- Verification of established deadline dates for providing information
- Notice of denial, termination or reduction (copy of and date mailed)
- Rule reference supporting the determination
- Relevant CRIS-E screens
- Verification of whether this is a proposed action or action been taken
- Other relevant documentation



Appeal Summary

FSET SANCTIONS

Examples of Appeal Summary attachments possibly needed for food stamp determination issues:

- Assistance group members (members, relationships, ages)
- Documentation of appraisal/assessment
- Copy of any employability plan signed by the appellant
- Verification of the sanction level proposed
- Copy of any previously signed compliance
- Verification of assistance group information
- Correspondence/verification for good cause/exemptions
- Correspondence/verification for need for supportive services
- Correspondence/verification from FSET work/education site
- Rule reference supporting the determination
- Relevant CRIS-E screens
- Other relevant documentation

Appeal Summary

COVERED FAMILIES/CHILDREN MEDICAID CATEGORIES- REAPPLICATION

Examples of Appeal Summary attachments possibly needed for CFC Medicaid reapplication issues:

- Appointment notice (detail screen)
- Date of reapplication/interview
- Assistance group size (members, relationships, ages, etc.)
- Documentation of income/resources used in the determination
- Budget used in the determination
- Documentation of household composition
- Correspondences regarding requests for documentation
- Verification of established deadline dates for providing information
- Documentation of any assistance offered
- Documentation of completion of a Pre-Termination Review
- Notice of termination
- Rule reference supporting the determination
- Relevant CRIS-E screens
- Verification of whether this is a proposed action or the action has been taken
- Other relevant documentation

Appeal Summary

MEDICAID/DFA DISABILITY DETERMINATION

Examples of Appeal Summary attachments possibly needed for Disability Determination issues:

From the Disability Determination Areas "Equil" submission

- Assistance group size (members, relationships, etc.)
- Whether it's a new determination or continuing disability review (CDR)
- Disability conditions considered
- Reason for denial and explanation behind reasoning
- At what step of the Sequential Evaluation was disability denied
- Rules supporting this denial
- All medical documentation used in DDA's determination
- Any deferral requests and dates sent to county agency

From the County's submission

- Date of application
- Whether it's a new determination or CDR
- Date(s) medical info submitted to DDA (faxed or through equil)
- Notices/requests for information sent to client (copies of and dates mailed)
- Notices of deferral (copies of and dates mailed)
- Offers of assistance sent to client (copies of and dates mailed)
- Any denial/termination notices sent to client (copies of and dates mailed)
- Documentation of Social Security application (date applied and status)
- In cases of Medicaid termination, proof of pre-termination review
- Rule reference supporting the determination
- Relevant CRIS-E screens
- Other relevant documentation



Appeal Summary

MEDICAID SPEND DOWN

Examples of Appeal Summary attachments possibly needed for Medicaid spend down issue

- Assistance group size (members, relationships, etc.)
- Documentation of income used in the determination
- Medicaid Spend Down Budget
- Verification of any medical expenses included in the budget
- Documentation/explanation if medical expenses were disallowed
- Notice of action by the Agency
- Rule reference supporting the determination
- Verification of whether this is a proposed action or the action has been taken
- Relevant CRIS-E screens
- Other relevant documentation

Appeal Summary

MEDICAID SINGLE PREMIUM LIFETIME IMMEDIATE MONTHLY PAYMENT ANNUITY ISSUES

Examples of Appeal Summary attachments possibly needed for transfer of resources/SPLIMPA issues:

- Documentation of the first continuous period of institutionalization
- Evidence of combined resources as of the date of first continuous period of institutionalization
- Date of the Medicaid application
- Evidence of the combined resources as of application date
- Copy of the community spouse resource allowance
- Documentation of the institutionalized spouses resources
- Verification of the community spouse's AVAILABLE gross income
- Copy of the minimum monthly maintenance needs allowance (MMMNA)
- Copy of the monthly income allowance (MIA)
- Three estimates of the cost of a SPLIMPA that would generate income equal to the MIA
- JFS 04076 "Resource Assessment Worksheet"
- JFS 04077 "Resource Transfer Worksheet"
- JFS 04078 "MIA Computation Worksheet"
- JFS 07332 "Notice of Denial of Your Application for Medicaid"
- Rule reference supporting the determination
- Relevant CRIS-E screens
- Other relevant documentation



Appeal Summary

MEDICAID IMPROPER TRANSFER

Examples of Appeal Summary attachments possibly needed for Medicaid improper transfer issues:

- Application date
- Transfer date
- Type of resource
- Fair Market Value of resource
- Parties involved
- Evidence of transfer
- Verification of opportunity to rebut presumption
- Notice of Agency action
- Rule reference supporting the determination
- Verification of whether this is a proposed action or the action has been taken
- Relevant CRIS-E screens
- Other relevant documentation



Appeal Summary

MEDICAID INCREASE IN A MINIMUM MAINTENANCE NEEDS ALLOWANCE

Examples of Appeal Summary attachments possibly needed for increase in the MMMNA issues:

