

5101:6-20-17 IMPLEMENTATION OF THE ADMINISTRATIVE DISQUALIFICATION HEARING DECISION.

(A) DISQUALIFICATION

- (1) WHEN THE HEARING DECISION FINDS THAT THE ACCUSED INDIVIDUAL HAS COMMITTED INTENTIONAL PROGRAM VIOLATION, HE OR SHE SHALL BE DISQUALIFIED IN ACCORDANCE WITH RULE 5101:6-20-03 OF THE ADMINISTRATIVE CODE.
- (2) PRIOR TO IMPLEMENTING THE DISQUALIFICATION, THE LOCAL AGENCY SHALL PROVIDE THE INDIVIDUAL A "NOTICE OF DISQUALIFICATION FOR INTENTIONAL PROGRAM VIOLATION," ODHS 4062, IN ACCORDANCE WITH RULE 5101:6-20-18 OF THE ADMINISTRATIVE CODE.
- (3) THE DISQUALIFICATION PERIOD SHALL BE IMPLEMENTED AS FOLLOWS:
  - (A) FOR ADC, THE PERIOD SHALL BEGIN NO LATER THAN THE FIRST DAY OF THE SECOND MONTH WHICH FOLLOWS THE DATE THE ODHS 4062 IS MAILED.
  - (B) FOR FOOD STAMPS, THE PERIOD SHALL BEGIN WITH THE FIRST MONTH WHICH FOLLOWS THE DATE THE ODHS 4062 IS MAILED.

(B) COMPLIANCE

- (1) THE LOCAL AGENCY IS RESPONSIBLE FOR PROMPTLY AND FULLY IMPLEMENTING ADVERSE ADMINISTRATIVE DISQUALIFICATION HEARING DECISIONS. THE DISTRICT OFFICE OF PROPER JURISDICTION IS RESPONSIBLE FOR MONITORING TIMELY COMPLIANCE.
- (2) WHEN AN ADMINISTRATIVE DISQUALIFICATION HEARING DECISION FINDS INTENTIONAL PROGRAM VIOLATION, THE DISTRICT HEARINGS SECTION SHALL CHECK THE "COMPLIANCE REQUIRED" BOX ON THE DECISION FORM AND ATTACH A "STATE HEARING COMPLIANCE," ODHS 4068, TO THE AGENCY'S COPY OF THE DECISION.
- (3) AFTER IMPLEMENTING THE DISQUALIFICATION, THE LOCAL AGENCY SHALL PROMPTLY NOTIFY THE BUREAU OF STATE HEARINGS OF THE ACTION TAKEN, USING THE ODHS 4068.
- (4) COMPLIANCE SHALL BE CONSIDERED ACHIEVED ON THE DATE THE DISQUALIFICATION IS REFLECTED IN THE ASSISTANCE GROUP'S BENEFITS.
- (5) IF THE INDIVIDUAL IS NOT ELIGIBLE FOR THE PROGRAM AT THE TIME THE DISQUALIFICATION PERIOD IS TO BEGIN, THE LOCAL AGENCY SHALL REPORT THAT FACT ON THE ODHS 4068 AND COMPLIANCE SHALL BE CONSIDERED ACHIEVED.

Effective Date: September 1, 1994

Certification: Arnold R. Tompkins

August 22, 1994  
Date

Promulgated Under: Revised Code Chapter 119.

Statutory Authority: Revised Code Section 5101.35

Rule Amplifies: Revised Code Section 5101.35

Prior Effective Dates: 6-2-80, 10-1-81, 5-1-82, 8-1-83, 4-1-90