

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 196

Representatives Amstutz, Derickson

**Cosponsors: Representatives Grossman, Smith, R., Ryan, Hambley, Sprague,
Rezabek, Blessing, Romanchuk, Scherer, Johnson, T.**

A BILL

To amend sections 355.02, 355.03, 355.04, 5101.90, 1
5101.91, 5101.92, 5108.01, 5108.04, 5108.06, 2
5108.07, 5108.09, and 5108.11; to amend, for the 3
purpose of adopting new section numbers as 4
indicated in parentheses, sections 5108.03 5
(5108.05) and 5108.05 (5108.041); to enact new 6
section 5108.03 and sections 5101.901, 5101.902, 7
5101.93, 5108.021, and 5108.022; and to repeal 8
section 5108.03 of the Revised Code and to 9
repeal Section 551.10 of Am. Sub. H.B. 483 of 10
the 130th General Assembly to require boards of 11
county commissioners to establish local 12
healthier buckeye councils; to rename the Ohio 13
Healthier Buckeye Advisory Council the Ohio 14
Healthier Buckeye Council and to expand its 15
duties; to establish the Healthier Buckeye Grant 16
Program; to establish the Comprehensive Case 17
Management and Employment Program; and to make 18
changes to the law governing the Prevention, 19
Retention, and Contingency Program. 20

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 355.02, 355.03, 355.04, 5101.90, 5101.91, 5101.92, 5108.01, 5108.04, 5108.06, 5108.07, 5108.09, and 5108.11 be amended; sections 5108.03 (5108.05) and 5108.05 (5108.041) be amended for the purpose of adopting new section numbers as shown in parentheses; and new section 5108.03 and sections 5101.901, 5101.902, 5101.93, 5108.021, and 5108.022 of the Revised Code be enacted to read as follows:

Sec. 355.02. ~~Each~~ (A) Not later than December 15, 2015, ~~each~~ board of county commissioners ~~may~~ shall adopt a resolution to establish a ~~county~~ local healthier buckeye council. The resolution shall specify the organization of the council and shall designate a member to serve as a staffing agent and, if the board determines necessary, a member to serve as a fiscal agent. The board may revise the council's organization as necessary by adopting a resolution.

(B) (1) The board may invite any person or entity to become a member of the council, including a ~~public or private agency or group that funds, advocates, or provides care coordination services, provides or promotes private employment or educational services, or otherwise contributes to the well-being of individuals and families~~any of the following:

(a) Individuals with community leadership experience;

(b) Individuals with experience mentoring others;

(c) Individuals likely to receive healthier buckeye services and participate in healthier buckeye programs;

(d) Representatives from public and private entities, including any of the following:

(i) Employers;

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|---|----------------------|
| <u>(ii) Municipal corporations, counties, and townships;</u> | 49 |
| <u>(iii) Courts, including those with specialized court programs certified by the Ohio supreme court;</u> | 50 51 |
| <u>(iv) Law enforcement;</u> | 52 |
| <u>(v) Faith-based social services organizations;</u> | 53 |
| <u>(vi) Foundations;</u> | 54 |
| <u>(vii) Public health, including free clinics;</u> | 55 |
| <u>(viii) Child support enforcement agencies;</u> | 56 |
| <u>(ix) Children services agencies;</u> | 57 |
| <u>(x) Child care providers;</u> | 58 |
| <u>(xi) Preschool programs;</u> | 59 |
| <u>(xii) Primary and secondary schools;</u> | 60 |
| <u>(xiii) Colleges and universities;</u> | 61 |
| <u>(xiv) Mental health and addiction services providers;</u> | 62 |
| <u>(xv) Medicaid care coordinators or service providers;</u> | 63 |
| <u>(xvi) Emergency or urgent care services providers;</u> | 64 |
| <u>(xvii) Transportation providers;</u> | 65 |
| <u>(xviii) Housing providers;</u> | 66 |
| <u>(xix) The boy scouts of America, 4-H clubs, boys and girls clubs of America, and other similar organizations.</u> | 67 68 |
| <u>(2) If a county healthier buckeye council was established under this section as it existed prior to the effective date of this amendment, the board may designate the county council to serve as the local council required by this section on and after</u> | 69 70 71 72 |

