

Your Rights

Your right to apply
Your right to a state hearing
Your civil rights



The Ohio Department of Job and Family Services (ODJFS) develops and oversees programs that help people.

These programs include help with:

- Cash for basic needs
- Child care
- Child support
- Food
- Health care
- Unemployment benefits
- Training and jobs

Local agencies manage these programs in each county. These agencies include:

- The county department of job and family services (JFS). Some people call it the welfare department.
- The county public children services agency (PCSA). Some people call it the children services agency.
- The county child support enforcement agency (CSEA).
- OhioMeansJobs centers

In some counties, all of these agencies are part of the county JFS. You can find the phone numbers and addresses for these agencies at jfs.ohio.gov or in the phone book under "Government Offices — County."

You have the right to apply for help from these agencies. The county agency will decide, based on state and federal law, what help you can get. It will arrange for the services or other help you need. This booklet talks about your right to apply for help. It also talks about:

- Your right to have a hearing (see page 5).
- Your right to be treated fairly (see page 7).

What kind of help can I get?

The help you may be able to get includes:

- Ohio Works First or other cash assistance
- Medicaid health care coverage
- Food Assistance benefits
- Help finding a job or job training
- Unemployment benefits
- Child support services
- Child protective services
- Adult protective services
- Foster care and/or adoption services
- Child care assistance
- Refugee services

How do I apply for help?

For Medicaid, you can apply at the website benefits.ohio.gov, at your county JFS, or at a local hospital, health clinic or Women, Infants and Children (WIC) clinic.

For child support services, call or visit your county CSEA.

For child protective services, call or visit your county PCSA.

For help finding a job or training program, visit OhioMeansJobs.com or your local OhioMeansJobs center.

For unemployment benefits, visit unemployment.ohio.gov or call (877) 644-6562 (OHIO-JOB).

For cash or food assistance, you can apply at odjfsbenefits.ohio.gov or at your county JFS. For child care or other assistance, call or visit your county JFS.

If you apply for Medicaid, cash or food assistance at your county JFS, you will receive a form to fill out. Complete as much of it as you can. If you need to, you can ask a friend or relative to help you fill it out. A caseworker at the county agency also can help you fill it out.

Be sure to sign and date the form. Signing the form means you are giving true and correct information to the best of your knowledge.

Return the form to the county agency in person or by mail. If you can, turn it in the day you get it. Often, the starting date for help will be the same as the day you turn in your form.

What if I need help applying for services?

If you are unable to complete the form by yourself, you may need someone to be your authorized representative. An authorized representative is a person who can apply for some types of help for you. He or she also can act for you. You can name your husband or wife as your authorized representative. You can name a relative or friend you trust. You also can name a lawyer or a hospital social worker, but you don't have to.

Your authorized representative must be 18 or older. You must name the person in writing. Include what duties you want your authorized

representative to take care of for you. You can change your authorized representative at any time.

What happens next?

After you turn in your form, you may be asked to provide more information so the agency can see if you qualify. If the agency asks you for more information, try to bring it in right away. If you don't give the agency the information it needs, it can't help you. If you have trouble getting the information, ask the agency for help.

In addition, you may need to have an interview. The agency may give you an interview the same day you bring in your form, or tell you a time to come back. If you return your form by mail, the agency will tell you when to come in for your interview. The agency must schedule your interview within five working days after the day you turn in your form.

You can bring other people, such as your authorized representative, to the interview. If you can't come to the agency, your authorized representative can come to the interview for you. Or your caseworker may be able to do a phone interview or come to your home.

During your interview, your caseworker will tell you if you need to bring in any items such as a birth certificate or proof of your address. Your caseworker will tell you about the help you are trying to get. He or she will also tell you what you must do to get help.

When will I find out if I can receive benefits?

The agency must decide if you can get help within a certain amount of time. The amount of time depends on the kind of help you get.

If you applied for food assistance, child care assistance, Ohio Healthy Start or any services funded by Title XX of the federal Social Security Act, the county agency must approve or deny your application within 30 days of the day you turn in your form.

The agency may be able to approve food assistance benefits for you within 24 hours after getting your form if:

- You or your family have little or no liquid assets, or
- You or your family have little or no income.

If you applied for Ohio Works First, Refugee Services or Medicaid, the local agency must approve or deny your application within 45 days of the day you turn in your form. If your disability status needs to be determined, the local agency must provide a response within 90 days.

If you are eligible for Medicaid, you will get a medical card a few days after you turn in:

- Your signed and dated application form
- All the information the agency needs

Cash Assistance Reporting Responsibilities

For cash programs (Ohio Works First, Refugee Cash Assistance), **you must tell your county JFS within 10 days if:**

- You move to another address
- Someone moves in with you or moves out
- Any household member's source of income (earned or unearned) goes up or down by more than \$50
- A child drops out of school
- There is a change in the legal obligation to pay in a child support order
- A household member becomes pregnant or a pregnancy ends
- There is a change in information related to an absent parent
- A minor parent's living arrangement changes
- A household member violates a condition of probation or parole
- A household member becomes a fugitive felon.

Reporting within 10 days means within 10 calendar days of the date you became aware of the change in your circumstances.

Quality Control

The state reviews random cases to make sure that people are eligible for the assistance they receive and that payments are in the correct amount. If your case is reviewed, you must cooperate. If you don't, and if you receive Ohio Works First, you may be ineligible for benefits for up to three months.

Food Assistance Reporting Responsibilities

If you are applying or reapplying for Food Assistance benefits, **you must tell your county JFS within 10 days if:**

- Your household's gross monthly income exceeds the limit for your household size, as shown on your Food Assistance approval or change notice, and/or
- A household member who is an able-bodied adult without dependents works less than 20 hours a week or 80 hours a month.

You or a member of your household can report either of these changes at **odjfsbenefits.ohio.gov**, by calling your county agency, or by visiting your county JFS and completing the JFS 04196, "Food Assistance Change Reporting." Reporting within 10 days means within 10 calendar days of the date you became aware of the change in your circumstances.

Food Assistance Benefits Only

You may be able to receive a deduction for the following expenses **if** you provide verification to your caseworker:

- Rent or mortgage payment
- Utility and/or shelter costs
- Medical expenses (if you are elderly or disabled)
- Dependent care expenses
- Child support or cash medical support

You must report and provide proof of these expenses if you want to receive a deduction.

What happens to the information I bring in?

The information you give your county agency is private.

The local agency or ODJFS may check the information you provide. For example, the local agency may contact other agencies or people to:

- Make sure your information is correct
- Make sure you qualify for help

Social Security Number

To apply for Medicaid or cash or food assistance, you must give the county JFS a Social Security number for each person needing assistance. If you don't have a Social Security number, the county JFS can help you get one. The collection of this information is authorized by the federal Food and Nutrition Act of 2008, as amended; 7 USC 2011-2036; Section 1137(a) of the Act; 42 CFR, 435.910; and rules 5101:1-1-03 and 5101:1-3-09 of the Ohio Administrative Code.

Warning

You may receive help you are not entitled to if:

- You don't tell the truth about yourself.
- You don't tell about changes that affect your case within 10 calendar days.

If you get help you should not have gotten:

- You may be ordered to pay it back.
- You may be charged with fraud.
- You may be fined or sent to prison.
- You may be stopped from getting help in the future.

Food Assistance Penalty Warning

To make sure your household is eligible and receives the correct amount of food assistance benefits, federal, state and local officials will check the information you provide. The information will be checked by using the state's income and eligibility verification system, the disqualified recipient subsystem, other computer matching systems, program reviews and audits. Some information may be sent to U.S. Citizenship and Immigration Services to see if it is correct. Information also may be sent to other federal programs, such as the National School Lunch Program, Ohio Works First and Medicaid.

If you give us wrong information on purpose, you may be denied food assistance benefits, and legal action may be taken against you. If your household is issued too many benefits, you may have to pay back the amount you should not have received.

If a food assistance overpayment claim arises against your household, the information collected on the application, including all numbers, may be referred to other federal and

state agencies, as well as private collection agencies, for overpayment claims collection action. Information also may be disclosed to law enforcement officials for the purpose of apprehending persons fleeing to avoid the law.

The providing of any requested information, including the Social Security number of each household member, is voluntary. However, failure to provide requested information will result in the denial or reduction of food assistance benefits to your household. Failure to provide a Social Security number for any individual will result in the denial of food assistance benefits to that individual.

The following actions are prohibited: Giving false information, or hiding information, to get or continue to get food assistance benefits; trading or selling food assistance benefits; altering any authorization document to get food assistance benefits you are not entitled to receive; using someone else's food assistance benefits; using food assistance benefits to buy ineligible items, such as alcoholic drinks and tobacco.

Any member of your household who commits any of the above offenses will not be able to get food assistance benefits for 12 months after the first time and 24 months after the second time. In addition, a court can disqualify an individual from the program for an additional 18 months. Anyone who commits a prohibited offense a third time will never get food assistance benefits again. Depending on the amount of benefits involved, an individual also can be fined up to \$250,000, sent to jail for up to 20 years, or both.

Any member of your household who is found guilty in a court of law of buying or selling controlled substances (illegal drugs or certain drugs for which a doctor's prescription is required) in exchange for food assistance benefits will be disqualified from the program for 24 months after the first offense and permanently after the second offense. Any member of your household who is convicted in a court of law of trafficking food assistance benefits for an aggregate amount of \$500 or more will be permanently disqualified from the program. Any member of your household who is found guilty in a court of law of buying or selling firearms, ammunition or explosives

in exchange for food assistance benefits will be permanently disqualified from the program.

Any member of your household found to have made a false statement or knowingly provided false information with respect to identity and residence in order to receive more than one benefit at the same time will not be able to get food assistance benefits for 10 years.

We may check our records and records from other states to see if any person in your household has broken food assistance rules before and should not be getting food assistance benefits because he/she has not finished serving a disqualification period for breaking the rules.

What if I have a problem or a question?

Any time you have a problem or a question, ask your caseworker. You also can talk to your caseworker's supervisor. Then, if you still have problems or questions, you can call ODJFS directly at 1-866-ODJFS4U (1-866-635-3748). Normal hours of operation for ODJFS are 8 a.m. to 5 p.m., Monday through Friday.

What if I have a communications disability?

Anyone who has a vision, hearing or speech disability may call the Ohio Relay Service at (800) 750-0750. Typed messages will be transmitted to a communication assistant who will voice them to a hearing person at ODJFS. The Ohio Relay Service is available 24 hours a day, 365 days a year. For help with the Ohio Relay Service, call (800) 325-2223.

What if I don't agree with what happened on my case?

You can call your local agency to ask for a county conference. At the conference, a county worker will look over your case and can correct any mistakes.

If the problem is not solved at the conference, you can ask for a state hearing. You can ask for a state hearing if:

- You don't agree with an action or decision on your case.
- You think the local agency has not done

something it should have.

To learn more, ask your caseworker for the JFS 04059, "Explanation of State Hearing Procedures."

What is a state hearing?

A state hearing is a meeting with you, an agency representative and an ODJFS hearing officer.

At the hearing, an agency representative will explain what action the agency has taken or plans to take on your case. You will have a chance to explain why you don't agree.

You can bring other people with you to the hearing to speak on your behalf, such as friends, relatives, witnesses or an attorney.

You can ask your local legal aid program for free help with your case. Contact your local legal aid office by phoning 1-866-LAW-OHIO (1-866-529-6446) or by searching the legal aid directory at ohiolegalservices.org/programs.

Why should I ask for a hearing?

Below are reasons you may want to ask for a hearing if you applied for help or are getting help from a county agency:

- The agency denied your application. You think it should have been approved.
- The agency intends to lower or stop the help you get. You don't agree.
- You believe the amount of your benefits is wrong. The agency won't change it.
- The agency says you have gotten more help than you should have. You don't agree, or you think the amount is wrong.
- You don't agree with the agency's decision to issue your benefits:
 - By vendor payment
 - By vouchers
 - Through a protective payee
- The agency says you must register for work. You think you have a good reason for being excused.
- Your doctor asked for a medical or dental service for you. The agency denied the service.
- You don't agree with the level of nursing home care you have been approved for.
- You exhausted your local-level complaint and appeal rights for the Comprehensive Case Management and Employment

Program, and you want a state hearing.

You also may want a hearing if you applied for help more than 45 days ago (more than 30 days for food assistance benefits) and have not been told if you will get help. Remember: Sometimes there is a good reason for a delay. For example, the agency may be waiting for some information it needs. Once you know the reason for the delay, you may not want a hearing.

In addition, if your benefits changed because of a change in the law that affects all people in your situation, ODJFS will likely not schedule a hearing. Still, you can ask for a hearing if you think the change should not have been applied to you.

How do I ask for a state hearing?

If your local agency plans to lower or stop the help you get, it will send you a notice. The notice will include a form that you can use to ask for a state hearing. Check the mailing date on the notice. You must ask for a hearing within 90 days of that mailing date.

IF your benefits are being lowered or stopped, **AND** you ask for a hearing within 15 days of the mailing date of the notice,

THEN your benefits may stay at the old amount until your hearing is decided.

Food assistance may not continue if it is the end of your certification period.

You can ask for a hearing in one of the following ways: by calling (866) 635-3748, sending a fax to (614) 728-9574, emailing **BSH@jfs.ohio.gov** (include your name, case number and a reason for requesting a hearing), visiting **jfs.ohio.gov/ols/bsh/Index** and filling out the online form, contacting your county department of job and family services, or sending a request in writing to:

Ohio Department of Job and Family Services
Bureau of State Hearings
P.O. Box 182825
Columbus, Ohio 43218-2825

If you request a hearing by mail, be sure to retain a copy for your records.

You may consider reapplying for benefits while your hearing is pending.

Before the hearing

You may have someone (such a lawyer, friend or relative) go to the hearing to present your case for you. If you are not going to be at the hearing, the person attending for you must bring a written statement from you saying he or she is your representative.

You and your representative have the right to look at your case file and the written rules being applied to your case. If your hearing is about work registration or employment and training, you also may look at your employment and training file. You can get a free copy of any case record documents that are related to your hearing request by asking someone at your county department of job and family services or your managed care plan. Any person acting for you must provide a signed statement from you before looking at your case record or getting copies of case record documents.

The local agency does not have to show you confidential records, such as names of people who have given information against you, records of criminal proceedings, and certain medical records.

Confidential records that you could not look at or question cannot be presented at the hearing or be used by the hearing officer in reaching a decision.

What happens at a state hearing?

After you ask for a state hearing, ODJFS will send you a notice giving the date, time and place of the hearing. The hearing is usually held at the local county agency. If you can't go to the agency, you may contact the Bureau of State Hearings to request a telephone hearing prior to the scheduled hearing date.

At the hearing, you, the agency representative and an ODJFS hearing officer will meet to talk about your case. The agency representative will explain the agency's action. You can explain why you don't agree. The hearing officer will listen to both sides and may ask questions to bring out all the facts. The hearing will be tape-recorded.

Before and during the hearing, you may look at your case file and any other evidence the county uses. You also may look at the rules

being used to decide your case. The agency will make the rules available to you to help you get ready for the hearing.

Subpoena

You can ask the hearing authority to subpoena documents or witnesses that would not otherwise be available and that are essential to your case. You must request the subpoena at least five calendar days before the date of the hearing and provide the name and the address of the person or document you want subpoenaed.

When will I find out about the hearing officer's decision?

After the hearing, the hearing officer will review the evidence for your case. He or she will make a decision based on:

- The information given during the hearing
- Whether the rules were applied correctly

If your hearing is about food assistance benefits, you should get a written decision within 60 days of the date you asked for a hearing. In all other programs, you should get a decision within 90 days. After the hearing decision is issued, you may request a copy of the record by contacting the Bureau of State Hearings. You may have to repay any benefits you were not entitled to receive if the hearing is not in your favor.

Compliance

If the hearing decision orders an increase in your food assistance, you should get the increase 10 days from the decision date. If the decision orders a decrease in your food assistance, you should get the new smaller amount the next time you regularly get food assistance.

With all other programs, the agency must take any action ordered by the decision within 15 days of the date the decision was issued, but always within 90 days of your hearing request. Contact the Bureau of State Hearings if you have not promptly received the benefits awarded by the hearing decision.

What if I don't agree with the decision?

If you don't agree with the hearing decision, you can ask for an administrative appeal in writing or online at secure.jfs.ohio.gov/ols/RequestAppeal/index.stm. The written decision from the hearing officer will tell you how to ask for an administrative appeal.

If you don't agree with the administrative appeal decision, you can ask for a judicial review. A judicial review is an appeal to a court.

If you do not attend the hearing

If you or your authorized representative don't attend your hearing, the Bureau of State Hearings will send you a dismissal notice. If you want to continue with your hearing request, you must contact the Bureau of State Hearings within 10 days and explain why you did not come to the hearing. The bureau will decide whether you had a good reason. If you do not call within 10 days and show good cause, the hearing will be dismissed, and you will lose the hearing. The local agency can then go ahead with the action it was planning to take.

If you disagree with the dismissal, the dismissal notice will tell you how to ask for an administrative appeal.

SSI hearings

If you get Supplemental Security Income (SSI) and disagree with a decision made about your case, you must call your local Social Security Administration office for a hearing. If you don't know the number, call (800) 772-1213.

Your county JFS agency or local legal aid office may be able to help you with your SSI hearing. If you don't know the number for your local legal aid office, call 1-866-LAW-OHIO (1-866-529-6446) Monday through Friday, 8:30 a.m. to 5 p.m.

Your civil rights

Individuals eligible for, receiving services from or benefiting from programs funded by/through ODJFS are protected by various laws, regulations, rules and policies against

unlawful discrimination on the basis of the following: race, color, religion, disability, age, sex, national origin, political belief, political affiliation and citizenship/participation status. (Protected classes may vary depending on the program.)

Title VI of the Civil Rights Act of 1964 allows us to ask for racial/ethnic information. You do not have to provide this information. However, doing so will help us follow federal civil rights law. If you do not want to provide this information, it will have no effect on your case.

What is discrimination?

Discrimination is a direct action, whether purposeful or not, that results in unequal treatment of people. No one because of their protected class can be:

- Denied or delayed any service, aid or other benefit provided by an ODJFS program
- Subjected to segregation or disparate treatment in an ODJFS program
- Given services in humiliating or embarrassing ways
- Provided services using different rules to decide who will get help
- Limited in the use of buildings, rooms or other space in a way that denies individual participation or access
- Denied access to a service because buildings or their facilities are not physically accessible to persons with disabilities or because there was not means of effective communication with the service provider.

The key words are "**because of.**" If you are denied or delayed equal service and you think it was because of your protected class, you may have been subjected to unlawful discrimination.

There is a difference between **lawful** and **unlawful** denial or delay of benefits and/or services. Someone may be denied benefits and/or services if they do not meet the **eligibility** requirements. This is not unlawful nor discriminatory.

What if I have limited English proficiency?

Anyone who has limited English proficiency is protected against discrimination based on national origin. Accommodations may include providing qualified interpreters, language cards/lines, oral translation and/or written translation of documents free of charge.

What if I have a disability?

Those with disabilities are protected against unlawful discrimination. Reasonable accommodations can include the following:

- Ensuring that effective communication services are available for those with limited hearing, sight and/or speech
- Ensuring that the workplace and/or program services location is accessible
- Reassigning or relocating classes and/or
- Modifying existing equipment
- Restructuring training curricula, formats or training hours

Other accommodations may be provided, as well, to meet individuals' unique needs.

Food Assistance Nondiscrimination Statement

The U.S. Department of Agriculture (USDA) administers the nation's Supplemental Nutrition Assistance program.

In accordance with federal civil rights law and USDA civil rights regulations and policies, the USDA, its agencies, offices, and employees and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.) should contact the agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be

made available in languages other than English.

To file a program complaint of discrimination, complete the **USDA Program Discrimination Complaint Form (AD-3027)** found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by one of the following methods:

- Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary
for Civil Rights
1400 Independence Ave., S.W.
Washington, D.C. 20250-9410;
- Fax: (202) 690-7442; or
- Email: program.intake@usda.gov

This institution is an equal opportunity provider.

How to File a Complaint

If you believe you have been delayed or denied services because of your age, sex, national origin, political belief, political affiliation or citizenship/participation status (protected classes may vary depending on the program), you must file your complaint within 180 days of the date of the incident or treatment. If you have questions about how to file a complaint, you can call the ODJFS Bureau of Civil Rights, toll-free, at (866) 227-6353 or write to the address below. If you need free legal help or advice, you may contact your local legal aid office. If you don't have the number for your local legal aid office, call (800) 589-5888 Monday through Friday, 8:30 a.m. to 5 p.m.

Complaints regarding incidents of alleged discrimination should be provided within 180 days of the date of the event to:

The Ohio Department
of Job and Family Services
Office of Employee and Business Services
Bureau of Civil Rights
30 E. Broad Street, 30th Floor
Columbus, Ohio 43215-3414

The Bureau of Civil Rights also may be contacted by phone or fax:

- Phone: (614) 644-2703 or (866) 227-6353 (toll-free)
- Fax: (614) 752-6381

For more information, visit the Bureau of Civil Rights website:

jfs.ohio.gov/civilrights/complaint.stm

The Bureau of Civil Rights will review your complaint. If it determines that discrimination occurred, the bureau will act to correct it. Because ODJFS programs may have different complaint jurisdictions, your complaint can be forwarded and/or you can contact the following offices directly:

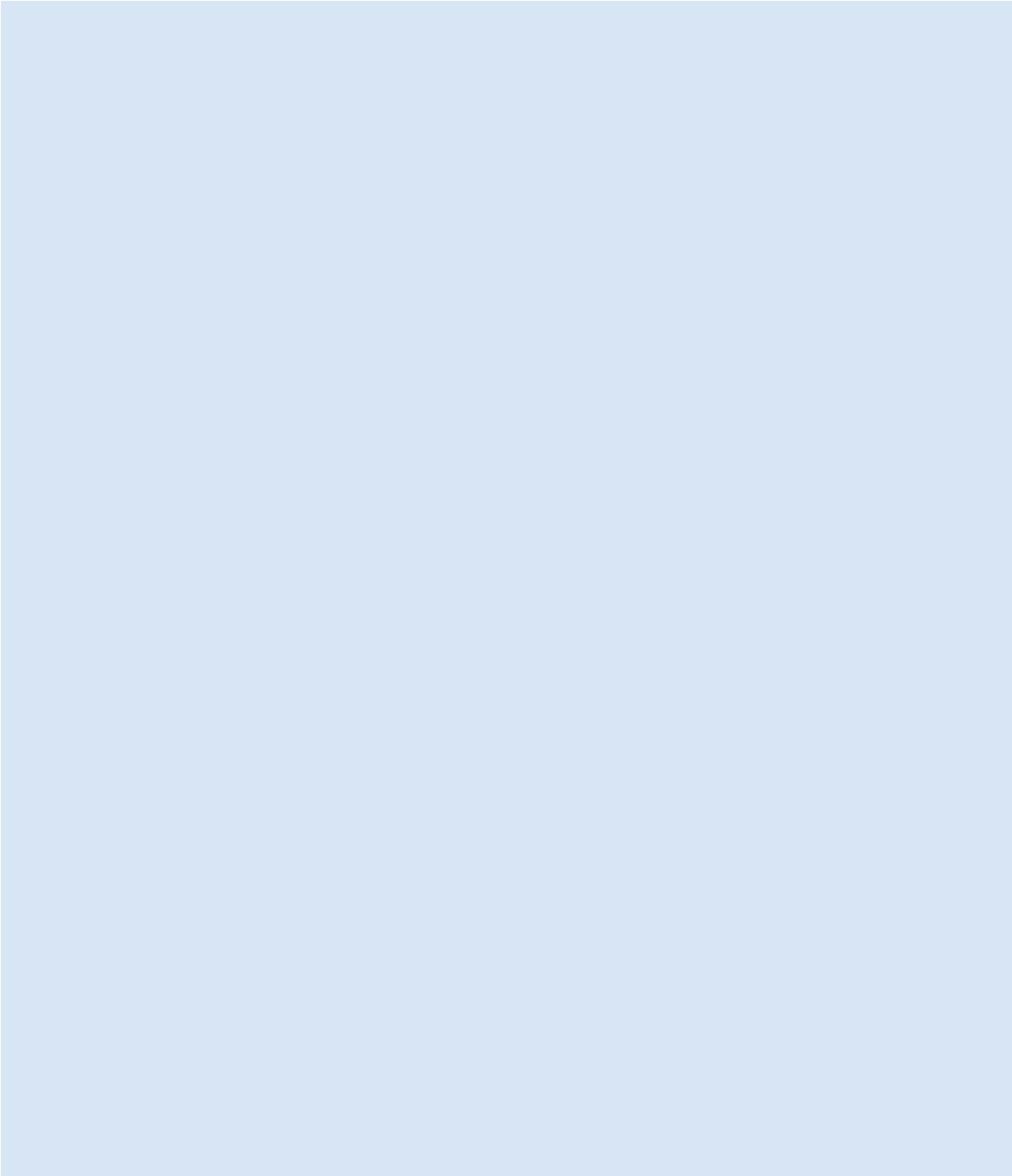
U.S. Department
of Health and Human Services
Office for Civil Rights
200 Independence Ave., SW
Washington, D.C. 20201
(800) 368-1019

**[hhs.gov/civil-rights/filing-a-complaint/
complaint-process](http://hhs.gov/civil-rights/filing-a-complaint/complaint-process)**

U.S. Department of Labor
Civil Rights Center
200 Constitution Ave., NW, Room N-4123
Washington, D.C. 20210
(202) 693-6500

(877) 889-5627 if you have a hearing
or speech problem

dol.gov/oasam/programs/crc/complaint.htm



Mike DeWine, Governor
Kimberly Hall, Director
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This institution is an equal opportunity provider and employer.
A proud partner of the American Job Center network.

Auxiliary aids and services are available upon request to individuals with disabilities.