- Documentation of income used in the determination
- Documentation of expenses used in the determination
- Verification of any existing MMMNA that was determined
- Documentation of alleged exceptional circumstances/extreme financial duress
- Notice of action by the Agency
- Reference of rules supporting the determination
- Relevant CRIS-E screens
- Other relevant documentation



Appeal Summary

PREVENTION, RETENTION AND CONTINGENCY – PRC BENEFITS

Examples of Appeal Summary attachments possibly needed for PRC issues:

- Copy of the completed application
- Assistance group size (members, relationship, ages, etc.)
- Date of Application/reapplication
- Date of face-to-face interview (if necessary)
- Documentation of income/resources used in the determination
- Budget used in the determination (copy of and explanation, if necessary)
- Explanation of need for PRC
- Correspondence regarding requests for documentation
- Verification of established deadline dates for providing information
- Documentation of any assistance offered
- Notice of denial (copy of and date mailed)
- Copy of entire PRC Policy/Plan in effect at the time of the action
- Rule reference supporting the determination
- Other relevant documentation



Appeal Summary

CHILD CARE

Examples of Appeal Summary attachments possibly needed for child care/ELI determination issues:

- Date of application/reapplication/reported change/review period
- Assistance group size (members, relationships, ages, etc.)
- Documentation and explanation of income used in the determination
- Documentation of household composition
- Correspondences regarding requests for documentation
- Verification of established deadline dates for providing information
- Identification of services needed
- Notice of denial/termination/reduction
- Notice of co-payment amount
- Rule reference supporting the determination
- Other relevant documentation



Appeal Summary

ADOPTION ASSISTANCE

Examples of Appeal Summary attachments possibly needed for Adoption Assistance issues:

- Correspondence with Adoptive Family regarding availability of Adoption Assistance
- Copy of the Adoption Assistance application
- Verification that application was filed prior to finalization of adoption.
- Adoption Assistance agreement.
- Verification of home study, court records, or other relevant documentation.
- Written agreement negotiated between the adoptive parent (s) and the PCSA for the Adoption Assistance payment.
- Rule reference supporting the determination
- Other relevant documentation

Appeal Summary

CUSTODIAL PARENT – CHILD SUPPORT

Examples of Appeal Summary attachments possibly needed for child support custodial parent issues:

A. Enforcement

1. Copy of order (s) and payments received
2. Verification of all enforcement actions taken
3. Rules supporting “must vs. may” enforcement actions
4. Explanation of why agency chose specific actions as referenced in the procedural manual
5. Other relevant documentation

B. Arrears

1. Copy of order (s) and payments received/disbursed
2. Copy of audit/accounting/calculation of arrears and explanation thereof (i.e., dates orders effective, amount charged, # of children, payments received)
3. Actual distribution records showing assignment dates and amounts of support assigned to state (if applicable)
 - Verification of OWF amounts received and dates
 - For distribution after 10/1/97, records showing distribution of arrears amounts to various accounts per PRWORA
 - Other relevant documentation

Appeal Summary

CUSTODIAL PARENT – CHILD SUPPORT

Examples of Appeal Summary attachments possibly needed for child support custodial parent issues:

C. Federal Tax Offset (FTO)

1. Copy of order (s) and payments received
2. Verification of arrears owed to appellant vs. State of Ohio
3. Rules supporting the allocation hierarchy of an FTI payment
4. Verification of OWF amounts received and dates on assistance
5. Actual distribution records showing assignment dates and amounts of support assigned to State of Ohio
6. If distribution after 10/1/97, records showing distribution of arrears amounts to various accounts per PRWORA
7. Other relevant documentation

D. Case closure

1. Copy of order (s) and payments received (if applicable)
2. Verification of arrears owed to appellant vs. State of Ohio
3. Copy of notice issued with reason proposing closure and date mailed
4. Verification of reason closure proposed
5. Rule reference supporting case closure
6. Other relevant documentation

E. Denial of Modification request (aka Review and Adjustment)

1. Copy of most recently filed order & guideline worksheet
2. Copy of request submitted to CSEA and any attached documents
3. Copy of denial notice or detailed screen
4. Rule reference supporting denial
5. Other relevant documentation

F. Recoupment of Overpayment

1. Repayment agreement
2. Details of how the overpayment occurred
3. Other relevant documentation

G. Child Support Sanction

1. Verification of non-cooperation or failure to show for a hearing
2. Documentation of good cause
3. Other relevant documentation

Appeal Summary

NON-CUSTODIAL – CHILD SUPPORT

Examples of Appeal Summary attachments possibly needed for child support non-custodial issues:

- A. Paternity Services denied
 - 1. Copy of notice(s) and reason(s) for denial
 - 2. Verification/documentation of reason for denial & explanation thereof
 - 3. Rule reference supporting denial of paternity services
 - 4. Other relevant documentation

- B. Refusal/Denial of Modification
(aka review and adjustment)
 - 1. Copy of most recently filed order & guideline worksheet
 - 2. Copy of request submitted to CSEA and any attached documents
 - 3. Copy of denial notice, reason why denied, and date mailed
 - 4. Rule reference supporting denial
 - 5. Other relevant documentation