the effective date of this amendment. 73

(3) The requirement to establish a local healthier buckeye council may be fulfilled by entering into an agreement in accordance with division (C) of this section to establish a joint local healthier buckeye council. 74
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(C) (1) The boards of county commissioners of any two or more counties, by entering into a written agreement, may establish a joint local healthier buckeye council to satisfy the requirement of division (A) of this section. The agreement shall be ratified by resolution of the board of county commissioners of each county that entered into the agreement. Each board of county commissioners that enters into an agreement shall give notice of the agreement to the Ohio healthier buckeye council. 78
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(2) An agreement to establish a joint local healthier buckeye council may set forth procedures or standards necessary for the joint council to perform its duties and operate efficiently. 86
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(3) Costs incurred in operating a joint local healthier buckeye council shall be paid from a joint general fund created by the joint council, except as may be otherwise provided in the agreement. 90
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(4) If a joint local healthier buckeye council is established, all references in the Revised Code to a local healthier buckeye council shall apply to the joint council. 94
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Sec. 355.03. (A) A county local healthier buckeye council may do shall promote all of the following: 97
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(A) Promote means (1) A cooperative and effective environment in all communities to maximize opportunities for individuals and families to achieve and maintain optimal health 99
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in all aspects, thereby achieving greater productivity and 102
reducing reliance on publicly funded assistance programs; 103

(2) Means by which council members or the entities the 104
members represent may reduce the reliance of individuals and 105
families on publicly funded assistance programs using both of 106
the following: 107

~~(1)~~ (a) Programs that have been demonstrated to be 108
effective and have one or more of the following features: 109

~~(a)~~ (i) Low costs; 110

~~(b)~~ (ii) Use volunteer workers; 111

~~(c)~~ (iii) Use incentives to encourage designated 112
behaviors; 113

~~(d)~~ (iv) Are led by peers. 114

~~(2)~~ (b) Practices that identify and seek to eliminate 115
barriers to achieving greater financial independence for 116
individuals and families who receive services from or 117
participate in programs operated by council members or the 118
entities the members represent. 119

~~(B) Promote care~~ (3) Care coordination among physical 120
health, behavioral health, social, employment, education, and 121
housing service providers within the county~~+~~. 122

(B) A local healthier buckeye council shall develop a 123
healthier buckeye plan that promotes the objectives set forth in 124
division (A) of this section. The council shall submit the plan 125
to the board of county commissioners that created the council 126
and to the Ohio healthier buckeye council. 127

(C) A local healthier buckeye council shall convene at 128

least once each year. 129

(D) A local healthier buckeye council shall organize 130
itself in accordance with section 355.02 of the Revised Code and 131
any other applicable provisions of law. 132

~~(C) Collect~~ (E) A local healthier buckeye council shall 133
collect and analyze data regarding individuals or families who 134
receive services from or participate in programs operated by 135
council members or the entities the members represent. 136

(F) Beginning one year after the effective date of this 137
amendment, each local healthier buckeye council shall prepare an 138
annual report regarding the council's performance. The council 139
shall submit each report to the Ohio healthier buckeye council. 140

(G) A local healthier buckeye council may apply for, 141
receive, and oversee the administration of grants. 142

Sec. 355.04. ~~A county-local healthier buckeye council may~~ 143
shall report the following information to the joint medicaid 144
oversight committee created in section 103.41 of the Revised 145
Code and to the Ohio healthier buckeye council: 146

(A) Notification that the ~~county-local~~ council has been 147
established and information regarding the council's 148
organization, its healthier buckeye plan developed under 149
division (B) of section 355.03 of the Revised Code, and its 150
other activities; 151

(B) Information regarding enrollment or outcome data 152
collected under division ~~(C)~~ (E) of section 355.03 of the 153
Revised Code; 154

(C) Recommendations regarding the best practices for the 155
administration and delivery of publicly funded assistance 156

programs or other services or programs provided by council 157
members or the entities the members represent; 158

(D) Recommendations regarding the best practices in care 159
coordination. 160

Sec. 5101.90. (A) As used in this section, ~~"public and in~~ 161
sections 5101.901 and 5101.902 of the Revised Code: 162

(1) "Adult" means an individual at least eighteen years of 163
age. 164

(2) "Equivalent of a high school diploma" has the same 165
meaning as in section 5107.30 of the Revised Code. 166

(3) "In-school youth" has the same meaning as in section 167
129(a)(1)(C) of the "Workforce Innovation and Opportunity Act," 168
29 U.S.C. 3164(a)(1)(C), except that it does not mean an 169
individual who is less than sixteen years of age. 170

(4) "Low-income individual" has the same meaning as in 171
section 3(36) of the "Workforce Innovation and Opportunity Act," 172
29 U.S.C. 3102(36). 173

(5) "OhioMeansJobs" has the same meaning as in section 174
6301.01 of the Revised Code. 175

(6) "Ohio works first" has the same meaning as in section 176
5107.02 of the Revised Code. 177

(7) "Out-of-school youth" has the same meaning as in 178
section 129(a)(1)(B) of the "Workforce Innovation and 179
Opportunity Act," 29 U.S.C. 3164(a)(1)(B). 180

