

As Introduced

**125th General Assembly
Regular Session
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H. B. No. 481

**Representatives Schmidt, J. Stewart, Schneider, Hughes, Strahorn, Clancy,
Setzer, Miller, Allen**

A B I L L

To amend sections 302.18, 329.06, 5101.46, 5107.02, 1
5107.05, 5107.14, 5107.16, 5107.18, 5107.22, 2
5107.70, 5108.01, 5111.01, and 6301.06; to amend 3
for the purposes of adopting a new section number 4
as indicated in parentheses 329.06 (329.064); and 5
to enact new section 329.06 and sections 329.062, 6
329.063, 329.065, 5101.841, 5107.051, 5107.121, 7
5107.71, 5107.711, 5107.712, 5107.713, 5107.714, 8
5107.715, 5107.716, 5107.717, 5107.718, 5107.719, 9
5107.7110, 5107.7111, and 5107.7112 of the Revised 10
Code to implement the federal domestic violence 11
option in the Ohio's Works First program, to 12
implement the federal option allowing certain 13
aliens who have been battered or subjected to 14
extreme cruelty in this country to qualify for 15
Medicaid, Temporary Assistance for Needy Families 16
benefits, and Title XX social services, and to 17
revise the membership and duties of county family 18
services planning committees. 19

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

Section 1. That sections 302.18, 329.06, 5101.46, 5107.02, 20

5107.05, 5107.14, 5107.16, 5107.18, 5107.22, 5107.70, 5108.01, 21
5111.01, and 6301.06; section 329.06 (329.064) be amended for the 22
purpose of adopting a new section number as indicated in 23
parentheses; and to enact new section 329.06 and sections 329.062, 24
329.063, 329.065, 5101.841, 5107.051, 5107.121, 5107.71, 5107.711, 25
5107.712, 5107.713, 5107.714, 5107.715, 5107.716, 5107.717, 26
5107.718, 5107.719, 5107.7110, 5107.7111, and 5107.7112 of the 27
Revised Code be enacted to read as follows: 28

Sec. 302.18. (A) The county executive shall be the 29
administrative head of the county and shall have all powers and 30
shall perform all duties of an administrative or executive nature 31
vested in or imposed upon the board of county commissioners by 32
general law or by agreement with any municipality or other 33
subdivision of government of Ohio and such additional powers as 34
are granted and imposed by the board, and the county executive 35
shall administer the resolutions of the board of county 36
commissioners and the laws of the state relating to or required to 37
be enforced by the county executive's office. The county executive 38
shall supervise the departments established pursuant to division 39
(A) of section 302.13 of the Revised Code. All authority of the 40
board of county commissioners under general law with respect to 41
the adoption of the county budget and the submission of any matter 42
to the electors shall be exercised by the board of county 43
commissioners provided for under Chapter 302. of the Revised Code. 44
Contracts between the county and other agencies of government 45
shall be approved or authorized by the board of county 46
commissioners. 47

(B) The county executive, under the elective executive plan, 48
shall exercise all authority of the board of county commissioners 49
to appoint, suspend, and remove all county personnel whose 50
appointment, suspension, and removal was a function of the board 51

of county commissioners under general law, except for the clerk of 52
the board of county commissioners, the clerk's clerical 53
assistants, and the appointments listed in division (C) of section 54
302.18 of the Revised Code. Under the appointive executive plan, 55
the board of county commissioners shall have the power to appoint, 56
suspend, and remove all county personnel whose appointment, 57
suspension, and removal was a function of the board under general 58
law, upon the recommendation of the county executive. 59

(C) Appointment of officers, which by general law in sections 60
303.04, 303.13, 305.29, 306.01, 306.02, 329.01, ~~329.06~~, 329.062, 61
329.063, 5153.39, and 5155.03 of the Revised Code is required to 62
be made by the board of county commissioners, shall be made by the 63
county executive, under either plan, with advice and consent of 64
the board of county commissioners. The county executive, under 65
either plan, also shall appoint with the advice and consent of the 66
board of county commissioners, all officers and members of boards 67
and commissions, other than officers of a court or employees or 68
other persons advisory to or subject to the supervision of a court 69
or judge thereof, which by general law in sections 331.01, 339.02, 70
1545.02, 1545.03, 1545.04, and 1545.05 of the Revised Code are to 71
be appointed by a judge or judges of the probate or common pleas 72
court of the county. 73

(D) The county executive, under the elective executive plan, 74
shall have the power to veto any ordinance or resolution adopted 75
by the board of county commissioners. A veto by the county 76
executive may apply to all or any items of an ordinance 77
appropriating money. Certification of a veto must be made by the 78
county executive within ten days of its adoption by the board of 79
county commissioners, and the board of county commissioners may 80
override the veto by a two-thirds vote of all its members. Under 81
the elective executive plan an ordinance or resolution shall 82
become effective upon approval by the county executive, expiration 83

of such ten days without approval or veto, or overriding of a 84
veto. 85

(E) The county executive shall promote the coordination of 86
all county functions and for this purpose shall make an annual 87
public report on the state of the county. 88

Sec. 329.06. Each board of county commissioners shall provide 89
for one of the following to serve as the county's county family 90
services planning committee: 91

(A) A committee established under section 329.062 of the 92
Revised Code to act as the county family services planning 93
committee; 94

(B) A committee designated as the county family services 95
planning committee pursuant to section 329.063 of the Revised 96
Code; 97

(C) A board created by consolidation under division (C) of 98
section 6301.06 of the Revised Code. 99

Sec. 329.062. (A) A board of county commissioners may 100
establish a committee consisting of all of the following members 101
appointed by the board to act as the county family services 102
planning committee: 103

(1) A representative of the county department of job and 104
family services; 105

(2) An employee of the county department of job and family 106
services who is in the classified civil service, if there are any 107
such employees; 108

(3) At least one expert on domestic violence issues; 109

(4) A representative of the public; 110

(5) Other individuals to make the committee's membership 111

<u>broadly representative of the persons and governmental entities</u>	112
<u>that have an interest in the family services provided in the</u>	113
<u>county.</u>	114
<u>(B) In making appointments under division (A)(5) of this</u>	115
<u>section, a board of county commissioners may appoint</u>	116
<u>representatives of the following:</u>	117
<u>(1) Consumers of family services;</u>	118
<u>(2) The public children services agency;</u>	119
<u>(3) The child support enforcement agency;</u>	120
<u>(4) The county family and children first council;</u>	121
<u>(5) Public and private colleges and universities;</u>	122
<u>(6) Public entities that provide family services, including</u>	123
<u>boards of health, boards of education, the county board of mental</u>	124
<u>retardation and developmental disabilities, and the board of</u>	125
<u>alcohol, drug addiction, and mental health services that serves</u>	126
<u>the county;</u>	127
<u>(7) Private nonprofit and for-profit entities that provide</u>	128
<u>family services in the county or that advocate for consumers of</u>	129
<u>family services in the county, including entities that provide</u>	130
<u>services to or advocate for victims of domestic violence;</u>	131
<u>(8) Labor organizations;</u>	132
<u>(9) Any other group or entity that has an interest in the</u>	133
<u>family services provided in the county, including groups or</u>	134
<u>entities that represent any of the county's business, urban, and</u>	135
<u>rural sectors.</u>	136
<u>(C) Any appointment made under this section shall be made in</u>	137
<u>a manner that reflects the ethnic and racial composition of the</u>	138
<u>county.</u>	139

