

# Your Rights



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



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

- ❖ Cash
- ❖ Child care
- ❖ Child support
- ❖ Food
- ❖ Health care
- ❖ Training and jobs

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

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

In some counties, the PCSA or CSEA is part of the CDJFS. The phone numbers and addresses for these agencies are in the phone book under "Government Offices — County."

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

This booklet talks about your right to apply for help. It also talks about:

- ❖ Your right to have a hearing (see Page 9).
- ❖ Your right to be treated fairly (see Page 14).

## **What kind of help can I get?**

The help you can get from county agencies includes:

- ❖ Ohio Works First
- ❖ Health Care Coverage
- ❖ Medicaid (people age 65 and over or people with disabilities or who are blind)
- ❖ Healthy Start (Children & Pregnant Women)\*
- ❖ Healthy Families/Low Income Families\*
- ❖ Food Assistance benefits
- ❖ Disability Assistance (DA)
- ❖ Prevention, Retention and Contingency (PRC)
- ❖ Child Support services
- ❖ Title IV-E and Title XX services
- ❖ Child Care services
- ❖ Learning, Earning and Parenting (LEAP)
- ❖ Refugee Resettlement, including help with cash, health care and social services

\*You may also apply for Healthy Start or Expedited Medicaid at:

- ❖ Women, Infants and Children (WIC) clinics
- ❖ Child and Family Health Services clinics
- ❖ Certain hospitals and local health centers

\*The application can also be sent to you by request when you contact the Medicaid Consumer Hotline at 1-800-324-8680 or TDD at 1-800-292-3572.

## **How do I apply for help?**

To get help, you need to apply at the county agency in your area that handles that particular program.

You can pick up an application form at the agency or have the agency mail it to you. The type of form you get depends on what kind of help you apply for.

Fill out as much of the form as you possibly can. If you need to, you can have a friend or relative help you fill out the form. A caseworker at the county agency can also help you fill it out.

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

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

## **What if I need help applying for services?**

If you are unable to complete the form by yourself, you may need someone to be your authorized representative. An authorized representative is a person who can apply for some types of help for you. He or she can also act for you.

You can name your husband or wife as your authorized representative. You can name a relative or friend you trust. You can also name a lawyer or a hospital social worker, but you don't have to.

Your authorized representative must be 18 years old or older.

You must name him or her in writing. Include what duties you want your authorized representative to take care of for you. You can change your authorized representative at any time.

## **What other services are available?**

ODJFS also provides a variety of services for workers, employers, job seekers and those who have been involuntarily unemployed. These services are designed to provide opportunities for full employment, economic stability and a high performance workplace. Some of these services include:

- ❖ America’s Job Bank
- ❖ Job Skill Matching
- ❖ Foreign Labor Certification
- ❖ Rapid Response
- ❖ Veterans’ Services
- ❖ Unemployment Compensation Benefits

To apply for unemployment compensation services, you may call this toll-free number: 1-877-644-6562 (OHIOJOB).

If you live in Ohio but worked in another state, call Ohio’s interstate toll-free number: 1-800-251-6237, or visit an unemployment office if you are living in another state. For job placement information, you may visit the ODJFS website at: [\*\*www.jfs.ohio.gov\*\*](http://www.jfs.ohio.gov)

## **What happens after I turn in my form?**

After you turn in your form, you will usually need to have a face-to-face interview at the local agency. If you are **ONLY** applying for Healthy Start or Expedited Medicaid, you don't need a face-to-face interview.

The agency may give you an interview the same day you bring in your form. Or, the agency may give you a time to come back. If you return your form by mail, the agency will tell you when to come in for your interview.

The agency must schedule your interview within five working days after the day you turn in your form.

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

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

For example, if you get Ohio Works First, you may be required to participate in a job program and cooperate with child support requirements. If you get or try to get any help, you must tell the agency about any changes that may affect your case. Report your changes within 10 calendar days.