(8) "Participating local agencies" means the county 181
department of job and family services and workforce development 182
agency that serve a county. 183

(9) "Prevention, retention, and contingency program" has 184
the same meaning as in section 5108.01 of the Revised Code. 185

(10) "Public assistance" has the same meaning as in 186
section 5101.26 of the Revised Code. 187

(11) "Subcontractor" means an entity with which a 188
participating local agency contracts to perform, on behalf of a 189
participating local agency, one or more of the participating 190
local agency's duties regarding the comprehensive case 191
management and employment program. 192

(12) "TANF block grant" means the temporary assistance for 193
needy families block grant established by Title IV-A of the 194
"Social Security Act," 42 U.S.C. 601 et seq. 195

(13) "Work-eligible individual" has the same meaning as in 196
45 C.F.R. 261.2(n). 197

(14) "Workforce development activity" has the same meaning 198
as in section 6301.01 of the Revised Code. 199

(15) "Workforce development agency" has the same meaning 200
as in section 6301.01 of the Revised Code. 201

(16) "Workforce Innovation and Opportunity Act" means 202
Public Law 113-128, 29 U.S.C. 3101 et seq. 203

(B) The director of job and family services and the staff 204
of the department of job and family services, shall administer 205
the Workforce Innovation and Opportunity Act. 206

(C) The director and staff of the department shall develop 207
a proposal for the establishment of a comprehensive case 208
management and employment program. The proposal shall be 209
developed in consultation with representatives designated by the 210
governor's office of workforce transformation, the county 211

commissioners association of Ohio, and the Ohio job and family 212
services directors association, ~~shall establish an evaluation~~ 213
~~system that rates each county department of job and family~~ 214
~~services in terms of its success with helping public assistance~~ 215
~~recipients obtain employment that enables the recipients to~~ 216
~~cease relying on public assistance.~~ 217

The proposal shall be submitted to the Ohio healthier 218
buckeye council for its review. If the council disapproves the 219
proposal, director and staff shall revise the proposal and 220
submit it to the council for review. This process shall continue 221
until the council has granted approval. 222

On approval, the program shall be established. The 223
director and staff of the department shall coordinate and 224
supervise implementation and operation of the program. 225

To the extent funds under the TANF block grant and 226
Workforce Innovation and Opportunity Act are available, the 227
program shall make employment and training services available to 228
the program's participants in accordance with the comprehensive 229
assessments of the participants' employment and training needs 230
conducted pursuant to division (B) of section 5101.901 of 231
Revised Code. 232

(D) (1) The director and staff of the department shall 233
design, in consultation with the governor's office of workforce 234
transformation, an evaluation system for the local 235
administration of the comprehensive case management and 236
employment program. The evaluation system shall incorporate all 237
of the following, as applicable to the program: 238

(a) Criteria for evaluating the performance of workforce 239
programs established pursuant to section 107.35 of the Revised 240

Code; 241

(b) Performance and other administrative standards for the 242
administration and outcomes of family services duties that meet 243
the requirements of section 5101.22 of the Revised Code and 244
division (F) of this section; 245

(c) Performance accountability indicators identified in 246
the state plan for workforce development activities pursuant to 247
section 116(b) (2) (B) of the "Workforce Innovation and 248
Opportunity Act," 29 U.S.C. 3141(b) (2) (B). 249

(2) The proposed evaluation system shall be submitted to 250
the Ohio healthier buckeye council for its review. The system 251
shall not be implemented until it has been approved by the 252
council. On approval, the director and staff of the department 253
shall evaluate local administration of the comprehensive case 254
management and employment program in accordance with the 255
approved system. 256

(E) A county department of job and family services may 257
establish and implement an evaluation system established by the 258
Ohio department of job and family services to evaluate an 259
individual caseworker's success in helping a public assistance 260
recipient obtain and maintain employment that enables the 261
recipient to cease-avoid relying on public assistance. The 262
evaluation system shall include standards that meet the 263
requirements of division (F) of this section. 264

~~(C)~~ (F) The department shall design the evaluation system 265
established under division (D) of this section and any 266
evaluation system established under division (E) of this section 267
shall be designed in a manner that encourages caseworkers and 268
county departments-participating local agencies to increase 269

their success with helping public assistance recipients obtain 270
and maintain employment that enables the recipients to ~~ease~~ 271
avoid relying on public assistance. The ~~system~~ systems shall 272
provide for ~~caseworkers' and county departments'~~ the systems' 273
ratings under the system of caseworkers and participating local 274
agencies to be updated at least annually. 275

(G) The director shall adopt rules as necessary to 276
implement this section and sections 5101.901 and 5101.902 of the 277
Revised Code. The rules shall be adopted in consultation with 278
the Ohio healthier buckeye council and in accordance with 279
Chapter 119. of the Revised Code. 280

