

State should maximize federal food aid Cities, more counties should be included in state request for waiver of time limits

By Wendy Patton

In 2016, Ohio plans to waive time limits on federal food aid in 18 mostly rural counties where the economy lags and jobs are scarce.¹ This is a good and compassionate policy choice. But thousands of other working poor Ohioans are eligible to receive more federal food aid, and the state has failed to extend the waiver to them. The state excluded three counties and 12 cities that qualify for the same waiver.² Further, if the state used a slightly different approach, 34 out of Ohio's 88 counties and the same 12 cities would qualify. Finally, Ohio does not use its backlog of individual exemptions, which could extend aid for job seekers who lose benefits before they find enough work hours.

In a state with hunger levels higher than the national average,³ state government needs to maximize access to federal food aid to help hungry Ohioans and stimulate lagging local economies.

Time limits for SNAP aid

When the economy is strong, the federal Department of Agriculture's "Supplemental Nutrition Assistance Program" (SNAP) puts time limits on food aid for adults who are not disabled, elderly or parents with custody of minor children. These limits restrict help to just three out of 36 months unless recipients work about 20 hours a week. When the economy is weak and many cannot find this many hours, federal rules allow states to waive the time limits.

Key findings

The federal government provides waivers to time limits on food aid when economies are struggling.

- Ohio excluded three counties and twelve cities that should qualify for a waiver.
- The state denied three counties the federal waiver because it misinterpreted federal rules or because of administrative issues that could be resolved.
- Ohio is vulnerable to further civil rights complaints because it is requesting the waiver for largely white counties while rejecting it for cities with minority populations and similar economic challenges.

¹ The waiver is for the federal fiscal year, which runs from October 1 to September 30.

² Earlier versions of this brief omitted Youngstown and Warren from the list of cities that qualify for the waiver. This is because they are located in counties that also could be found qualified, depending on approach. This version of the document includes them fully in the list of cities eligible for waiver.

³ The United States Department of Agriculture found that Ohio's average share of households facing food insecurity (16 percent) was 10 percent higher than the national average. We ranked 12th among the states in food insecurity and tied with Mississippi for a ranking of third in terms of households with very low food security, with a share 35 percent higher than in the nation as a whole. Alisha Coleman-Jensen, Christian Gregory, Anita Singh, "Household Food Security in the United States in 2013," Table 5, United States Department of Agriculture, September 2014

Ohio qualified for a state-wide waiver of SNAP time limits since the recession, but the Kasich administration rejected that waiver for most of Ohio's counties for the past two years, accepting it in 2014 for just 16 rural counties and for 17 in 2015. In 2016, Ohio will no longer be eligible for a statewide waiver, but many counties and cities will remain eligible. Ohio has applied for the waiver for Adams, Ashtabula, Brown, Clinton, Coshocton, Gallia, Highland, Huron, Jackson, Jefferson, Meigs, Monroe, Morgan, Noble, Ottawa, Perry, Pike and Scioto Counties.⁴ However, many more counties and cities could also be waived – especially urban counties, where the great majority of SNAP participants live.

The state needs to broaden its request to encompass all places and regions where jobs are in short supply and people may not know where their next meal will come from.

The role of SNAP in the low-wage economy

SNAP targets the most vulnerable Americans to help struggling people and households get enough to eat each day. In a typical month in 2014, SNAP helped an average of 46 million Americans, including 1.7 million in Ohio.⁵ The majority of SNAP participants are children, seniors, or people with disabilities.⁶ But SNAP also serves many households with a wage earner whose job does not lift a family out of poverty. Many jobs don't pay enough and/or don't offer enough hours of work per week to cover the cost of living. Food aid fills in the cracks for low-wage workers, making sure they aren't forced to choose between feeding their families and paying the rent. The benefits are very modest — averaging about \$1.40 per person per meal — but SNAP lifted more than 10 million Americans out of poverty in 2012, including five million children.⁷

An estimated one million Americans are at risk of losing their SNAP benefits in 2016 because of time limits on food assistance.⁸ Last year, 31 states accepted a statewide waiver of time limits from the federal government.⁹ However, most states will not be eligible on a statewide basis in 2016. Many poor people will be at risk — including young people just entering the job market (who face higher unemployment rates than the population at large),¹⁰ parents whose children have grown, many veterans and jobseekers or those who cannot get enough hours to qualify for the aid. The population is diverse. About 40 percent are women. Close to a third are over 40 years old. Among those who report their race, about half are white. Half have only a high school diploma or GED. They live in all areas, and among those for whom data on metropolitan status are available, about 80 percent live in urban and suburban areas.¹¹

⁴ E-mail from the ODJFS Office of Communications, August 17, 2015.