Some examples of changes are:

- ❖ A pregnancy
- ❖ A change of address
- ❖ A change in income, including getting or losing a job
- ❖ Anyone moving into or out of your home
- ❖ A child turning 18 years old
- ❖ Lost or stolen checks, food assistance Direction Card or health cards

## **What happens to the information I bring in?**

The information you give your county agency is private.

The local agency or ODJFS may check the information you give. For example, the local agency may use your Social Security Number and contact other agencies or people. This is done:

- ❖ To make sure your information is correct
- ❖ To make sure you qualify for help

## **Warning**

You may receive help you are not entitled to:

- ❖ If you don't tell the truth about yourself.
- ❖ If you don't tell about changes that affect your case.  
Report your changes within 10 calendar days.

If you get help you should not have gotten:

- ❖ You may be ordered to pay it back.

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

To learn more, ask your caseworker for JFS brochure 08100 — “Ohio Is Tough on Welfare Fraud.”

## **What happens next?**

After you apply for help, the local agency will see if you can get help. You may need to give the agency more information before it can decide. If the agency asks you for more information, try to bring it in right away. The agency needs the information before it can help you. If you don't give the local agency the information it needs, it can't help you. If you have trouble getting the information, ask the agency for help.

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

## **Expedited Medicaid**

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

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

## **Food Assistance Benefits, Title XX Social Services, Child Care or Healthy Start**

The county agency must approve or deny your application within 30 days of the day you turn in your form.

## **Emergency Food Assistance Benefits**

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

- ❖ If you or your family have little or no liquid assets, OR
- ❖ If you or your family have little or no income.

## **Ohio Works First, Medicaid, Disability Assistance (DA) or Refugee Resettlement**

The local agency must approve or deny your application within 45 days of the day you turn in your form. ODJFS may need to decide if you are disabled and can get Medicaid or DA. If so, the local agency must tell you within 90 days what ODJFS decides.

## **What do I do if I have a problem or a question?**

Any time you have a problem or a question about any help you get, ask your caseworker. You can also talk to your caseworker's supervisor. Then, if you still have problems or questions, you can contact ODJFS directly at 1-866-ODJFS4U (1-866-635-3748).

## **Persons with Communications Disabilities**

Persons who are either deaf, hard-of-hearing, blind or speech disabled may use a TTY/TDD telephone to contact the Ohio Relay Service at 1-800-750-0750. When using a TTY/TDD, typed messages are transmitted to a communication assistant who voices them to hearing persons at ODJFS. Hearing persons' messages are then voiced to the communication assistant, who relays them to the TTY/TDD printout or display.

## **Hours:**

Normal hours of operation for ODJFS are 8:00 a.m. to 5:00 p.m., Monday through Friday.

The Ohio Relay Service is available for making telephone calls 24 hours a day, 365 days a year. The Information Services Help Desk hours are Monday through Friday 7:00 a.m. to 11:30 p.m. For questions, comments, problems or complaints about the Ohio Relay Service, call the Relay Service administrative number toll free, at 1-800-325-2223 (TTY/TDD and Voice).

## **Your right to a state hearing**

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

You can ask for a state hearing:

- ❖ If you don't agree with an action or decision on your case.
- ❖ If you think the local agency has not done something it should have.

To learn more, ask your caseworker for JFS form 04059 – “Explanation of State Hearing Procedures.”

### **What is a state hearing?**

A state hearing is a meeting with you, your caseworker and an ODJFS hearing officer.

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

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

If you need free legal help, contact your local legal aid office. If you don't know the phone number, call 1-800-589-5888, toll free, Monday through Friday, 8:30 a.m. to 5:00 p.m. You will reach the Ohio State Legal Services Association. It can give you the phone number for your local legal aid office.

## **Why should I ask for a hearing?**

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

- ❖ The agency denied your application. You think it should have been approved.
- ❖ The agency intends to lower or stop the help you get. You don't agree.
- ❖ You believe the amount of your benefits is wrong. The agency won't change it.
- ❖ The agency says you have gotten more help than you should have. You don't agree, or you think the amount the agency has given is wrong.
- ❖ You don't agree with the agency's decision to issue your benefits:
  - by vendor payment
  - by vouchers
  - through a protective payee
- ❖ The agency says you must register for work. You think you have a good reason for being excused.
- ❖ Your doctor asked for a medical or dental service for you. ODJFS has denied the service.