Sec. 5101.901. (A) (1) Subject to division (A) (2) of this 281
section and rules adopted under division (G) of section 5101.90 282
of the Revised Code, all of the following apply with respect to 283
the individuals who are required to participate or permitted to 284
volunteer to participate in the comprehensive case management 285
and employment program: 286

(a) Each work-eligible individual shall participate in the 287
program as a condition of participating in Ohio works first. 288

(b) Each Ohio works first participant who is not a work- 289
eligible individual may volunteer to participate in the program. 290

(c) Each individual receiving benefits and services under 291
the TANF block grant who is not a work-eligible individual may 292
volunteer to participate in the program. 293

(d) Each low-income individual who is an adult, in-school 294
youth, or out-of-school youth and is considered to have a 295
barrier to employment under the Workforce Innovation and 296
Opportunity Act shall participate in the program as a condition 297
of participating in workforce development activities funded by 298

the TANF block grant or Workforce Innovation and Opportunity 299
Act. 300

(e) Each individual who is a child support obligor and who 301
meets eligibility requirements for the TANF block grant or the 302
Workforce Innovation and Opportunity Act may volunteer to 303
participate in the program. 304

(f) Each individual who is receiving services in a foster 305
home and who meets eligibility requirements for the TANF block 306
grant or the Workforce Innovation and Opportunity Act may 307
volunteer to participate in the program. 308

(g) Each individual who is at least eighteen but under 309
twenty-four years of age and was in the temporary or permanent 310
custody of, or was provided care in a planned permanent living 311
arrangement by, a public children services agency or private 312
child placing agency on the date the individual attained age 313
eighteen and who meets eligibility requirements for the TANF 314
block grant or the Workforce Innovation and Opportunity Act may 315
volunteer to participate in the program. 316

(h) Each individual who receives services through 317
OhioMeansJobs and who meets eligibility requirements for the 318
TANF block grant or the Workforce Innovation and Opportunity Act 319
may volunteer to participate in the program. 320

(2) Individuals specified in division (A)(1) of this 321
section are required to participate or permitted to volunteer to 322
participate, as applicable, in the comprehensive case management 323
and employment program as follows: 324

(a) December 15, 2015, if the individual is at least 325
sixteen but not more than twenty-four years of age; 326

(b) For individuals or groups of individuals not specified 327

in division (A) (2) (a) of this section, as determined by the Ohio 328
healthier buckeye council. 329

(B) (1) An individual participating in the comprehensive 330
case management and employment program shall undergo a 331
comprehensive assessment of the individual's employment and 332
training needs. As part of the assessment, an individualized 333
employment plan shall be created for the individual. The plan 334
shall be reviewed, revised, and terminated in accordance with 335
the procedures established for the comprehensive assessment. The 336
plan shall specify which of the following services, if any, the 337
individual needs: 338

(a) Support for the individual to obtain a high school 339
diploma or the equivalent of a high school diploma; 340

(b) Job placement; 341

(c) Job retention support; 342

(d) Other services that aid the individual in achieving 343
the plan's goals. 344

(2) The services an individual receives in accordance with 345
the individualized employment plan are inalienable by way of 346
assignment, charge, or otherwise and exempt from execution, 347
attachment, garnishment, and other similar processes. 348

Sec. 5101.902. (A) Not later than October 15, 2015, each 349
board of county commissioners shall designate one of the 350
participating local agencies as the lead agency for purposes of 351
the comprehensive case management and employment program. Each 352
board shall inform the department of job and family services of 353
its designation decision. 354

(B) The lead agency shall do all of the following: 355

(1) Submit to the department, and to the local healthier buckeye council serving the lead agency's county, a plan that establishes standard processes for determining and maintaining the eligibility to participate in the program; 356
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(2) Manage organizational and executive functions for the program; 360
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(3) Provide fiscal services for the program; 362

(4) In partnership with the other participating local agency and any subcontractors, actively coordinate their activities regarding the program and use their expertise in administering the program. 363
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(C) The lead agency is responsible for all funds that any of the following determines have been expended or claimed for the comprehensive case management and employment program, by or on behalf of the county that the lead agency serves, in a manner that federal or state law or policy does not permit: 367
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(1) The department of job and family services; 372

(2) The auditor of state; 373

(3) The United States department of health and human services; 374
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(4) The United States department of labor; 376

(5) Any other government entity. 377

Sec. 5101.91. (A) As used in sections 5101.91 and 5101.92 of the Revised Code: 378
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(1) "Political subdivision" has the same meaning as in section 2744.01 of the Revised Code. 380
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(2) "Publicly funded assistance program" means any 382

physical health, behavioral health, social, employment, 383
education, housing, or similar program funded or provided by the 384
state or a political subdivision of the state. 385

