



Department of Human Resources
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FIA ACTION TRANSMITTAL

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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
PURCHASE OF CARE ADMINISTRATORS
FAMILY INVESTMENT SUPERVISORS/ELIGIBILITY STAFF**

**FROM: LINDA HEISNER, EXECUTIVE DIRECTOR, CCA
KEVIN MAHON, EXECUTIVE DIRECTOR, FIA**

**RE: PREEXISTING CHILD SUPPORT ARRANGEMENTS AND CHILD
SUPPORT PAYMENT DEDUCTIONS**

PROGRAMS AFFECTED: PURCHASE OF CARE

ORIGINATING OFFICE: OPD / CHILD CARE ADMINISTRATION

BACKGROUND: In October 1995 the pursuit of child support became a condition of eligibility for Purchase of Care (POC) applicants. Since that time several local departments have referred specific case situations to our attention regarding applicants receiving child support in a nonmonetary form as a part of informal arrangements or formal/legal arrangements (i.e., the absent parent pays the rent to the landlord in lieu of paying a monetary child support payment). Additionally, effective October 1, 1997, child support paid by a POC recipient, or other member of the POC household, for child(ren) residing outside of the home, will be deducted from the gross income in determining eligibility.

POLICY CLARIFICATION:

COMAR 07.04.06.04 states that " an applicant who has the care of a child eligible for child support services under COMAR 07.07.01.08C shall pursue the establishment and enforcement of support obligations on behalf of the child required by the local purchase of child care (POC.) case manager. If the applicant is pursuing or receiving regular child support payments for the child, the applicant shall furnish documentation verifying such action to the local POC case manger at the time for application for child care services." Therefore, for POC purposes, the pursuit of child support through any documented means meets the requirement.

An applicant must document to the POC case manager that they are either directly receiving regular child support payments or receiving child support services through a private attorney or through the child support enforcement (CSE) agency to be eligible for POC. The customer has the option of whether to use CSE or private resources.

1. When child support is paid in a non-monetary fashion, the case manger must determine the monetary value of the contribution. The case manager may request receipts, leases, bills, or direct contact with a source etc., in order to determine the monetary value of the contribution. Once the monetary value is determined, it is considered countable income for determining an applicant's eligibility.
2. When child support is received as a part of a pre-existing arrangement and is not through a court order, the custodial parent must document that child support is received. The POC case manager may not require an applicant to submit income verification from the absent parent, or to go to CSE when there is documentation that support is received. The customer may be required to submit a statement signed by the absent parent and the customer verifying the amount of child support paid and the frequency. The customer has the option of converting the agreement into a court order or not to do so.
3. When determining income for an applicant's eligibility for POC, child support payments made by a POC recipient or other member of the POC household, is to be deducted from individual's gross income before determining family income using Schedule A, Application Scale, in COMAR 07.04.06.12.

ACTION REQUIRED:

Local departments should not require POC applicants to apply to CSE in cases in which the customer has documented that child support payments or child support services through a private attorney are received. POC case managers will need to determine the need to refer customers to CSE on a case by case basis in instances in which there is legitimate reason to question if the child support is received.

Local departments should request documentation that a member of the POC household pays child support for a child outside of the POC household. The amount of child support paid is to be deducted from the gross income of the applicant or other member of the POC household who pays the child support.

EFFECTIVE DATE: Immediately

Questions may be directed to Pamela Evans at (410) 767-7845 of the Child Care Administration

cc: FIA Management Staff
Child Care Administration
Constituent Services