- ❖ You don't agree with the level of nursing home care you have been approved for.
- ❖ You applied for help more than 45 days ago (more than 30 days for food stamp benefits) and have not been told if you will get help.

Remember — sometimes there is a good reason for a delay. For example, the agency may be waiting for some information it needs. Once you know the reason for the delay, you may not want a hearing.

Note: Sometimes your case is changed due to a change in the law that affects all people in the same situation. ODJFS seldom gives hearings on this kind of "automatic" benefit change. Still, you can ask for a hearing if you think the change should not have been applied to you.

## **How do I ask for a state hearing?**

If you want a state hearing, you can fax your request to the Bureau of State Hearing at 614.728.9574, or e-mail your request to the bureau at [BSH@jfs.ohio.gov](mailto:BSH@jfs.ohio.gov). You can also request your state hearing by telephone, by calling our toll free number at 1-866-635-3748, option 1. You may also be able to fill out a form to ask for a state hearing. The local agency sends out a notice form if it is going to lower or stop the help you get. You can use this notice to ask for a state hearing.

The notice tells you how to ask for a state hearing by filling out the notice and sending it in. Check the mailing date on the notice. You must ask for a hearing within 90 days of that mailing date.

**IF** your benefits are being lowered or stopped,

**AND** you ask for a hearing within 15 days of the mailing date of the notice,

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

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

You can also ask for a hearing by writing to:

### **State Hearings**

Ohio Department of Job and Family Services

P.O. Box 182825, Columbus, Ohio 43218

1-866-635-3478 (ODJFS-4-U) Option 1

Fax (614) 728-9574

Internet e-mail address: BSH@jfs.ohio.gov

## **Is there another way to work out a problem?**

An informal conference at the county agency is often a quicker way to solve a problem. At the conference, a county worker will look over your case and can correct any mistakes. You can call the local agency to ask for a county conference. If the problem is not solved at the conference, you can still ask for a state hearing.

## **What happens at a state hearing?**

After you ask for a state hearing, ODJFS will send you a notice giving the date, time and place of the hearing. The hearing is usually held at the local county agency. If you can't go to the agency, the hearing can be held somewhere else, possibly in your home. However, it is your responsibility to contact the Bureau of State Hearings to request a telephone hearing prior to the scheduled hearing date.

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

Before and during the hearing, you may look at your case file and any other evidence the county uses. You may also look at the rules being used to decide your case. The agency will make free copies for you to help you get ready for the hearing. If you need copies, please call the agency before your hearing.

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

After the hearing, the hearing officer will review your case fairly and objectively. He or she will make a decision based on:

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

If your hearing is about food stamp benefits, you should get a written decision within 60 days of the date you asked for a hearing. In all other programs, you should get a decision within 90 days.

## **What if I don't agree with the decision?**

If you don't agree with the hearing decision, you can ask for an administrative appeal. The written decision from the hearing officer will tell you how to ask for an administrative appeal.

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

## **SSI hearings**

If you get Supplemental Security Income (SSI), you must contact your local Social Security Administration office for a hearing. Call 1-800-772-1213 for the telephone number of your local Social Security office. This is a free call.

Your CDJFS can help you with your SSI hearing. Your local legal aid office also may be able to help you with your SSI hearing.

If you don't know the phone number, call 1-800-589-5888, toll free, Monday through Friday, 8:30 a.m. to 5:00 p.m. You will reach the Ohio State Legal Services Association. It can give you the phone number for your local legal aid office.

# Your Civil Rights

Individuals eligible for, receiving services from or benefiting from programs funded by/through the Ohio Department of Job and Family Services (ODJFS) are protected by various laws, regulations, rules and policies against unlawful discrimination on the basis of race, color, religion, disability, age, gender, sexual orientation, political affiliation (food stamps only) and national origin.