Sec. 329.063. If there is a committee in existence in a 140
county on October 1, 1997, that a board of county commissioners 141
determines is capable of fulfilling the responsibilities of the 142
county family services planning committee, the board may designate 143
the committee as the county family services planning committee and 144
the committee shall serve in that capacity. If the committee does 145
not already include on the effective date of this section at least 146
one expert on domestic violence issues, the board shall appoint at 147
least one expert on domestic violence issues to serve on the 148
committee. 149

~~Sec. 329.06 329.064.~~ (A) ~~Except as provided in division (C)~~ 150
~~of this section and section 6301.08 of the Revised Code, the board~~ 151
~~of county commissioners shall establish a county family services~~ 152
~~planning committee. The board shall appoint a member to represent~~ 153
~~the county department of job and family services; an employee in~~ 154
~~the classified civil service of the county department of job and~~ 155
~~family services, if there are any such employees; and a member to~~ 156
~~represent the public. The board shall appoint other individuals to~~ 157
~~the committee in such a manner that the committee's membership is~~ 158
~~broadly representative of the groups of individuals and the public~~ 159
~~and private entities that have an interest in the family services~~ 160
~~provided in the county. The board shall make appointments in a~~ 161
~~manner that reflects the ethnic and racial composition of the~~ 162
~~county. The following groups and entities may be represented on~~ 163
~~the committee:~~ 164

- ~~(1) Consumers of family services;~~ 165
- ~~(2) The public children services agency;~~ 166
- ~~(3) The child support enforcement agency;~~ 167
- ~~(4) The county family and children first council;~~ 168
- ~~(5) Public and private colleges and universities;~~ 169

~~(6) Public entities that provide family services, including boards of health, boards of education, the county board of mental retardation and developmental disabilities, and the board of alcohol, drug addiction, and mental health services that serves the county;~~ 170
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~~(7) Private nonprofit and for profit entities that provide family services in the county or that advocate for consumers of family services in the county, including entities that provide services to or advocate for victims of domestic violence;~~ 175
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~~(8) Labor organizations;~~ 179

~~(9) Any other group or entity that has an interest in the family services provided in the county, including groups or entities that represent any of the county's business, urban, and rural sectors.~~ 180
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~~(B) The Each county family services planning committee shall do all of the following:~~ 184
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~~(1)(A) Serve as an advisory body to the board of county commissioners with regard to the family services provided in the county, including assistance under Chapters 5107. and 5108. of the Revised Code, publicly funded child day-care under Chapter 5104. of the Revised Code, and social services provided under section 5101.46 of the Revised Code;~~ 186
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~~(2) At least once a year (B) Not later than the last day of each March, review and analyze in a meeting open to the public the county department of job and family services' implementation of the programs established under Chapters 5107. and 5108. of the Revised Code.~~ 192
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~~(C) In ~~its~~ the review conducted under division (B) of this section, ~~the committee shall~~ use information available to ~~it~~ the committee to examine all of the following:~~ 197
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(a) (1) Return of assistance groups to participation in either program after ceasing to participate;	200 201
(b) (2) Teen pregnancy rates among the programs' participants;	202
(e) (3) The other types of assistance the programs' participants receive, including medical assistance under Chapter 5111. of the Revised Code, publicly funded child day-care under Chapter 5104. of the Revised Code, food stamp benefits under section 5101.54 of the Revised Code, and energy assistance under Chapter 5117. of the Revised Code;	203 204 205 206 207 208
(d) (4) <u>Domestic violence issues;</u>	209
(5) Other issues the committee considers appropriate.	210
The committee shall make recommendations <u>(D) Submit to the board of county commissioners and county department of job and family services a report on the annual review conducted under division (B) of this section and include in the report the committee's recommendations regarding the committee's findings, including findings on how to help assistance groups overcome domestic violence.</u>	211 212 213 214 215 216 217
(3) (E) Conduct public hearings on proposed county profiles for the provision of social services under section 5101.46 of the Revised Code;	218 219 220
(4) (F) At the request of the board, make recommendations and provide assistance regarding the family services provided in the county;	221 222 223
(5) (G) At any other time the committee considers appropriate, consult with the board and make recommendations regarding the family services provided in the county. The committee's recommendations may address <u>any of the following:</u>	224 225 226 227
(a) (1) Implementation and administration of family service programs;	228 229

~~(b)(2)~~ Use of federal, state, and local funds available for family service programs; 230
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~~(e)(3)~~ Establishment of goals to be achieved by family service programs; 232
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~~(d)(4)~~ Evaluation of the outcomes of family service programs; 234

~~(e)(5)~~ Any other matter the board considers relevant to the provision of family services. 235
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~~(C) If there is a committee in existence in a county on October 1, 1997, that the board of county commissioners determines is capable of fulfilling the responsibilities of a county family services planning committee, the board may designate the committee as the county's family services planning committee and the committee shall serve in that capacity.~~ 237
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Sec. 329.065. The department of job and family services shall develop a model design for helping assistance groups participating in the Ohio works first program established under Chapter 5107. of the Revised Code or the prevention, retention, and contingency program established under Chapter 5108. of the Revised Code overcome domestic violence. The department shall provide a copy of the model design to each county family services planning committee. A county family services planning committee may use the model design when including in the report required by division (D) of section 329.064 of the Revised Code findings on how to help assistance groups overcome domestic violence. Or, the committee may develop its own findings on this issue. The committee's own findings may be a modification of the model design, different from the model design, or a combination. 243
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Sec. 5101.46. (A) As used in this section: 257

(1) "Title XX" means Title XX of the "Social Security Act," 258

88 Stat. 2337 (1974), 42 U.S.C.A. 1397, as amended.	259
(2) "Respective local agency" means, with respect to the department of job and family services, a county department of job and family services; with respect to the department of mental health, a board of alcohol, drug addiction, and mental health services; and with respect to the department of mental retardation and developmental disabilities, a county board of mental retardation and developmental disabilities.	260 261 262 263 264 265 266
(3) "Federal poverty guidelines" means the poverty guidelines as revised annually by the United States department of health and human services in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C.A. 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.	267 268 269 270 271 272
(B) The departments of job and family services, mental health, and mental retardation and developmental disabilities, with their respective local agencies, shall administer the provision of social services funded through grants made under Title XX. The social services furnished with Title XX funds shall be directed at the following goals:	273 274 275 276 277 278
(1) Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;	279 280
(2) Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;	281 282
(3) Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families;	283 284 285
(4) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care;	286 287 288

(5) Securing referral or admission for institutional care	289
when other forms of care are not appropriate, or providing	290
services to individuals in institutions.	291
(C)(1) All federal funds received under Title XX shall be	292
appropriated as follows:	293
(a) Seventy-two and one-half per cent to the department of	294
job and family services;	295
(b) Twelve and ninety-three one-hundredths per cent to the	296
department of mental health;	297
(c) Fourteen and fifty-seven one-hundredths per cent to the	298
department of mental retardation and developmental disabilities.	299
(2) Each state department shall, subject to the approval of	300
the controlling board, develop formulas for the distribution of	301
their Title XX appropriations to their respective local agencies.	302
The formulas shall take into account the total population of the	303
area that is served by the agency, the percentage of the	304
population in the area that falls below the federal poverty	305
guidelines, and the agency's history of and ability to utilize	306
Title XX funds.	307
(3) Each of the state departments shall expend no more than	308
three per cent of its Title XX appropriation for state	309
administrative costs. Each of the department's respective local	310
agencies shall expend no more than fourteen per cent of its Title	311
XX appropriation for local administrative costs.	312
(4) The department of job and family services shall expend no	313
more than two per cent of its Title XX appropriation for the	314
training of the following:	315
(a) Employees of county departments of job and family	316
services;	317
(b) Providers of services under contract with the state	318

departments' respective local agencies; 319

(c) Employees of a public children services agency directly 320
engaged in providing Title XX services. 321

(D) The department of job and family services shall prepare a 322
biennial comprehensive Title XX social services plan on the 323
intended use of Title XX funds. The department shall develop a 324
method for obtaining public comment during the development of the 325
plan and following its completion. 326

For each state fiscal year, the department of job and family 327
services shall prepare a report on the actual use of Title XX 328
funds. The department shall make the report available for public 329
inspection. 330

The departments of mental health and mental retardation and 331
developmental disabilities shall prepare and submit to the 332
department of job and family services the portions of each 333
biennial plan and annual report that apply to services for mental 334
health and mental retardation and developmental disabilities. Each 335
respective local agency of the three state departments shall 336
submit information as necessary for the preparation of biennial 337
plans and annual reports. 338

(E) Each county department shall adopt a county profile for 339
the administration and provision of Title XX social services in 340
the county. In developing its county profile, the county 341
department shall take into consideration the comments and 342
recommendations received from the public by the county family 343
services planning committee pursuant to section ~~329.06~~ 329.064 of 344
the Revised Code. As part of its preparation of the county 345
profile, the county department may prepare a local needs report 346
analyzing the need for Title XX social services. 347

The county department shall submit the county profile to the 348
board of county commissioners for its review. Once the county 349

profile has been approved by the board, the county department 350
shall file a copy of the county profile with the department of job 351
and family services. The department shall approve the county 352
profile if the department determines the profile provides for the 353
Title XX social services to meet the goals specified in division 354
(B) of this section. 355

(F) Not less often than every two years, the departments of 356
job and family services, mental health, and mental retardation and 357
developmental disabilities each shall commission an entity 358
independent of itself to conduct an audit of its Title XX 359
expenditures in accordance with generally accepted auditing 360
principles. Within thirty days following the completion of its 361
audit, each department shall submit a copy of the audit to the 362
general assembly and to the United States secretary of health and 363
human services. 364

(G) Any of the three state departments and their respective 365
local agencies may require that an entity under contract to 366
provide social services with Title XX funds submit to an audit on 367
the basis of alleged misuse or improper accounting of funds. The 368
three state departments and their respective local agencies may 369
terminate or refuse to enter into a Title XX contract with a 370
provider of social services if there are adverse findings in an 371
audit that are the responsibility of the provider. The amount of 372
any adverse findings shall not be reimbursed with Title XX funds. 373
The cost of conducting an audit shall be reimbursed under a 374
subsequent or amended Title XX contract with the provider. 375

(H) If federal funds received by the department of job and 376
family services for use under Chapters 5107. and 5108. of the 377
Revised Code are transferred by the controlling board for use in 378
providing social services under this section, the distribution and 379
use of the funds are not subject to the provisions of division (C) 380
of this section. The department may do one or both of the 381

following with the funds:	382
(1) Distribute the funds to the county departments of job and family services;	383 384
(2) Use the funds for services that benefit individuals eligible for services consistent with the principles of Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended.	385 386 387 388
(I) Except for the authority to adopt rules under division (J) of this section as necessary to carry out this division, this section does not apply to any distribution by the department of job and family services of funds for reimbursement of allowable Title XX expenditures when the funds for the reimbursement are received from a federal funding source other than Title XX.	389 390 391 392 393 394
(J) The department of job and family services may adopt rules necessary to carry out the purposes of this section. Rules adopted under this division shall be adopted in accordance with Chapter 119. of the Revised Code, unless they are internal management rules governing fiscal and administrative matters. Internal management rules may be adopted in accordance with section 111.15 of the Revised Code.	395 396 397 398 399 400 401
<u>Sec. 5101.841. To the extent permitted by paragraph (b) of 8 U.S.C. 1612, an individual who is included in the federal definition of qualified alien in paragraph (c) of 8 U.S.C. 1641 due to being battered or subjected to extreme cruelty in this country, or being the parent or child of an individual who has been battered or subjected to extreme cruelty in this country, is eligible for the following despite being an alien if the individual meets all of the other applicable eligibility requirements for the services or program:</u>	402 403 404 405 406 407 408 409 410
(A) <u>Title XX social services administered pursuant to section</u>	411

<u>5101.46 of the Revised Code;</u>	412
<u>(B) Title IV-A programs as defined in section 5101.80 of the Revised Code;</u>	413
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<u>(C) The medicaid program as defined in section 5111.01 of the Revised Code.</u>	415
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Sec. 5107.02. As used in this chapter:	417
(A) "Adult" means an individual who is not a minor child.	418
(B) "Assistance group" means a group of individuals treated as a unit for purposes of determining eligibility for and the amount of assistance provided under Ohio works first.	419
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(C) "Custodian" means an individual who has legal custody, as defined in section 2151.011 of the Revised Code, of a minor child or comparable status over a minor child created by a court of competent jurisdiction in another state.	422
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(D) <u>"Domestic violence" means being subjected to any of the following:</u>	426
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<u>(1) Physical acts that resulted in, or threatened to result in, physical injury to the individual;</u>	428
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<u>(2) Sexual abuse;</u>	430
<u>(3) Sexual activity involving a dependent child;</u>	431
<u>(4) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;</u>	432
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<u>(5) Threats of, or attempts at, physical or sexual abuse;</u>	434
<u>(6) Mental abuse;</u>	435
<u>(7) Neglect or deprivation of medical care.</u>	436
(E) "Guardian" means an individual that is granted authority by a probate court pursuant to Chapter 2111. of the Revised Code,	437
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or a court of competent jurisdiction in another state, to exercise 439
parental rights over a minor child to the extent provided in the 440
court's order and subject to residual parental rights of the minor 441
child's parents. 442

~~(E)~~(F) "Minor child" means either of the following: 443

(1) An individual who has not attained age eighteen; 444

(2) An individual who has not attained age nineteen and is a 445
full-time student in a secondary school or in the equivalent level 446
of vocational or technical training. 447

~~(F)~~(G) "Minor head of household" means a minor child who is 448
either of the following: 449

(1) Is married, at least six months pregnant, and a member of 450
an assistance group that does not include an adult; 451

(2) Is married and is a parent of a child included in the 452
same assistance group that does not include an adult. 453

~~(G)~~(H) "Ohio works first" means the program established by 454
this chapter known as temporary assistance for needy families in 455
Title IV-A. 456

~~(H)~~(I) "Payment standard" means the amount specified in rules 457
adopted under section 5107.05 of the Revised Code that is the 458
maximum amount of cash assistance an assistance group may receive 459
under Ohio works first from state and federal funds. 460

~~(I)~~(J) "Specified relative" means the following individuals 461
who are age eighteen or older: 462

(1) The following individuals related by blood or adoption: 463

(a) Grandparents, including grandparents with the prefix 464
"great," "great-great," or "great-great-great"; 465

(b) Siblings; 466

(c) Aunts, uncles, nephews, and nieces, including such 467

relatives with the prefix "great," "great-great," "grand," or "great-grand";

(d) First cousins and first cousins once removed.

(2) Stepparents and stepsiblings;

(3) Spouses and former spouses of individuals named in division ~~(I)~~(J)(1) or (2) of this section.

~~(J)~~(K) "Title IV-A" or "Title IV-D" means Title IV-A or Title IV-D of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended.

Sec. 5107.05. The director of job and family services shall adopt rules to implement this chapter. The rules shall be consistent with Title IV-A, Title IV-D, federal regulations, state law, the Title IV-A state plan submitted to the United States secretary of health and human services under section 5101.80 of the Revised Code, amendments to the plan, and waivers granted by the United States secretary. Rules governing eligibility, program participation, and other applicant and participant requirements shall be adopted in accordance with Chapter 119. of the Revised Code. Rules governing financial and other administrative requirements applicable to the department of job and family services and county departments of job and family services shall be adopted in accordance with section 111.15 of the Revised Code.

(A) The rules shall specify, establish, or govern all of the following:

(1) A payment standard for Ohio works first based on federal and state appropriations;

(2) The method of determining the amount of cash assistance an assistance group receives under Ohio works first;

(3) Requirements for initial and continued eligibility for Ohio works first, including requirements regarding income,

citizenship, age, residence, and assistance group composition. The 498
rules regarding income shall specify what is countable income, 499
gross earned income, and gross unearned income for the purpose of 500
section 5107.10 of the Revised Code. 501

(4) For the purpose of section 5107.12 of the Revised Code, 502
application and verification procedures, including the minimum 503
information an application must contain; 504

(5) The extent to which a participant of Ohio works first 505
must notify, pursuant to section 5107.12 of the Revised Code, a 506
county department of job and family services of additional income 507
not previously reported to the county department; 508

(6) The department of job and family services providing 509
written notice of a sanction under section 5107.161 of the Revised 510
Code; 511

(7) Requirements for the collection and distribution of 512
support payments owed participants of Ohio works first pursuant to 513
section 5107.20 of the Revised Code; 514

(8) For the purpose of section 5107.22 of the Revised Code, 515
what constitutes cooperating in establishing a minor child's 516
paternity or establishing, modifying, or enforcing a child support 517
order and good cause for failure or refusal to cooperate. The rule 518
shall be consistent with 42 U.S.C.A. 654(29). 519

(9) The administration of the LEAP program provided for under 520
section 5107.30 of the Revised Code; 521

(10) Circumstances under which a county department of job and 522
family services may exempt a minor head of household or adult from 523
participating in a work activity or developmental activity for all 524
or some of the weekly hours otherwise required by section 5107.43 525
of the Revised Code. Circumstances shall include that a school or 526
place of work is closed due to a holiday or weather or other 527
emergency and that an employer grants the minor head of household 528

or adult leave for illness or earned vacation. 529

(11) The maximum amount of time the department will subsidize 530
positions created by state agencies and political subdivisions 531
under division (C) of section 5107.52 of the Revised Code; 532

(12) The implementation of sections 5107.71 to 5107.7110 of 533
the Revised Code by county departments of job and family services; 534

(13) A domestic violence screening tool to be used for the 535
purpose of division (A) of section 5107.71 of the Revised Code; 536

(14) Domestic violence training under section 5107.7110 of 537
the Revised Code for persons a county departments of job and 538
family services employ or contract with to work with assistance 539
groups participating in Ohio works first. 540

(B) The rules may provide that a county department of job and 541
family services is not required to take action under section 542
5107.76 of the Revised Code to recover an erroneous payment that 543
is below an amount the department specifies. 544

Sec. 5107.051. In adopting rules under divisions (A)(12) 545
through (14) of section 5107.05 of the Revised Code, the director 546
of job and family services shall consult with experts on domestic 547
violence, including shelters for victims of domestic violence, 548
legal services agencies, and state and local coalitions and 549
resource centers for victims of domestic violence. 550

Sec. 5107.121. A county department of job and family services 551
shall provide assistance groups applying for or undergoing a 552
redetermination of eligibility for Ohio works first written and 553
oral information about both of the following: 554

(A) The availability of counseling and supportive services 555
pursuant to division (B) of section 5107.71 of the Revised Code 556
for members of the assistance group who have been subjected to 557

domestic violence; 558

(B) The availability of waivers under section 5107.714 of the 559
Revised Code exempting members of the assistance group who have 560
been subjected to domestic violence from a requirement of the Ohio 561
works first program. 562

Sec. 5107.14. An assistance group is ineligible to 563
participate in Ohio works first unless the minor head of household 564
or each adult member of the assistance group, not later than 565
thirty days after applying for or undergoing a redetermination of 566
eligibility for the program, enters into a written 567
self-sufficiency contract with the county department of job and 568
family services. The contract shall set forth the rights and 569
responsibilities of the assistance group as applicants for and 570
participants of the program, including work responsibilities 571
established under sections 5107.40 to 5107.69 of the Revised Code 572
and other requirements designed to assist the assistance group in 573
achieving self sufficiency and personal responsibility. The county 574
department shall provide without charge a copy of the contract to 575
each assistance group member who signs it. 576

Each self-sufficiency contract shall include, based on 577
appraisals conducted under section 5107.41 of the Revised Code and 578
assessments conducted under section 5107.70 of the Revised Code, 579
the following: 580

(A) The assistance group's plan, developed under section 581
5107.41 of the Revised Code, to achieve the goal of self 582
sufficiency and personal responsibility through unsubsidized 583
employment within the time limit for participating in Ohio works 584
first established by section 5107.18 of the Revised Code; 585

(B) Work activities, developmental activities, and 586
alternative work activities to which members of the assistance 587

group are assigned under sections 5107.40 to 5107.69 of the 588
Revised Code; 589

(C) The responsibility of a caretaker member of the 590
assistance group to cooperate in establishing a minor child's 591
paternity and establishing, modifying, and enforcing a support 592
order for the child in accordance with section 5107.22 of the 593
Revised Code; 594

(D) Other responsibilities that members of the assistance 595
group must satisfy to participate in Ohio works first and the 596
consequences for failure or refusal to satisfy the 597
responsibilities; 598

(E) An agreement that, except as otherwise provided in a 599
waiver issued under section 5107.714 of the Revised Code, the 600
assistance group will comply with the conditions of participating 601
in Ohio works first established by this chapter and sections 602
5101.58, 5101.59, and 5101.83 of the Revised Code; 603

(F) Assistance and services the county department will 604
provide to the assistance group; 605

(G) Assistance and services the child support enforcement 606
agency and public children services agency will provide to the 607
assistance group pursuant to a plan of cooperation entered into 608
under section 307.983 of the Revised Code; 609

(H) Other provisions designed to assist the assistance group 610
in achieving self sufficiency and personal responsibility; 611

(I) Procedures for assessing whether responsibilities are 612
being satisfied and whether the contract should be amended; 613

(J) Procedures for amending the contract. 614

Sec. 5107.16. (A) If a member of an assistance group fails or 615
refuses, without good cause, to comply in full with a provision of 616
a self-sufficiency contract entered into under section 5107.14 of 617

the Revised Code, a county department of job and family services 618
shall sanction the assistance group as follows: 619

(1) For a first failure or refusal, the county department 620
shall deny or terminate the assistance group's eligibility to 621
participate in Ohio works first for one payment month or until the 622
failure or refusal ceases, whichever is longer; 623

(2) For a second failure or refusal, the county department 624
shall deny or terminate the assistance group's eligibility to 625
participate in Ohio works first for three payment months or until 626
the failure or refusal ceases, whichever is longer; 627

(3) For a third or subsequent failure or refusal, the county 628
department shall deny or terminate the assistance group's 629
eligibility to participate in Ohio works first for six payment 630
months or until the failure or refusal ceases, whichever is 631
longer. 632

(B) A member of an assistance group shall not be considered 633
to have failed or refused without good cause to comply in full 634
with a provision of a self-sufficiency contract if either of the 635
following applies: 636

(1) Before the failure or refusal occurs, the member is 637
issued a waiver under section 5107.714 of the Revised Code 638
exempting the member from that provision of the self-sufficiency 639
contract. 640

(2) The failure or refusal is attributable to the member 641
being subjected to domestic violence. 642

(C) Each county department of job and family services shall 643
establish standards for the determination of good cause for 644
failure or refusal to comply in full with a provision of a 645
self-sufficiency contract. 646

(1) In the case of a failure or refusal to participate in a 647

work activity, developmental activity, or alternative work 648
activity under sections 5107.40 to 5107.69 of the Revised Code, 649
good cause shall include, except as provided in division ~~(B)~~(C)(2) 650
of this section, the following: 651

(a) Failure of the county department to place the member in 652
an activity; 653

(b) Failure of the county department to provide for the 654
assistance group to receive support services the county department 655
determines under section 5107.66 of the Revised Code to be 656
necessary. In determining whether good cause exists, a county 657
department shall determine that day care is a necessary support 658
service if a single custodial parent caring for a minor child 659
under age six proves a demonstrated inability, as determined by 660
the county department, to obtain needed child care for one or more 661
of the following reasons: 662

(i) Unavailability of appropriate child care within a 663
reasonable distance from the parent's home or work site; 664

(ii) Unavailability or unsuitability of informal child care 665
by a relative or under other arrangements; 666

(iii) Unavailability of appropriate and affordable formal 667
child care arrangements. 668

(2) Good cause does not exist if the member of the assistance 669
group is placed in a work activity established under section 670
5107.58 of the Revised Code and exhausts the support services 671
available for that activity. 672

~~(C)~~(D) When a state hearing under division (B) of section 673
5101.35 of the Revised Code or an administrative appeal under 674
division (C) of that section is held regarding a sanction under 675
this section, the hearing officer, director of job and family 676
services, or director's designee shall base the decision in the 677
hearing or appeal on the county department's standards of good 678

cause for failure or refusal to comply in full with a provision of 679
a self-sufficiency contract, if the county department provides the 680
hearing officer, director, or director's designee a copy of the 681
county department's good cause standards. 682

~~(D)~~(E) After sanctioning an assistance group under division 683
(A) of this section, a county department of job and family 684
services shall continue to work with the assistance group to 685
provide the member of the assistance group who caused the sanction 686
an opportunity to demonstrate to the county department a 687
willingness to cease the failure or refusal to comply with the 688
self-sufficiency contract. 689

~~(E)~~(F) An adult eligible for medical assistance pursuant to 690
division (A)(1)(a) of section 5111.01 of the Revised Code who is 691
sanctioned under division (A)(3) of this section for a failure or 692
refusal, without good cause, to comply in full with a provision of 693
a self-sufficiency contract related to work responsibilities under 694
sections 5107.40 to 5107.69 of the Revised Code loses eligibility 695
for medical assistance unless the adult is otherwise eligible for 696
medical assistance pursuant to another division of section 5111.01 697
of the Revised Code. 698

~~(F)~~(G) An assistance group that would be participating in 699
Ohio works first if not for a sanction under this section shall 700
continue to be eligible for all of the following: 701

(1) Publicly funded child day-care in accordance with 702
division (A)(3) of section 5104.30 of the Revised Code; 703

(2) Support services in accordance with section 5107.66 of 704
the Revised Code; 705

(3) To the extent permitted by the "Fair Labor Standards Act 706
of 1938," 52 Stat. 1060, 29 U.S.C.A. 201, as amended, to 707
participate in work activities, developmental activities, and 708
alternative work activities in accordance with sections 5107.40 to 709

5107.69 of the Revised Code. 710

Sec. 5107.18. (A) Except as provided in divisions (B), (C), 711
(D), and (E) of this section, an assistance group is ineligible to 712
participate in Ohio works first if the assistance group includes 713
an individual who has participated in the program for thirty-six 714
months as any of the following: an adult head of household, minor 715
head of household, or spouse of an adult head of household or 716
minor head of household. The time limit applies regardless of 717
whether the thirty-six months are consecutive. 718

(B) An assistance group that has ceased to participate in 719
Ohio works first pursuant to division (A) of this section for at 720
least twenty-four months, whether consecutive or not, may reapply 721
to participate in the program if good cause exists as determined 722
by the county department of job and family services. Good cause 723
may include losing employment, inability to find employment, 724
divorce, domestic violence considerations, and unique personal 725
circumstances. The assistance group must provide a county 726
department of job and family services verification acceptable to 727
the county department of whether any members of the assistance 728
group had employment during the period the assistance group was 729
not participating in Ohio works first and the amount and sources 730
of the assistance group's income during that period. If a county 731
department is satisfied that good cause exists for the assistance 732
group to reapply to participate in Ohio works first, the 733
assistance group may reapply. Except as provided in divisions (C), 734
(D), and (E) of this section, the assistance group may not 735
participate in Ohio works first for more than twenty-four 736
additional months. The time limit applies regardless of whether 737
the twenty-four months are consecutive. 738

(C) In determining the number of months a parent or pregnant 739
woman has received assistance under Title IV-A, a county 740

department of job and family services shall disregard any month 741
during which the parent or pregnant woman was a minor child but 742
was neither a minor head of household nor married to the head of 743
an assistance group. 744

(D) In determining the number of months an adult has received 745
assistance under Title IV-A, a county department of job and family 746
services shall disregard any month during which the adult lived on 747
an Indian reservation or in an Alaska native village, as those 748
terms are used in 42 U.S.C.A. 608(a)(7)(D), if, during the month, 749
at least one thousand individuals lived on the reservation or in 750
the village and at least fifty per cent of the adults living on 751
the reservation or in the village were unemployed. 752

(E) A county department of job and family services may exempt 753
~~not more than twenty per cent of the average monthly number of an~~ 754
Ohio works first assistance ~~groups~~ group from the time limit 755
established by this section ~~on the grounds~~ by determining that the 756
~~county department determines that the~~ time limit is a hardship or 757
issuing a waiver of the time limit in accordance with section 758
5107.714 of the Revised Code. The county department may not exempt 759
more than twenty per cent of the average monthly number of 760
assistance groups from the time limit, except that an assistance 761
group issued a waiver of the time limit because of the need to 762
continue participation in Ohio works first due to current or past 763
domestic violence or the risk of further domestic violence shall 764
be excluded from the calculation used to determine the percentage 765
of the average monthly number of assistance groups exempted from 766
the time limit. In the case of the time limit established by 767
division (A) of this section, a county department may not exempt 768
an assistance group until the group has exhausted its thirty-six 769
months of cash assistance. 770

(F) The department of job and family services shall 771
continually monitor the percentage of the average monthly number 772

of Ohio works first assistance groups in each county that is 773
exempted under division (E) of this section from the time limit 774
established by this section. On determining that the percentage in 775
any county equals or exceeds eighteen per cent, the department 776
shall immediately notify the county department of job and family 777
services. 778

(G) Only participation in Ohio works first on or after 779
October 1, 1997, applies to the time limit established by this 780
section. The time limit applies regardless of the source of 781
funding for the program. Assistance under Title IV-A provided by 782
any state applies to the time limit. The time limit is a lifetime 783
limit. No assistance group shall receive assistance under the 784
program in violation of the time limit for assistance under Title 785
IV-A established by section 408(a)(7) of the "Social Security 786
Act," as amended by the "Personal Responsibility and Work 787
Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 788
U.S.C.A. 608 (a)(7). 789

Sec. 5107.22. As used in this section, "caretaker" means the 790
parent of a minor child or a relative acting in the parent's 791
place. 792

Unless good cause for failure or refusal exists as determined 793
pursuant to rules adopted under section 5107.05 of the Revised 794
Code or the caretaker has been issued a waiver under section 795
5107.714 of the Revised Code that exempts the caretaker from the 796
requirement to cooperate, the caretaker of a minor child shall 797
cooperate, if the caretaker is a member of the child's assistance 798
group, in establishing the child's paternity and establishing, 799
modifying, and enforcing a support order for the child. The child 800
support enforcement agency with responsibility for administering 801
the assistance group's paternity and support order requirements 802
shall determine whether the caretaker is cooperating under this 803

section. Cooperation includes providing sufficient information 804
available to the caretaker to verify the identity of the minor 805
child's father and establish, modify, and enforce a support order. 806
With respect to charter counties only, cooperation also includes 807
appearing at all proceedings to establish, modify, or enforce 808
support for, and to establish paternity with respect to, the 809
child. 810

A child support enforcement agency shall notify the county 811
department of job and family services serving the county in which 812
a caretaker resides if the agency determines that the caretaker 813
has failed or refused to cooperate under this section without good 814
cause or a waiver and the caretaker is a member of an assistance 815
group participating in Ohio works first. 816

Sec. 5107.70. A county department of job and family services, 817
at times it determines, may conduct assessments of assistance 818
groups participating in Ohio works first to determine whether any 819
members of the group are in need of other assistance or services 820
provided by the county department or other private or government 821
entities. Assessments may include the following: 822

(A) Whether any member of the assistance group has a 823
substance abuse problem; 824

(B) Whether there are any other circumstances that may limit 825
an assistance group member's employability. 826

~~At the first assessment conducted by the county department,~~ 827
~~it shall inquire as to whether any member of an assistance group~~ 828
~~is the victim of domestic violence, including child abuse. The~~ 829
~~county department shall provide this information to the department~~ 830
~~of job and family services. The department shall maintain the~~ 831
~~information for statistical analysis purposes.~~ 832

The county department may refer an assistance group member to 833

a private or government entity that provides assistance or 834
services the county department determines the member needs. The 835
entity may be a public children services agency, chapter of 836
alcoholics anonymous, narcotics anonymous, or cocaine anonymous, 837
or any other entity the county department considers appropriate. 838

Sec. 5107.71. Each county department of job and family 839
services shall do all of the following in accordance with rules 840
adopted under section 5107.05 of the Revised Code: 841

(A) Identify members of assistance groups participating in 842
Ohio works first who have been subjected to domestic violence by 843
utilizing the domestic violence screening tool established in the 844
rules; 845

(B) Refer a member who has been subjected to domestic 846
violence to counseling and supportive services and ensure that the 847
counseling and supportive services the member receives are 848
appropriate; 849

(C) Except as provided in section 5107.713 of the Revised 850
Code, maintain the confidentiality of information about a member 851
who has been subjected to domestic violence; 852

(D) Make a determination of whether a member who has been 853
subjected to domestic violence should be issued a waiver under 854
section 5107.714 of the Revised Code. 855

Sec. 5107.711. When utilizing the domestic violence screening 856
tool established in rules adopted under section 5107.05 of the 857
Revised Code to identify members of assistance groups 858
participating in Ohio works first who have been subjected to 859
domestic violence, a county department of job and family services 860
shall do both of the following: 861

(A) Where available, rely on records from any of the 862
following: 863

(1) Police, courts, and other governmental entities; 864

(2) Shelters and legal, religious, medical, and other 865
professionals from whom an assistance group member sought 866
assistance in dealing with domestic violence; 867

(3) Other persons with knowledge of the domestic violence. 868

(B) Rely on an assistance group member's allegation of 869
domestic violence unless the county department has an independent, 870
reasonable basis to find the allegation not credible. 871

Sec. 5107.712. A member of an assistance group participating 872
in Ohio works first who is referred to counseling or supportive 873
services pursuant to division (B) of section 5107.71 of the 874
Revised Code may decline the counseling, supportive services, or 875
both. 876

Sec. 5107.713. When a county department of job and family 877
services identifies a member of an assistance group participating 878
in Ohio works first who has been subjected to domestic violence, 879
the county department shall provide information about the member 880
to the department of job and family services. The department shall 881
maintain the information for statistical analysis purposes only. 882

Sec. 5107.714. A county department of job and family services 883
may issue a member of an assistance group participating in Ohio 884
works first a waiver that exempts the member from a requirement of 885
the Ohio works first program if the county department determines 886
that the member has been subjected to domestic violence and 887
requiring compliance with the requirement would make it more 888
difficult for the member to escape domestic violence or unfairly 889
penalize the member. A waiver shall specify the particular 890
requirement being waived. A waiver shall be effective for a period 891
of time the county department determines necessary. The county 892

department shall redetermine the member's need for the waiver not 893
less often than once every six months. 894