- C. Termination of a Support Order
 - 1. Documentation used to make the decision to terminate
 - 2. Notice to the non-custodial parent
 - 3. Rule reference supporting termination
 - 4. Other relevant documentation

Appeal Summary Overpayments

Examples of Appeal Summary attachments possibly needed for overpayment issues:

- Copies or notice history showing dates notices were mailed
- Verification to show that notice was sent to the correct address
- Verification of whether mail returned as undeliverable
- Verification if Appellant claimed issues with mail delivery and whether it was reported to the post office
- Date overpayment was discovered
- Date the claim was established
- Verification of what type of claim the overpayment is (agency error, household error, IPV)
- Who was in the assistance group at the time of overpayment
- Verification of who was in the assistance group at the time of overpayment
- Copies of applications for the overpayment period
- Issuance history of benefits during the period of overpayment
- Verification of benefits being redeemed/used
- Income verification
- Overpayment budgets
- If payments have been made, payment history
- Verification of type of recovery
- All other relevant documentation used in determining an overpayment

Appeal Summary

Administrative Disqualification Hearings

Examples of Appeal Summary attachments possibly needed for ADH issues:

- Verification that the Waiver of Administrative Disqualification Hearing mailed prior to referring the case for an ADH.
- Signed applications for the IPV period
- Case notes/running record comments
- Documentation of office visits, information reported or documents submitted during the IPV period
- Copies of warrants and food stamp issuance
- Verification that warrant was redeemed/food stamps were used
- BCI reports specific to the case referred
- If a 2nd or 3rd allegation, verification of prior findings of IPV's (signed waiver, previous ADH decision, court decision)
- If residency is an issue-all verification obtained to verify residency
- Employment Verification
- If invalid purchases, verification of disqualification of the retailer, normal purchase amount for the retailer, counter space, largest dollar amount of item sold in the store, other retailers close by that would provide valid food stamp items at a lesser amount, etc.
- Any altered, falsified or fake documents submitted by the accused individual or known to be submitted by the accused individual
- All other relevant documentation used in determining an IPV

COMPLIANCE FORM JFS04068

Saving Tip: In your printer options, choose Adobe PDF, and save your completed form with the Appeal Number.

OHio Department of Job and Family Services STATE HEARING COMPLIANCE			
Reset Form			
Assistance Group Name		Assistance Group Number	
County		Program	Appeal Number
Request Date	Decision Date	Compliance Due	BSH Use Only Compliance Approved Compliance Achieved
This is to certify that _____ has complied with the order of the above-referenced decision. <small>name of local agency</small>			
(Please provide a complete description of the agency's compliance actions, including the exact dates on which benefits were mailed or otherwise furnished.)			
<p>Important Notice: The local agency's compliance with the hearing decision must be reported by completing this form and returning it to the Ohio Department of Job and Family Services, Bureau of State Hearings, P.O. Box 182825, Columbus, Ohio 43218-2825. All required authorization documents (see below), hearing notices (e.g., approval notices, denial notices and prior notices) and other documentation of compliance must be attached.</p> <p>List Authorization Documents Attached:</p>			
Name		Date	Title
<small>Distribution: Original and one copy to local agency, one copy to Bureau of State Hearings. This form is authorized, and its completion required, by Chapters 5101:1-35, 5101:2-30, and 5104:4-3 of the Ohio Administrative Code. Failure to respond promptly will necessitate follow-up activity by the Bureau of State Hearings. JFS 04159 (Rev. 5/2011)</small>			

STATE HEARING COMPLIANCE

Ohio Administrative Code

§ 5101:6-7-03 (2003)

Promptness:

Decisions which order action favorable to the individual

- For decisions involving public assistance, social services or child support services, compliance shall be achieved within fifteen calendar days from the date the decision is issued, but in no event later than ninety calendar days from the date of the hearing request.
- For decisions involving food stamps, any increase in benefits must be reflected in the coupon allotment within ten calendar days of receipt of the decision, even if the local agency must provide a supplement, outside the normal issuance cycle. The local agency may take longer than ten days if it elects to make the decision effective in the assistance group's normal issuance cycle, provided that issuance will occur within sixty calendar days of the date of the hearing request. If the local agency elects to follow this procedure, the benefit increase may be reflected in the normal issuance cycle or with a supplementary issuance.
- When the hearing has been requested in response to the simultaneous proposal of PA and food stamp adverse actions, compliance shall be achieved according to PA timeliness standards.
- Compliance shall be promptly reported to the bureau of state hearings, ODJFS, via "State Hearing Compliance," JFS 04068, accompanied by appropriate documentation.

Decisions which authorize action adverse to the individual

- The agency shall implement the decision promptly, if still appropriate.
- When the adverse action results in a decrease in the assistance group's food stamp benefits, the decrease shall be reflected in the next issuance cycle following receipt of the hearing decision.

Date compliance is achieved:

- For decisions involving public assistance, social services or child support services, compliance shall be considered achieved on the date eligibility, payment, or services are authorized or other action ordered by the hearing decision is taken.
- For decisions involving food stamps, compliance shall be considered achieved on the date the action is reflected in the assistance group's coupon allotment.