## What Is Discrimination?

Discrimination is a direct action, whether purposeful or not, that results in unequal treatment of people. Persons cannot **because of** their race, color, religion, disability, age, gender or national origin:

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

The key words are “**because of.**” If you are denied or delayed equal service and you think it was because of your race, color, religion, disability, age, gender, or national origin, you may have been subjected to unlawful discrimination.

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

## **Limited English Proficiency (LEP)**

Persons who are **Limited English Proficient (LEP)** are protected against discrimination based on national origin. Accommodations may include providing qualified interpreters, language cards/lines, oral translation and/or written translation of documents.

## **Persons with Disabilities**

All persons with disabilities are protected against unlawful discrimination. Reasonable accommodations for persons with disabilities may include such things as:

- ❖ Modification of existing equipment and/or training stations
- ❖ Provision of special equipment (i.e., large-type fonts for computer monitors)
- ❖ Reassignment or relocation of classes or other training services
- ❖ Changing the physical layout of a training station
- ❖ Restructuring training curricula/format
- ❖ Changing training hours
- ❖ Ensuring that effective communications media are available for persons with limited hearing, sight and/or speech

The accommodation techniques mentioned above are not intended to be inclusive. Every person with a disability is unique and will have his/her own unique needs.

## **Workforce Investment Act (WIA)**

The basis for unlawful discrimination in WIA programs includes: race, color, religion, sex, national origin, age, disability, political affiliation or belief, sexual orientation, citizenship (for lawfully admitted immigrants, authorized to work) and WIA participant status. Persons wishing to file discrimination complaints about programs funded under WIA must file their complaints with the ODJFS Bureau of Civil Rights or with the U.S. Department of Labor's Civil Rights Center. All complaints must be filed within 180 days of the incident or treatment causing the complaint.

### **How to File a Complaint**

If you believe you have been delayed or denied services because of your race, color, religion, disability, age, gender, sexual orientation or national origin, you must file your complaint within six months of the date of the incident or treatment. If you have questions about how to file a complaint, you can contact the ODJFS Bureau of Civil Rights, toll free, at 1-866-227-6353 or you may write to that office at the address shown on the back cover of this pamphlet. If you need free legal help or advice, you may contact your local legal aid office or the Ohio State Legal Services Association. That office may be reached, toll free, at 1-800-589-5888, Monday through Friday, 8:30 a.m. to 5:00 p.m.



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

The Ohio Department of Job and Family Services  
Office of Employee and Business Services  
Bureau of Civil Rights  
30 E. Broad Street, 37th Floor  
Columbus, Ohio 43215-3414  
Telephone: (614) 644-2703 or Toll free 1-866-227-6353  
TTY hearing impaired: 1-866-221-6700  
Fax: (614) 752-6381

ODJFS will look into your complaint. If ODJFS decides there was discrimination, it will act to correct it. You can also contact the following offices:

Regional Manager  
Office for Civil Rights - Region V — Chicago  
U.S. Department of Health and Human Services  
233 N. Michigan Ave., Suite 240 West Adams, 16th Floor  
Chicago, Illinois 60601  
(312) 886-2359 or Fax: (312) 886-1807

Call (312) 353-5693 if you have a hearing or speech problem.

Director  
Office for Civil Rights  
U.S. Department of Health and Human Services  
330 Independence Ave. SW  
Washington, D.C. 20201  
1-800-368-1019  
or  
U.S. Department of Labor  
Civil Rights Center  
200 Constitution Ave. Room N-4123  
Washington, D.C. 20210  
(202) 693-6500

Call 1-877-889-5627 if you have a hearing or speech problem.

USDA (For Food Assistance Only)  
Office of Civil Rights  
1400 Independence Ave. , S.W.  
Room 326-W, Whitten Building  
Washington, DC 20250-9410  
(202) 720-5964

Ted Strickland, Governor, State of Ohio  
Douglas E. Lumpkin, Director

Ohio Department of Job and Family Services  
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