Sec. 5107.715. As used in this section and section 5107.717 895
of the Revised Code, "alternative work activity," "developmental 896
activity," and "work activity" have the same meanings as in 897
section 5107.40 of the Revised Code. 898

When making a determination of whether to issue a waiver 899
under section 5107.714 of the Revised Code for a member of an 900
assistance group participating in Ohio works first, a county 901
department of job and family services shall consider all of the 902
following: 903

(A) Whether physical or psychological injuries caused by the 904
domestic violence create difficulties for the member to 905
participate in an alternative work activity, developmental 906
activity, or work activity; 907

(B) Whether civil or criminal proceedings related to the 908
domestic violence will disrupt the member's ability to participate 909
in an alternative work activity, developmental activity, or work 910
activity; 911

(C) Whether the individual responsible for the domestic 912
violence interferes with the member's ability to participate in an 913
alternative work activity, developmental activity, or work 914
activity; 915

(D) Whether the location of the member's alternative work 916
activity, developmental activity, or work activity puts the member 917
at risk for domestic violence; 918

(E) Whether imposition of the time limit established by 919
section 5107.18 of the Revised Code makes the member financially 920
unable to escape domestic violence; 921

(F) Whether requiring the member to disclose information 922
increases the member's risk of domestic violence; 923

(G) Whether requiring the member to cooperate under section 924
5107.22 of the Revised Code in establishing a minor child's 925
paternity and establishing, modifying, and enforcing a support 926
order for the child increases the member's risk of domestic 927
violence; 928

(H) Other factors the county department considers important. 929

Sec. 5107.716. A county department of job and family services 930
that refuses to issue a waiver under section 5107.714 of the 931
Revised Code for a member of an assistance group participating in 932
Ohio works first shall provide the member a written explanation 933
for the refusal. The written explanation shall be provided to the 934
member in a manner protecting the member's confidentiality. The 935
member may appeal the refusal pursuant to section 5101.35 of the 936
Revised Code. 937

Sec. 5107.717. A member of an assistance group participating 938
in Ohio works first may decline a waiver that would otherwise be 939
issued under section 5107.714 of the Revised Code and may 940
terminate at any time a waiver that has been issued under that 941
section. A minor head of household or adult member who is issued a 942
waiver under that section may voluntarily participate in an 943
available alternative work activity, developmental activity, or 944
work activity pursuant to an appraisal conducted under section 945
5107.41 of the Revised Code. 946

Sec. 5107.718. A county department of job and family services 947
that issues a waiver under section 5107.714 of the Revised Code 948
for a member of an assistance group participating in Ohio works 949
first shall develop an appropriate service plan for the member 950

that reflects an individualized assessment and any revisions 951
indicated by a redetermination of the member's need for the 952
waiver. The county department shall design the service plan to 953
lead to work to the extent work is consistent with both the waiver 954
and helping the member achieve safety. 955

Sec. 5107.719. Each county department of job and family 956
services shall employ or contract with a person trained in 957
domestic violence counseling and supportive services to do all of 958
the following: 959

(A) Make a determination of whether a member of an assistance 960
group participating in Ohio works first should be issued a waiver 961
under section 5107.714 of the Revised Code; 962

(B) Conduct redeterminations of the member's need for the 963
waiver; 964

(C) Develop an appropriate service plan for the member under 965
section 5107.718 of the Revised Code. 966

Sec. 5107.7110. In accordance with rules adopted under 967
section 5107.05 of the Revised Code, each county department of job 968
and family services shall establish mandatory domestic violence 969
training for persons the county department employs or contracts 970
with to work with assistance groups participating in Ohio works 971
first. 972

Sec. 5107.7111. The department of job and family services 973
shall monitor county departments of job and family services' 974
implementation of sections 5107.71 to 5107.7110 of the Revised 975
Code to ensure that the county departments comply with those 976
sections. 977

Sec. 5107.7112. The department of job and family services 978
shall submit to the United States secretary of health and human 979
services both of the following in a form and at times necessary 980
for waivers issued under section 5107.714 of the Revised Code to 981
receive federal recognition as good cause domestic violence 982
waivers: 983

(A) A description of the strategies and procedures in place 984
to ensure that members of Ohio works first assistance groups who 985
are victims of domestic violence receive appropriate alternative 986
services; 987

(B) An aggregate figure for the total number of waivers 988
issued under section 5107.714 of the Revised Code. 989

Sec. 5108.01. As used in this chapter: 990

(A) "County family services planning committee" means the 991
entity serving as the county family services planning committee 992
established under pursuant to section 329.06 of the Revised Code 993
or the board created by consolidation under division (C) of 994
section 6301.06 of the Revised Code. 995

(B) "Prevention, retention, and contingency program" means 996
the program established by this chapter and funded in part with 997
federal funds provided under Title IV-A. 998

(C) "Title IV-A" means Title IV-A of the "Social Security 999
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 1000

Sec. 5111.01. As used in this chapter, "medical assistance 1001
program" or "medicaid" means the program that is authorized by 1002
this chapter and provided by the department of job and family 1003
services under this chapter, Title XIX of the "Social Security 1004
Act," 79 Stat. 286 (1965), 42 U.S.C.A. 1396, as amended, and the 1005
waivers of Title XIX requirements granted to the department by the 1006

health care financing administration of the United States 1007
department of health and human services. 1008

The department of job and family services shall act as the 1009
single state agency to supervise the administration of the 1010
medicaid program. As the single state agency, the department shall 1011
comply with 42 C.F.R. 431.10(e). The department's rules governing 1012
medicaid are binding on other agencies that administer components 1013
of the medicaid program. No agency may establish, by rule or 1014
otherwise, a policy governing medicaid that is inconsistent with a 1015
medicaid policy established, in rule or otherwise, by the director 1016
of job and family services. 1017

(A) The department of job and family services may provide 1018
medical assistance under the medicaid program as long as federal 1019
funds are provided for such assistance, to the following: 1020

(1) Families with children that meet either of the following 1021
conditions: 1022

(a) The family meets the income, resource, and family 1023
composition requirements in effect on July 16, 1996, for the 1024
former aid to dependent children program as those requirements 1025
were established by Chapter 5107. of the Revised Code, federal 1026
waivers granted pursuant to requests made under former section 1027
5101.09 of the Revised Code, and rules adopted by the department 1028
or any changes the department makes to those requirements in 1029
accordance with paragraph (a)(2) of section 114 of the "Personal 1030
Responsibility and Work Opportunity Reconciliation Act of 1996," 1031
110 Stat. 2177, 42 U.S.C.A. 1396u-1, for the purpose of 1032
implementing section 5111.019 of the Revised Code. An adult loses 1033
eligibility for medical assistance under division (A)(1)(a) of 1034
this section pursuant to division ~~(E)~~(F) of section 5107.16 of the 1035
Revised Code. 1036