(B) There is hereby created the Ohio healthier buckeye 386
~~advisory council in the department of job and family services.~~ 387
The council shall ~~meet at the discretion of the director of job~~ 388
~~and family services and shall~~ consist of the following members: 389

(1) Five members representing affected local private 390
employers or local faith-based, charitable, nonprofit, or public 391
entities or individuals participating in the healthier buckeye 392
grant program, appointed by the governor; 393

(2) ~~Two~~ Three members of the senate, ~~one~~ two from the 394
majority party and one from the minority party, appointed by the 395
president of the senate; 396

(3) ~~Two~~ Three members of the house of representatives, ~~one~~ 397
two from the majority party and one from the minority party, 398
appointed by the speaker of the house of representatives; 399

(4) One member representing the judicial branch of 400
government, appointed by the chief justice of the supreme court; 401

(5) ~~Additional members representing any other entities or~~ 402
~~organizations the director of job and family services determines~~ 403
~~are necessary, appointed by the governor~~ The director of job and 404
family services, or the director's designee; 405

(6) One member representing the county commissioners 406
association of Ohio, appointed by the speaker of the house of 407
representatives; 408

(7) One member representing the Ohio job and family 409
services directors' association, appointed by the president of 410

the senate. 411

~~(C) Initial appointments to the council shall be made not
later than thirty days after the effective date of this section.~~ 412
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A member shall serve at the pleasure of the member's 414
appointing authority. Members may be reappointed to the council. 415
Vacancies on the council shall be filled in the same manner as 416
the original appointments. 417

~~(D) The director department of job and family services 418
shall ~~serve as chairperson of~~ provide administrative assistance
to the council. 419
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~~(E) Members shall serve without compensation, but shall be
reimbursed for their actual and necessary expenses incurred in
the performance of their official duties. 421
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Sec. 5101.92. The Ohio healthier buckeye ~~advisory~~ council 424
~~may shall~~ do all of the following: 425

~~(A) ~~Develop means~~ Identify and advocate for best practices
by which ~~county~~ local healthier buckeye councils established 426
under section 355.02 of the Revised Code may reduce the reliance 427
of individuals and families on publicly funded assistance 428
programs as provided in section 355.03 of the Revised Code; 429
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~~(B) ~~Recommend to~~ Establish, in consultation with the 431
director of job and family services, eligibility criteria, 432
application processes, and maximum grant amounts for the ~~Ohio~~ 433
healthier buckeye grant program created by section 5101.93 of
the Revised Code; 434
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~~(C) Not later than December 1, 2015, submit to the 436
director recommendations for doing all of the following: 437~~

~~(1) Coordinating services across all public assistance 438~~

programs to help individuals find employment, succeed at work,
and stay out of poverty; 439
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(2) Revising incentives for public assistance programs to
foster person-centered case management; 441
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(3) Standardizing and automating eligibility determination
policies and processes for public assistance programs. 443
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(D) Approve or disapprove the comprehensive case
management and employment program established pursuant to
section 5101.90 of the Revised Code; 445
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(E) Approve or disapprove the evaluation systems
established under section 5101.90 of the Revised Code; 448
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(F) Provide assistance in the establishment of local
healthier buckeye councils under section 355.02 of the Revised
Code; 450
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(G) Identify barriers and gaps to achieving greater
financial independence for individuals and families, and provide
advice to remove those barriers and gaps; 453
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(H) Collect, analyze, and report performance measure
information; 456
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(I) Annually, submit a report to the governor and, in
accordance with section 101.68 of the Revised Code, to the
general assembly, containing all of the following: 458
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(1) A description of the council's activities for the
preceding year; 461
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(2) The data and analysis required by division (H) of this
section; 463
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(3) Any other information the council considers 465

appropriate to include in the report. 466

Sec. 5101.93. (A) There is hereby created the healthier 467
buckeye grant program under which grants are awarded to local 468
healthier buckeye councils established under section 355.02 of 469
the Revised Code, other public entities, private entities, and 470
individuals. The program shall be administered by the Ohio 471
healthier buckeye council. The council may request assistance 472
from the department of job and family services. 473

(B) Eligibility criteria established for the program shall 474
give priority to proposals that include the following factors: 475

(1) Prior effectiveness in providing services that achieve 476
lasting self-sufficiency for low-income individuals; 477

(2) Alignment and coordination of public and private 478
resources to assist low-income individuals achieve self- 479
sufficiency; 480

(3) Maintenance of continuous mentoring support for 481
participants; 482

(4) Use of local matching funds; 483

(5) Use of volunteers and peer supports; 484

(6) Evidence of previous experience managing or providing 485
similar services with public funds; 486

