

## CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: May 31, 2012	NEED RESPONSE BY: June 15, 2012
2. REQUESTOR NAME: Joanne McBride	6. COUNTY/ORGANIZATION: Yuba County Health & Human Services	
3. PHONE NO.: (530) 749-6475	7. SUBJECT: Treatment of Child Support Exclusion	
4. REGULATION CITE(S): 63-502.2(p) and 63-503.442(b)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  ACL 06-31	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Scenario: Unearned income from household member \$600; Unearned income from Ineligible Noncitizen member \$300. There is also child support paid of \$100. There are three people in the household (One noncitizen and two eligible members).

Situation 1: The child support paid is considered "household" exclusion (regardless who actually paid the child support). For example, Eligible Member's income \$600 minus \$100 paid child support=\$500 Countable income from Eligible \$500 + Excluded Member total income \$200 (prorated 2/3 of \$300) = \$700 household total.

Situation 2: Per MPP 63-503.442 (b) Subtract exclusions from noncitizen's income then prorate (also, who actually paid the child support is not considered). For example, Eligible Member's income \$600; Excluded Member's income \$300 minus \$100 child support paid = \$200 then prorate 2/3 of \$200 = \$133. Then, add \$600 + \$133 = \$733 household total.

Question: Which income determination is correct?

10. REQUESTOR'S PROPOSED ANSWER:

Potential answer: The Child Support Exclusion was implemented in 2006; MPP 63-503.442(b) was not considered when this exclusion was implemented. The goal of the exclusion was to make more households eligible when the gross income test was done. Situation 1 should be the correct budget.

C-IV will be updating the system to change child support paid from a deduction to exclusion. How the budgeting is figured is needed to ensure that the system calculates correctly.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Based on the information provided above in Scenario 1, the state concurs with your treatment of court ordered child support as an income exclusion in this scenario. Section 63-502.2 9(p) of the Manual Policies Procedures states that "child support payments that a household member pays to or for an individual living outside of the household" will be considered as an income exclusion.

More information regarding the treatment of the child support exclusion can be found in All County Letter 11-05E.

### FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

