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Authorized Signature

Number: SS-PT-08-013

Issue Date: 3/25/2008

Topic:

- OAR 461-145-0080 (Child Support and Cash Medical Support) – Addition of language to this rule clarifying how to count child support and cash medical support received by clients in SFPSS (State Family Pre-SSI/SSDI Program) and by TANF clients for whom deprivation is based on the unemployment or underemployment of both parents (82's)
- How to count child support for SFPSS and TANF clients for whom deprivation is based on the unemployment or underemployment of both parents (82's) when the child support is received sporadically

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- All DHS employees
 County Mental Health Directors
 Area Agencies on Aging
 Health Services
 Children, Adults and Families
 Seniors and People with Disabilities
 County DD Program Managers
 Other (please specify):

Policy/Rule Title:	Child Support and Cash Medical Support		
Policy/Rule Number(s):	461-145-0080	Release No:	
Effective Date:	Temporary Rule effective 3/21/08	Expiration:	
References:			
Web Address:	http://dhsmanuals.hr.state.or.us/A/461-145-0080.htm		

Discussion/Interpretation: There has been confusion regarding how to handle child support received by clients who are in SFPSS (State Family Pre-SSI/SSDI Program) and TANF clients for whom deprivation is based on the unemployment or underemployment of both parents in the family (82s). Because such clients are in

state-funded tracks of TANF, child support is passed through to the client (rather than retained by the state as it is for TANF basic clients). Child support received by clients in SFPSS and TANF clients for whom deprivation is based on the unemployment or underemployment of both parents in the family (82s) is considered countable unearned income. OAR 461-145-0080 has been amended to reflect this. OAR 461-145-0080 has also been amended to reflect that cash medical support received by clients in SFPSS and TANF clients for whom deprivation is based on the unemployment or underemployment of both parents in the family (82s) is excluded in determining countable income.

When SFPSS clients and TANF clients for whom deprivation is based on the unemployment or underemployment of both parents in the family (82s) receive their child support sporadically, the support should be counted according to OAR 461-150-0080 (3). OAR 461-150-0080 (3) provides that if a financial group receives unearned income or earned income not based on an hourly wage, or it is not reasonable to predict the hourly wage or the number of hours the client will work, the client's prospective income is computed as follows.

- If the client's previous income is indicative of the income the financial group will receive during the redetermination period, the following provisions apply:
 - If the budgeting method is changing from retrospective to prospective, the financial group's income from each representative month is added and the sum is then divided by the number of representative months. The quotient is used as the income for each month of the redetermination period.
 - In all other cases, the financial group's income from the preceding two months is added to the income for the current month, including income already received and income expected to be received. The sum is divided by three. The quotient is used as the income for each month of the redetermination period.
- If the client's previous income is not indicative of the income the *financial group* will receive during the redetermination period, the client and Department jointly determine the anticipated income for the redetermination period.

Implementation/Transition Instructions: None

Training/Communication Plan: Provide information via this policy transmittal.

Local/Branch Action Required: Please review this policy transmittal with local staff.

Central Office Action Required: Amended OAR 461-145-0080 to clarify that, for clients in SFPSS and for those clients whose eligibility for TANF is based on the unemployment or underemployment of both parents in the family (82s), child support is considered countable unearned income.

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions:

If you have any questions about this policy, contact:

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