⁵ United States Department of Agriculture Food and Nutrition Service website - SNAP program data at <http://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap> (accessed 8/20/2015).

⁶ In Ohio, 83 percent of SNAP recipients fit into those categories. E-mailed communication from the ODJFS Office of Communications, December 29, 2014.

⁷ Ed Bolen, Approximately 1 Million Unemployed Childless Adults Will Lose SNAP Benefits in 2016 as State Waivers Expire, Center on Budget and Policy Priorities, January 5, 2015 at <http://www.cbpp.org/research/food-assistance/approximately-1-million-unemployed-childless-adults-will-lose-snap-benefits>

⁸ *Id.*

⁹ Wendy Patton, "Stop the Hunger Games," Policy Matters Ohio, July 2015 at <http://www.policymattersohio.org/foodaid-july2015>

¹⁰ Amy Hanauer, "State of Working Ohio," Policy Matters Ohio

¹¹ Bolen, Op.Cit.

In Ohio, the state has requested a waiver of time limits in 18 counties, but up to 34 counties and 10 cities are eligible. Why is the state not maximizing federal resources for Ohioans? Maybe it is because the legislative provisions creating these work-related time limits were co-sponsored in 1996 by then-Congressman John Kasich, who emphasized that states would offer “workfare” programs to jobseekers who could not find enough hours of work. The legislation also provided for a waiver of time limits in places of high unemployment.¹²

Workfare has not worked out very well in many states because federal rules neither required nor funded workfare programs.¹³ The Ohio budget bill for FY 2016-17 emphasizes the importance of providing employment training or work slots in special programs. However, these mandates are new. Implementation and outcomes are unproven. Federal waivers of time limits are needed as new programs are implemented.

Excluded cities

Twelve cities are eligible for the waiver under the same calculation methodology used by the state in identifying counties for the 2016 waiver request: Cleveland, Dayton, Lima, Lorain, Mansfield, Maple Heights, Middletown (the part in Butler County), Toledo, Trotwood, Zanesville, Youngstown and Warren.¹⁴ These cities had unemployment rates at or above 120 percent of the national unemployment rate between January 2013 and December 2014, the threshold for the waiver and the months used by the state to calculate waiver eligibility (*A link to United States Department of Agriculture (USDA) guidance is on the web page of this report*).

Cities have been excluded for the past two years since Ohio rejected the statewide waiver. In 2014 and 2015, Ohio accepted the waiver for rural counties, and is requesting it again in the same rural areas, although more than 70 percent of those who lost their food aid because of this lived in urban counties.¹⁵ The exclusion of cities meant many African-American, Asian and Hispanic Ohioans, who live mostly in cities, were subject to time limits on food aid. In the summer of 2014, Columbus Legal Aid filed a civil complaint against Ohio based on the state’s rejection of the waiver in cities, which disproportionately harmed minority populations.

Headed into 2016, the state could have redressed this inequity. The Kasich administration chose not to. We asked the Ohio Department of Job and Family Services why these places were not included in the waiver request. The response: “As with nearly all ODJFS programs, we manage SNAP by county, not by city or region.”

This answer implies that Ohio failed to request the waiver for cities because of administrative barriers. Federal rules do not prohibit the waiver in regions smaller than the administrative boundary. A state may request a waiver for counties, sub-county areas (cities, towns or even zip codes) or multiple-county regions. Some states don’t because of worries about increased errors, inadequate computer systems or confusion about the jurisdiction of every address. But many states do waive

¹² Bolen, Op.Cit.

¹³ Bolen, Op.Cit.

¹⁴ Youngstown and Warren were mistakenly omitted from an earlier version of this brief because they are located in counties that could also be eligible. That omission is corrected here.

¹⁵ Center for Community Solutions, “Common Ground,” Volume 1, #2, January 2014 at http://www.communitysolutions.com/assets/docs/Common_Ground/cg_january2014_011514.pdf

eligible cities, and some New England states have even waived very small towns. In 2007, a typical pre-recession year, at least 11 states waived cities and towns, including cities such as Rochester, NY; Knoxville, TN; St. Louis, MO; South Bend, IN; Green Bay, WI and Providence, RI.¹⁶

Administrative barriers are manageable in Ohio. Concern about properly identifying whether a SNAP participant lives in a waived area can be addressed. Residence is listed by zip code in the state's eligibility information technology, allowing a city-level designation.¹⁷ It might take some reprogramming of the information technology system or caseworkers might have to sometimes override the system manually.¹⁸ This might take some resources, but the state has resources. The recently approved state budget gave away more than \$2 billion dollars in tax cuts and locked up a half billion dollars in savings. There are funds, should the legislators choose, to ensure hungry Ohioans – and the families they invariably live with – receive food aid. And of course, the resources to pay for the aid itself come entirely from the federal government.

As described above, language in the new budget bill requires counties to offer work replacement opportunities or employment training to men and women in non-waived counties who can't find enough work to qualify for ongoing food aid. While services are being ramped up in 2016, the state should also seek waivers for qualifying cities.

Counties

Most counties in Ohio simply do not qualify for waivers so the time limit must go into effect in 2016. However, the state left three counties that do qualify for the waiver out of the request: Trumbull, Muskingum and Vinton Counties. (Muskingum was part of the included group in 2015).

The threshold for eligibility is 120 percent of the national unemployment rate over the 24-month period of January 2013 to December 2014, calculated to the tenth of a percent or one decimal point. This means places with rates of 8.1 percent would qualify. Trumbull and Muskingum each had rates that round to 8.1 percent – Muskingum's was 8.12 percent and Trumbull's was 8.09 percent. So, under federal rules, Trumbull and Muskingum are both eligible using the state's calculations (*A link to the spreadsheet of the ODJFS calculations is on the web page of this report*). Vinton County had a 24-month unemployment average of 9.3 percent, clearly higher than 120 percent of the national average. Asked why Vinton County was not included, the response from the Ohio Department of Job and Family Services Office of Communications was: "Vinton, Ross and Hocking counties merged their departments of job and family services into one administrative entity serving residents of all three counties."¹⁹ This is an administrative barrier not linked to federal prohibitions. Indeed, if the state took a more regional approach (as allowed by federal rules), not only Vinton County but also Hocking and Ross would be eligible for the waiver.

Regional approach

By grouping counties and using a regional tally of unemployment, federal food aid could be further maximized. This is allowed under federal rules. Table 1 shows that up to 34 counties and 10 cities

¹⁶ Center on Budget and Policy Priorities, e-mailed communication, August 20, 2015.

¹⁷ Telephone conversation, Joel Potts, Executive Director of the County Directors of Job and Family Services of Ohio, August 19, 2015.

¹⁸ Telephone conversation with Joseph Gauntner, Case Western Reserve University, August 19, 2015.

¹⁹ E-mailed communication from the ODJFS Office of Communications, August 20, 2015.

would be eligible if grouped as allowed under federal rules. This includes almost all Appalachian counties and many cities.

Exemptions

Ohio could also use our large backlog of time-limit “exemptions” built up over the years. Ohio will have as many as 484,627 such exemptions available by the end of the current fiscal year. Each exemption serves as one additional month of food aid for someone affected by time limits. Use of these exemptions is another way to maximize federal aid to relieve hunger in Ohio.²⁰

Summary and conclusion

The Kasich administration made a good and compassionate policy choice by expanding Medicaid, bringing billions of federal dollars into the state and helping the “people in the shadows,” as the governor says. The same logic could be applied to federal food aid. Foregoing the waiver for eligible counties and cities leaves people and households exposed to hunger. The policy also means that millions of federal dollars are not being spent in Ohio supermarkets, farmer’s markets and corner stores, dollars that could boost local economies.

Too many Ohioans experience hunger. Ohio has one of the highest rates of severe food insecurity in the nation, and it has increased in the past decade. The compassionate response to meeting basic needs of all Ohioans – particularly the most vulnerable – is to maximize federal dollars to help people and boost the Ohio economy.

²⁰ Patton, Op.Cit.

Table 1

Counties and cities where waiver of time limits for food aid should be sought for 2016

Minimum number of jurisdictions eligible for waiver			Maximum number of jurisdictions eligible for waiver		
Counties Eligible for a Waiver Based on Unemployment Rates		Unemployment, Jan2013 - Dec2014	Grouping of Counties Eligible for a Waiver Based on Combined Unemployment		Unemployment, Jan2013 - Dec2014
1	Adams County, OH	10.9	1	Adams County, OH	10.9
2	Pike County, OH	10.6	2	Pike County, OH	10.6
3	Monroe County, OH	10.5	3	Monroe County, OH	10.5
4	Meigs County, OH	10.4	4	Meigs County, OH	10.4
5	Scioto County, OH	10.3	5	Scioto County, OH	10.3
6	Jackson County, OH	9.5	6	Jackson County, OH	9.5
7	Jefferson County, OH	9.4	7	Jefferson County, OH	9.4
8	Vinton County, OH	9.3	8	Vinton County, OH	9.3
9	Huron County, OH	9.1	9	Clinton County, OH	9.0
10	Clinton County, OH	9.0	10	Highland County, OH	9.0
11	Highland County, OH	9.0	11	Morgan County, OH	9.0
12	Morgan County, OH	9.0	12	Brown County, OH	8.6
13	Brown County, OH	8.6	13	Gallia County, OH	8.6
14	Gallia County, OH	8.6	14	Noble County, OH	8.6
15	Noble County, OH	8.6	15	Coshocton County, OH	8.5
16	Ottawa County, OH	8.6	16	Perry County, OH	8.4
17	Coshocton County, OH	8.5	17	Ashtabula County, OH	8.3
18	Perry County, OH	8.4	18	Muskingum County, OH	8.1
19	Ashtabula County, OH	8.3	19	Trumbull County, OH	8.1
20	Muskingum County, OH	8.1	20	Athens County, OH	7.9
21	Trumbull County, OH	8.1	21	Guernsey County, OH	7.6
<i>Note: each county's unemployment is 20% over national average</i>			22	Lawrence County, OH	7.6
Cities Eligible for a Waiver			23	Mahoning County, OH	7.5
1	Cleveland city, OH	8.5	24	Ross County, OH	7.5
2	Dayton city, OH	8.4	25	Belmont County, OH	7.4
3	Lima city, OH	8.4	26	Columbiana County, OH	7.3
4	Lorain city, OH	9.2	27	Washington County, OH	7.3
5	Mansfield city, OH	8.2	28	Hocking County, OH	7.2
6	Maple Heights city, OH	8.9	29	Carroll County, OH	6.9
7	Middletown city, Butler County	8.1	30	Harrison County, OH	6.9
8	Toledo city, OH	8.2	31	Fayette County, OH	6.6
9	Trotwood city, OH	8.7	Total for Appalachian region		8.2
10	Zanesville city, OH	9.2	<i>Note: regional total unemployment 20% over national average</i>		
11	Youngstown	9.8	Grouping of Northern Counties		
12	Warren	9.6	32	Huron County, OH	9.1
<i>Note: each city's unemployment is 20% over national average</i>			33	Crawford County, OH	7.8
National average unemployment rate		6.8	34	Morrow County, OH	6.8
20 percent above national average		8.1	Total for north central region		8.1

Source: Policy Matters Ohio, based on Center on Budget and Policy Priorities analysis of Census data. Note that in earlier versions Youngstown and Warren were mistakenly omitted because they are located in counties that could also be eligible; that omission has been corrected here.