(7) Evidence of capability to effectively report relevant 487
participant data; 488

(8) Creation through local assessment and planning 489
processes; 490

(9) Collaboration between entities that participate in 491
assessment and planning processes. 492

(C) Funds for grants awarded under the program shall be 493
made from the healthier buckeye fund, which is hereby created in 494
the state treasury. The fund shall consist of moneys 495
appropriated to it and any grants or donations received. 496
Interest earned on the money in the fund shall be credited to 497
the fund. 498

Sec. 5108.01. As used in this chapter: 499

(A) "Additional benefits and services" means the benefits 500
and services that a county department of job and family services 501
may include in its county prevention, retention, and contingency 502
program plan. "Additional benefits and services" are in addition 503
to required benefits and services. 504

(B) "County family services planning committee" means the 505
county family services planning committee established under 506
section 329.06 of the Revised Code or the board created by 507
consolidation under division (C) of section 6301.06 of the 508
Revised Code. 509

~~(B)~~(C) "County prevention, retention, and contingency 510
program plan" and "county plan" mean the plan each county 511
department of job and family services must adopt under section 512
5108.04 of the Revised Code. 513

(D) "Ohio works first" has the same meaning as in section 514
5107.02 of the Revised Code. 515

(E) "Prevention, retention, and contingency program" means 516
the program established by this chapter and funded in part with 517
federal funds provided under Title IV-A. 518

~~(C)~~(F) "Required benefits and services" means the 519
benefits and services specified in rules adopted under section 520
5108.03 of the Revised Code that a county department of job and 521

family services must include in its county prevention, 522
retention, and contingency program plan. 523

(G) "Title IV-A" means Title IV-A of the "Social Security 524
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 525

Sec. 5108.021. All of the following apply to all benefits 526
and services provided under the prevention, retention, and 527
contingency program, regardless of whether they are required 528
benefits and services or additional benefits and services: 529

(A) The benefits and services must be allowable uses of 530
federal Title IV-A funds under sections 401 and 404(a) of the 531
"Social Security Act," 42 U.S.C. 601 and 604(a). 532

(B) The benefits and services must not be "assistance" as 533
defined in 45 C.F.R. 260.31(a) and, except as provided in 534
division (C) of this section, must be benefits and services that 535
45 C.F.R. 260.31(b) excludes from the definition of 536
"assistance." 537

(C) The benefits and services must not include work 538
subsidies specified in 45 C.F.R. 260.31(b)(2). 539

(D) The benefits and services must have the following 540
primary purposes: 541

(1) Diverting families from participating in Ohio works 542
first; 543

(2) Meeting an emergent need that, if not met, would 544
threaten the safety, health, or well-being of one or more 545
members of a family. 546

Sec. 5108.022. Required benefits and services provided 547
under the prevention, retention, and contingency program shall 548
not be suspended by a county department of job and family 549

services unless funds allocated for the program by the director 550
of job and family services have been exhausted and the county 551
department submits an amended prevention, retention, and 552
contingency program plan in accordance with section 5108.04 of 553
the Revised Code. 554

Sec. 5108.03. (A) The director of job and family services 555
shall adopt rules in accordance with Chapter 119. of the Revised 556
Code to implement this chapter. The rules shall specify or 557
establish all of the following: 558

(1) The required benefits and services that each county 559
department of job and family services must include in its county 560
prevention, retention, and contingency program plan; 561

(2) Income and other eligibility requirements for required 562
benefits and services and maximum eligibility requirements for 563
additional benefits and services; 564

(3) The maximum amount of required benefits and services 565
and additional benefits and services an eligible individual may 566
receive in a year; 567

(4) Other requirements for county prevention, retention, 568
and contingency program plans, including requirements for 569
adopting, updating, and amending county plans. 570

(B) All of the following shall be specified as required 571
benefits and services in the rules adopted under division (A) (1) 572
of this section: 573

(1) Short-term supportive services that address the 574
specific crisis or episode of need, including assistance with 575
employment, housing, utilities, transportation, or other 576
employment-related needs; 577

(2) Disaster assistance; 578

(3) Any other benefits and services the director 579
specifies. 580

Sec. 5108.04. Each county department of job and family 581
services shall adopt a written ~~statement of policies governing~~ 582
~~the county~~ prevention, retention, and contingency program plan 583
for the county. The ~~statement of policies initial county plan~~ 584
shall be adopted not later than ~~October 1, 2003, and November~~ 585
15, 2015. The county plan shall be updated not later than 586
October 1, 2017, and at least every two years thereafter. A 587
county department may amend its ~~statement of policies to modify,~~ 588
~~terminate, and establish new policies~~county plan, except that 589
required benefits and services may be suspended only as provided 590
in section 5108.022 of the Revised Code. A county department 591
~~also may amend its statement of policies to suspend operation of~~ 592
~~its prevention, retention, and contingency program temporarily.~~ 593
The county director of job and family services shall sign and 594
date the ~~statement of policies~~county plan and any amendment to 595
it. Neither the ~~statement of policies~~county plan nor any 596
amendment to it may have an effective date that is earlier than 597
the date of the county director's signature. 598

