

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

INFORMATIONAL LETTER

TRANSMITTAL: 99 INF-18

DIVISION: Temporary Assistance

TO: Commissioners of
 Social Services

DATE: October 19, 1999

SUBJECT: Non-recoverability of Child Support Pass-through
 Payments

SUGGESTED

DISTRIBUTION: Temporary Assistance Directors
 CAP Coordinators
 Child Support Enforcement Unit Coordinators
 Fraud Coordinators
 Staff Development Coordinators

CONTACT PERSON: Your Regional Team Representative at 1-800-343-8859:
 Region I - extension 3-0332; Region II - 4-9344;
 Region III - 4-9307; Region IV - 4-9300; Region V -
 3-1469; Region VI - (212) 383-1658

ATTACHMENTS: None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
99 ADM-5		347.13	111-c	<u>PASB</u>	
97 ADM-7		352.15	131-a (8)	VIII-T	
		352.31 (d)	158 (e)	IX-J	
				XVI-J	

The letter is released to remind local district staff that child support pass-through payments must not be included as Temporary Assistance (TA) payments in calculations of recoverable assistance.

Under current State law and Office regulations, the first \$50 per month of court-ordered current support which is collected on behalf of a TA household is disregarded as income and is paid to the household ("pass-through payment"). Because a pass-through payment is, by definition, a disbursement of child support paid by a child support obligor, the amount of the pass-through payment is not subject to further recovery from the TA household.

An example will help to illustrate this concept:

Mary Connors receives \$400 in Family Assistance (FA) for herself and her two children. Each month, the local district collects \$200 current support from the children's absent father. The district passes through the first \$50 per month of current support and applies the remaining \$150 toward reimbursement of the FA grant. In December, the district learns that Ms. Connors has been employed since October. Based on her earnings and child support, the district determines that the family has been ineligible for FA since October. The district computes the recoverable overpayment amount as follows:

\$400 / month FA (Not \$450!) X 3 months:	\$1200	FA granted
Less \$150 retained support X 3:	<u>- \$ 450</u>	reimbursed
	= \$ 750	Recoverable overpayment

If you have any questions about this release, please contact your Regional Team Representative.

Sincerely,

Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance