

**OHIO DEPARTMENT OF JOB AND FAMILY SERVICES
BUREAU OF STATE HEARINGS**

ADMINISTRATIVE APPEAL SECTION

In Re Appeal of:

Docket Number:	AA-918	
Appeal No(s)	1328824	FS
AG No.	5005976393	
Hearing Request Date:	01/23/2007	
Hearing Decision Date:	02/22/2007 / PMM	
Appeal Request Date:	03/09/2007	
Agency:	STARK CDJFS	

Administrative Appeal Decision

Background

On March 9, 2007 Appellant requested the Administrative Appeal of her state hearing decision of February 22, 2007.

The state hearing officer held that Stark County Department of Job and Family Services correctly denied Appellant's foods stamps because Appellant wrote a statement saying that she was only applying for cash assistance and medical assistance, for her assistance group.

Analysis

The food stamps application process begins with a request for food assistance, involving the form "Request for Cash, Food Stamps, and Medical Assistance.¹ However, the request for food assistance may be voluntarily withdrawn at any time before eligibility is determined.² Here, Appellant requested food assistance for her assistance group. But she then withdrew it when she wrote on January 23, 2007: "... I am applying for cash and medical for me and my son only." Stark County Department of Job and Family Services therefore was correct in denying Appellant's food assistance application based on Appellant's own voluntary written withdrawal.

However, nothing prevents Appellant from re-applying for food assistance.

Decision

1 Ohio Admin. Code § 5101:4-2-01 (A) (2005).

2 Ohio Admin. Code § 5101: 4-2-01 (I) (2005).

Accordingly, we hereby ORDER that the state hearing decision overruling the appeal is AFFIRMED.

Administrative Appeal Officer

CONCUR:

Administrative Appeal Officer

Chief Administrative Hearing Officer

Date of Issuance: March 27, 2007

Notice to Appellant

This Administrative Appeal decision is the final decision on this appeal from the state department of job & family services. It is binding on the department and agency, unless it is reversed or modified on appeal to the court of common pleas.

An Appellant who disagrees with this decision may appeal it to the court of common pleas pursuant to sections 119.12 and 5101.35(E) of the Revised Code. The Appellant shall mail the original notice of appeal to the department at the following address:

**Ohio Department of Job & Family Services
Office of Legal Services
30 E. Broad Street, 31st Floor
Columbus, OH 43215-3414**

The Appellant must also file a copy of the notice of appeal with the court of common pleas in the county in which the Appellant resides (Franklin County, if the Appellant does not reside in Ohio). Please note: Both the mailing to the department and the filing with the court must occur within thirty (30) calendar days of the date of issuance of this decision.

If you have questions about appealing to a court, contact your attorney, local legal aid society, or bar association. If you want information about free legal services, you can call the Ohio State Legal Services Association, toll free, at 1-800-589-5888.

cc:

Director, STARK CDJFS
ROSEBS, MILLSP01, Bureau of State Hearings