Each county department ~~of job and family services~~ shall 599
~~provide~~submit to the department of job and family services a 600
written copy of the ~~statement of policies~~county department's 601
initial and updated county plans and any amendments it adopts to 602
~~the statement~~a county plan, including any amendment concerning 603
a suspension, not later than ten calendar days after the 604
~~statement or amendment's effective date~~of the county plan or 605
the amendment. 606

Each county department shall comply with section 5108.022 607

of the Revised Code and rules adopted under section 5108.03 of 608
the Revised Code when adopting, updating, or amending a county 609
plan under this section. 610

Sec. ~~5108.05~~ 5108.041. ~~In adopting a statement of policies~~ 611
~~under section 5108.04 of the Revised Code for the county's~~ (A) 612
Each county prevention, retention, and contingency program, ~~each~~ 613
~~county department of job and family services~~ plan shall do all 614
~~of the following:~~ 615

~~(A) Establish or specify all of the following:~~ 616

~~(1) Benefits include all required benefits and services~~ 617
and may include additional benefits and services to be provided 618
~~under the program that are allowable uses of federal Title IV-A~~ 619
~~funds under 42 U.S.C. 601 and 604(a), except that they may not~~ 620
~~be "assistance" as defined in 45 C.F.R. 260.31(a) but rather~~ 621
~~benefits and services that 45 C.F.R. 260.31(b) excludes from the~~ 622
~~definition of assistance;~~ 623

~~(2).~~ If a county plan includes additional benefits and 624
services, the county plan shall establish or specify all of the 625
following: 626

(1) Restrictions on the amount, duration, and frequency of 627
the additional benefits and services; 628

~~(3)~~ (2) Eligibility requirements for the additional 629
benefits and services that do not exceed the maximum eligibility 630
requirements for additional benefits and services specified in 631
rules adopted under section 5108.03 of the Revised Code; 632

~~(4)~~ (3) Fair and equitable procedures for both of the 633
following: 634

(a) The certification of eligibility for the additional 635

benefits and services that do not have a financial need 636
eligibility requirement; 637

(b) The determination and verification of eligibility for 638
the additional benefits and services that have a financial need 639
eligibility requirement. 640

~~(5)~~ (4) Objective criteria for the delivery of the 641
additional benefits and services; 642

~~(6)~~ (5) Administrative requirements; 643

~~(7)~~ (6) Other matters the county department of job and 644
family services determines are necessary. 645

~~(B) Provide for the statement of policies to be~~ Each 646
county prevention, retention, and contingency program plan shall 647
be consistent with all of the following: 648

(1) The plan of cooperation the board of county 649
commissioners develops under section 307.983 of the Revised 650
Code; 651

(2) The review and analysis of the county family services 652
committee conducted in accordance with division (B) (2) of 653
section 329.06 of the Revised Code; 654

(3) Title IV-A, federal regulations, state law, the Title 655
IV-A state plan submitted to the United States secretary of 656
health and human services under section 5101.80 of the Revised 657
Code, ~~and~~ amendments to the plan, and rules adopted under 658
section 5108.03 of the Revised Code. 659

(C) ~~Either~~ Before a county prevention, retention, and 660
contingency program plan is submitted to the department of job 661
and family services under section 5108.04 of the Revised Code, 662
the county department of job and family services shall either 663

provide the public and local government entities at least thirty 664
days to submit comments on the county plan or have the county 665
family services planning committee review ~~the statement of~~ 666
~~policies, including~~ the county plan. The comments or review may 667
address the design of the county's prevention, retention, and 668
contingency program, ~~before the county director signs and dates~~ 669
~~the statement of policies.~~ 670

Sec. 5108.03 **5108.05**. ~~Under the prevention, retention, and~~ 671
~~contingency program, each~~ Each county department of job and 672
family services shall do ~~both~~ all of the following in accordance 673
with its county prevention, retention, and contingency program 674
plan and the statement of policies the county department 675
develops rules adopted under section 5108.04 ~~5108.03~~ of the 676
Revised Code: 677

(A) ~~Provide~~ Make all required benefits and services ~~that~~ 678
~~individuals need to overcome immediate barriers to achieving or~~ 679
~~maintaining self sufficiency and personal~~ 680
~~responsibility~~ available in the county or counties the department 681
serves; 682

(B) Make the additional benefits and services, if any, 683
included in its county plan available in the county or counties 684
the department serves; 685

(C) Perform related administrative duties. 686

Sec. 5108.06. In adopting a ~~statement of policies under~~ 687
~~section 5108.04 of the Revised Code for the county's~~ county 688
prevention, retention, and contingency program plan, a county 689
department of job and family services may specify both of the 690
following: 691

(A) Benefits and services to be provided under the program 692

that prevent and reduce the incidence of out-of-wedlock 693
pregnancies or encourage the formation and maintenance of two- 694
parent families as permitted by 45 C.F.R. 260.20(c) and (d); 695

(B) How the county department will certify individuals' 696
eligibility for such benefits and services. 697

Sec. 5108.07. (A) Each ~~statement of policies adopted under~~ 698
~~section 5108.04 of the Revised Code~~ county prevention, 699
retention, and contingency program plan shall include the board 700
of county commissioners' certification that the county 701
department of job and family services complied with this chapter 702
and rules adopted under section 5108.03 of the Revised Code in 703
adopting the ~~statement of policies~~county plan. 704

(B) The board of county commissioners shall revise its 705
certification under division (A) of this section if the county 706
department ~~adopts an amendment under section 5108.04 of the~~ 707
~~Revised Code to suspend operation of its prevention, retention,~~ 708
~~and contingency program temporarily or~~ amends its county plan or 709
makes any other amendment under that section ~~change~~ the board 710
considers to be significant. 711

Sec. 5108.09. When a state hearing under division (B) of 712
section 5101.35 of the Revised Code or an administrative appeal 713
under division (C) of that section is held regarding the 714
prevention, retention, and contingency program, the hearing 715
officer, director of job and family services, or director's 716
designee shall base the decision in the hearing or appeal on the 717
county department of job and family services' ~~written statement~~ 718
~~of policies adopted under section 5108.04 of the Revised Code~~ 719
county prevention, retention, and contingency program plan and 720
any amendments ~~the county department adopted to the statement~~ 721
county plan if the county department provides a written copy of 722

the ~~statement of policies~~ county plan and all amendments to the 723
hearing officer, director, or director's designee at the hearing 724
or appeal. 725

Sec. 5108.11. (A) To the extent permitted by section 726
307.982 of the Revised Code, a board of county commissioners may 727
enter into a written contract with a private or government 728
entity for the entity to do either or both of the following for 729
the county's prevention, retention, and contingency program: 730

(1) Certify eligibility for benefits and services that do 731
not have a financial need eligibility requirement; 732

(2) Accept applications and determine and verify 733
eligibility for benefits and services that have a financial need 734
eligibility requirement. 735

(B) If a board of county commissioners enters into a 736
contract under division (A) of this section with a private or 737
government entity, the county department of job and family 738
services shall do all of the following: 739

(1) Ensure that eligibility for benefits and services is 740
certified or determined and verified in accordance with the 741
~~statement of policies adopted under section 5108.04~~ county 742
prevention, retention, and contingency program plan and rules 743
adopted under section 5108.03 of the Revised Code; 744

(2) Ensure that the private or government entity maintains 745
all records that are necessary for audits; 746

(3) Monitor the private or government entity for 747
compliance with Title IV-A, this chapter of the Revised Code, 748
~~and the statement of policies~~ county prevention, retention, and 749
contingency program plan, and rules adopted under section 750
5108.03 of the Revised Code; 751

(4) Take actions that are necessary to recover any funds 752
that are not spent in accordance with Title IV-A ~~or~~, this 753
chapter of the Revised Code, or rules adopted under section 754
5108.03 of the Revised Code. 755

Section 2. That existing sections 355.02, 355.03, 355.04, 756
5101.90, 5101.91, 5101.92, 5108.01, 5108.03, 5108.04, 5108.05, 757
5108.06, 5108.07, 5108.09, and 5108.11 of the Revised Code are 758
hereby repealed. 759

Section 3. That Section 551.10 of Am. Sub. H.B. 483 of the 760
130th General Assembly is hereby repealed. 761

Section 4. Section 5101.91 of the Revised Code, as amended 762
by this act, constitutes a renaming of the Ohio Healthier 763
Buckeye Advisory Council as the Ohio Healthier Buckeye Council. 764
Individuals serving as members of the Ohio Healthier Buckeye 765
Advisory Council on the effective date of this act may continue 766
to serve as members of the Ohio Healthier Buckeye Council. The 767
additional members required by section 5101.91 of the Revised 768
Code, as amended by this act, shall be appointed not later than 769
thirty days after the effective date of this act. 770