(b) The family does not meet the requirements specified in 1037

division (A)(1)(a) of this section but is eligible for medical 1038
assistance pursuant to section 5101.18 of the Revised Code. 1039

(2) Aged, blind, and disabled persons who meet the following 1040
conditions: 1041

(a) Receive federal aid under Title XVI of the "Social 1042
Security Act," or are eligible for but are not receiving such aid, 1043
provided that the income from all other sources for individuals 1044
with independent living arrangements shall not exceed one hundred 1045
seventy-five dollars per month. The income standards hereby 1046
established shall be adjusted annually at the rate that is used by 1047
the United States department of health and human services to 1048
adjust the amounts payable under Title XVI. 1049

(b) Do not receive aid under Title XVI, but meet any of the 1050
following criteria: 1051

(i) Would be eligible to receive such aid, except that their 1052
income, other than that excluded from consideration as income 1053
under Title XVI, exceeds the maximum under division (A)(2)(a) of 1054
this section, and incurred expenses for medical care, as 1055
determined under federal regulations applicable to section 209(b) 1056
of the "Social Security Amendments of 1972," 86 Stat. 1381, 42 1057
U.S.C.A. 1396a(f), as amended, equal or exceed the amount by which 1058
their income exceeds the maximum under division (A)(2)(a) of this 1059
section; 1060

(ii) Received aid for the aged, aid to the blind, or aid for 1061
the permanently and totally disabled prior to January 1, 1974, and 1062
continue to meet all the same eligibility requirements; 1063

(iii) Are eligible for medical assistance pursuant to section 1064
5101.18 of the Revised Code. 1065

(3) Persons to whom federal law requires, as a condition of 1066
state participation in the medicaid program, that medical 1067
assistance be provided; 1068

(4) Persons under age twenty-one who meet the income requirements for the Ohio works first program established under Chapter 5107. of the Revised Code but do not meet other eligibility requirements for the program. The director shall adopt rules in accordance with Chapter 119. of the Revised Code specifying which Ohio works first requirements shall be waived for the purpose of providing medicaid eligibility under division (A)(4) of this section.

(B) If funds are appropriated for such purpose by the general assembly, the department may provide medical assistance to persons in groups designated by federal law as groups to which a state, at its option, may provide medical assistance under the medicaid program.

(C) The department may expand eligibility for medical assistance to include individuals under age nineteen with family incomes at or below one hundred fifty per cent of the federal poverty guidelines, except that the eligibility expansion shall not occur unless the department receives the approval of the federal government. The department may implement the eligibility expansion authorized under this division on any date selected by the department, but not sooner than January 1, 1998.

(D) In addition to any other authority or requirement to adopt rules under this chapter, the director may adopt rules in accordance with section 111.15 of the Revised Code as the director considers necessary to establish standards, procedures, and other requirements regarding the provision of medical assistance. The rules may establish requirements to be followed in applying for medical assistance, making determinations of eligibility for medical assistance, and verifying eligibility for medical assistance. The rules may include special conditions as the department determines appropriate for making applications, determining eligibility, and verifying eligibility for any medical

assistance that the department may provide pursuant to division 1101
(C) of this section and section 5111.014 or 5111.019 of the 1102
Revised Code. 1103

Sec. 6301.06. (A) The chief elected officials of a local area 1104
shall create a workforce policy board, which shall consist of the 1105
following individuals: 1106

(1) The chief elected official from the municipal corporation 1107
with the largest population in the local area, except that if the 1108
municipal corporation is a local area as defined in division 1109
(A)(1) of section 6301.01 of the Revised Code, the chief elected 1110
official of that municipal corporation may determine whether to be 1111
a member of the board. Notwithstanding division (B) of section 1112
6301.01 of the Revised Code, as used in division (A)(1) of this 1113
section, "municipal corporation" means any municipal corporation. 1114

(2) The following individuals appointed to the board by the 1115
chief elected officials of the local area, who shall make those 1116
appointments according to all of the following specifications: 1117

(a) At least five members of the board shall be 1118
representatives of private sector businesses in the general labor 1119
market area that includes that local area, and shall be appointed 1120
from among individuals nominated by local business organizations 1121
and business trade associations. Among these members, at least one 1122
shall represent small businesses, at least one shall represent 1123
medium-sized businesses, and at least one shall represent large 1124
businesses. When determining what constitutes small, medium-sized, 1125
and large businesses for purposes of this division, the chief 1126
elected officials of the local area shall define those sizes as 1127
those sizes are generally understood within the labor market area 1128
that includes that local area. A majority of the members of the 1129
board shall be representatives of private sector businesses. 1130

(b) At least two members of the board shall represent 1131

organized labor and shall be appointed from nominations submitted 1132
by local federations of labor representing workers employed in the 1133
local area. 1134

(c) At least two members of the board shall be 1135
representatives of local educational entities. For purposes of 1136
this division, "local educational entities" includes local 1137
educational agencies, school district boards of education, 1138
entities providing educational and literacy activities, and 1139
post-secondary educational institutions. 1140

(d) At least one member of the board shall be a 1141
representative of consumers of workforce development activities. 1142

(e) Any other individuals the chief elected officials of the 1143
local area determine are necessary. 1144

(B) Members of the board serve at the pleasure of the chief 1145
elected officials of the local area. Members shall not be 1146
compensated but may be reimbursed for actual, reasonable, and 1147
necessary expenses incurred in the performance of their duties as 1148
board members. Those expenses shall be paid from funds allocated 1149
pursuant to section 6301.03 of the Revised Code. 1150

The chief elected officials of a local area may provide 1151
office space, staff, or other administrative support as needed to 1152
the board. For purposes of section 102.02 of the Revised Code, 1153
members of the board are not public officials or employees. 1154

(C) The chief elected officials of a local area other than a 1155
local area as defined in division (A)(1) of section 6301.01 of the 1156
Revised Code, shall coordinate the workforce development 1157
activities of the county family services planning committees and 1158
the workforce policy boards in the local area in any manner that 1159
is efficient and effective to meet the needs of the local area. 1160
The chief elected officials of the local area may, but are not 1161
required to, consolidate all boards and committees as they 1162

determine appropriate into a single board for purposes of 1163
workforce development activities. A majority of the members of 1164
that consolidated board shall represent private sector businesses. 1165
The membership of that consolidated board shall include a 1166
representative from each group granted representation as described 1167
in division (A) of this section and also a member who represents 1168
consumers of family services ~~and~~, a member who represents the 1169
county department of job and family services, and at least one 1170
member who is an expert on domestic violence issues. The 1171
membership of that consolidated board may include a representative 1172
of one or more groups and entities that may be represented on a 1173
~~county family services planning committee, as specified in~~ 1174
established under section ~~329.06~~ 329.062 of the Revised Code. 1175

Section 2. That existing sections 302.18, 329.06, 5101.46, 1176
5107.02, 5107.05, 5107.14, 5107.16, 5107.18, 5107.22, 5107.70, 1177
5108.01, 5111.01, and 6301.06 of the Revised Code are hereby 1178
repealed. 1179