

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:4-2-02

Rule Type: Amendment

Rule Title/Tagline: Food assistance: categorically eligible assistance groups.

Agency Name: Department of Job and Family Services

Division: Division of Food Stamps

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 9/1/2026
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 5101.54
5. **What statute(s) does the rule implement or amplify?** 329.04, 329.042, 5101.54
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

The Ohio Department of Job and Family Services has been working on possible solutions to solve the Benefit Cliff. For the Supplemental Nutrition Assistance Program (SNAP), the benefit cliff comes into play at 130% of the federal poverty level (FPL). We have heard from both employers and SNAP recipients that the cliff causes workers to decline additional hours at work or even decline promotions and pay raises, because

the increased pay is still a net loss when factored with lost benefits. Therefore, we are proposing increasing to 200% the gross income limit to allow families to taper off benefits instead - an off-ramp instead of a cliff. Many other states, including Florida and Texas, have implemented similar strategies as a solution to support workers and employers.

8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule describes which assistance groups are affected and what eligibility factors come into play in changing the FPL percentage. Changes to this rule include: Paragraph (B)(1) was amended to add assistance groups with gross income at or below two hundred per cent of the federal poverty level according to their assistance group size and Paragraph (C) was reorganized.

9. Does the rule incorporate material by reference? Yes

10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(d).

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75(B)(4).

This rule incorporates one or more dated references to a federal act or acts. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(c).

11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

This rule is not expected to increase expenditures this biennium as any additional administrative costs are expected to be offset by the lack of churn caused by clients going on and off benefits.

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No new costs.

- 14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

- 15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

- 16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable.

III. Common Sense Initiative (CSI) Questions

- 17. Was this rule filed with the Common Sense Initiative Office? No**

- 18. Does this rule have an adverse impact on business? No**

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

- 19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

- A. How many new regulatory restrictions do you propose adding to this rule? 0
- B. How many existing regulatory restrictions do you propose removing from this rule? 29

5101:4-2-02(B)(1)(b) Assistance groups without an elderly or disabled member shall pass

5101:4-2-02(B)(1)(b) shall be below

5101:4-2-02(B)(2)(b) PRC or benefits or services shall be

5101:4-2-02(B)(2)(b) SNAP benefits shall continue

5101:4-2-02(B)(2)(c) ineligible member shall be

5101:4-2-02(C)(3) factors that are questionable shall be

5101:4-2-02(D)(1) No person shall be

5101:4-2-02(D)(2) Under no circumstances shall an assistance group

5101:4-2-02(E) Categorically eligible assistance groups shall have

5101:4-2-02(F)(1) the county agency shall pend

5101:4-2-02(F)(1)the county agency shall deny

5101:4-2-02(F)(2) the agency shall determine

5101:4-2-02(F)(2) the county shall indicate

5101:4-2-02(G)(1) assistance group shall be informed

5101:4-2-02(G)(1) the assistance group shall be provided

5101:4-2-02(G)(2) the county agency shall have

5101:4-2-02(G)(2) The assistance group shall provide

5101:4-2-02(G)(3) the county agency shall enter

5101:4-2-02(G)(4) restored benefits shall be paid

5101:4-2-02(G)(4) The county agency shall issue

5101:4-2-02(G)(4) A certification period shall be established

5101:4-2-02(G)(5) the county agency shall issue

5101:4-2-02(G)(6) the assistance group shall be advised

5101:4-2-02(H) Restored benefits shall be paid

5101:4-2-02 (G)(6) be advised it must file

5101:4-2-02 (G)(2) provide any required verification

5101:4-2-02(C)(1) do not require verification as described

5101:4-2-02(C)(1) do not require verification

5101:4-2-02(C)(3) any other required verification

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable