

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 196**

**Representatives Amstutz, Derickson**

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

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**A BILL**

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

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

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

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

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

(a) Individuals with community leadership experience;

(b) Individuals with experience mentoring others;

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

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

(i) Employers;

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

the effective date of this amendment. 73

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

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

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

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

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

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

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

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

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

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

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

least once each year. 129

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

Code; 241

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Job placement; 341

(c) Job retention support; 342

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

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

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

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

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

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

(2) The auditor of state; 373

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

(5) Any other government entity. 377

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

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

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

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

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

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

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

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

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

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

the senate. 411

~~(C) Initial appointments to the council shall be made not later than thirty days after the effective date of this section.~~ 412  
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A member shall serve at the pleasure of the member's appointing authority. Members may be reappointed to the council. Vacancies on the council shall be filled in the same manner as the original appointments. 414  
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~~(D) The director department of job and family services shall ~~serve as chairperson of~~ provide administrative assistance to the council.~~ 418  
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(E) Members shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties. 421  
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**Sec. 5101.92.** The Ohio healthier buckeye ~~advisory~~ council ~~may shall~~ do all of the following: 424  
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~~(A) Develop means~~ Identify and advocate for best practices by which ~~county local~~ healthier buckeye councils established under section 355.02 of the Revised Code may reduce the reliance of individuals and families on publicly funded assistance programs as provided in section 355.03 of the Revised Code; 426  
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~~(B) Recommend to~~ Establish, in consultation with the director of job and family services, eligibility criteria, application processes, and maximum grant amounts for the ~~Ohio~~ healthier buckeye grant program created by section 5101.93 of the Revised Code; 431  
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(C) Not later than December 1, 2015, submit to the director recommendations for doing all of the following: 436  
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(1) Coordinating services across all public assistance 438



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

appropriate to include in the report. 466

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

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

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

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

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

(4) Use of local matching funds; 483

(5) Use of volunteers and peer supports; 484

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

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

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

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

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

**Sec. 5108.01.** As used in this chapter: 499

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) Disaster assistance; 578

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

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

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

Each county department shall comply with section 5108.022 607

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

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

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

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

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

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

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

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

(a) The certification of eligibility for the additional 635

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

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

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

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

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

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

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

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

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

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



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

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

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

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

(C) Perform related administrative duties. 686

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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