

C. DETERMINING ELIGIBILITY AND BENEFIT LEVEL

NOTE: See Section 2.17,D for the procedure used to determine an individual's portion of a cash assistance check when requested by SSA for an SSI recipient.

To determine eligibility for a DCA payment, see Chapter 1. Countable income is used to determine eligibility only. It is not used to determine the amount of the DCA payment.

NOTE: The income of the disqualified person(s) is included in determining the amount of income available to the AG. However, the needs of the disqualified person(s) are not considered in any step of the eligibility determination process.

NOTE: The earned income of a child or parent, under age 18, who is enrolled in secondary school or a program for a GED, is disregarded at all steps of the eligibility determination process.

1. Child Support Pass-Through

A payment of up to \$100 for families with 1 child or \$200 for families with more than 1 child of child support collected on behalf of a family receiving WV WORKS will be passed through to the family.

This payment is referred to as the child support pass-through. Pass-through payment amounts will depend on the amount of child support collected by BCSE, but must not exceed the \$100 or \$200 limits.

The amount of child support pass-through of up to \$100 or \$200 is excluded as unearned income for WV WORKS, WV WORKS solely state funded programs, DCA, and EAP. This payment is in addition to the CSI and will be issued in conjunction with the CSI. **Pass-through payments are coded as ADCS on IQAF in RAPIDS and must be coded as CSI income on AFUI.**

NOTE: The child for whom the support was paid must be a WV WORKS recipient for the collection month to receive the pass-through payment.

2. Child Support Incentive (CSI)

A \$25 benefit increase is provided to any WV WORKS AG when child support, in any amount, is collected for a child in the AG. This payment is in addition to the child support pass-through amount **and is coded as ADCI on IQAF in RAPIDS. This payment must be coded as CSI income on AFUI.**

NOTE: The CSI is applicable, even when the family is eligible for the maximum WV WORKS payment. When an applicant receives child support in the month of WV WORKS approval, either directly from the

absent parent, or from BSCE, no CSI is issued for the month of approval. For all other applicants and recipients, the CSI is effective the month following the month child support is redirected. If child support is not paid to BCSE for a given month, no CSI is issued for that given month in the following month.

EXAMPLE: Ms. Brown has 1 child and she receives WV WORKS cash assistance of \$ 301. Child support collected for this month is \$175. Because of the pass-through Ms. Brown will receive \$125 next month in addition to her normal WV WORKS benefits. The \$125, which is the sum of the pass-through and the CSI, will not be counted as income for her WV WORKS eligibility.

EXAMPLE: Ms. Smith has 2 children and she receives WV WORKS cash assistance in the amount of \$340. Child support collected for this month is \$195. Because of the pass-through Ms. Smith will receive the \$220 next month in addition to her normal WV WORKS benefits. The maximum amount of pass-through is \$200 for 2 or more children eligible for TANF. The \$220 will not be counted as income for her WV WORKS eligibility and is her \$195 pass-through and \$25 CSI payment.

To receive the CSI, the following conditions must be met.

- Child support is redirected to BCSE; and
- The redirected amount is current child support^{**}; and
- The OSCAR child support payment code on RAPIDS Screen IVFI is AC, GR or AR; and
- The child for whom the support was paid is a WV WORKS recipient for the collection month.

^{**}Current support is child support for a month that CSI is automatically issued.

RAPIDS processes BCSE collection information a month after the collection is received and CSI payments are automatically issued for the current month (the month of receipt by BCSE) and the 3 months immediately preceding the current month.

The monthly CSI benefit is deposited into the EBT account and available on the 20th of each month. A supplemental CSI payment is available the day after it is issued in RAPIDS. When the client chooses direct deposit for WV WORKS, the monthly CSI benefit is also received by direct deposit. The CSI is available on approximately the 20th calendar day of the month. The client receives a notice of the deposit and the month for which the CSI is being paid.

EXAMPLE: A redirected child support payment is received by BCSE in April, for the April child support obligation. The current month for RAPIDS' CSI purposes is April. A CSI is automatically issued for April child support during the month of May. If the payment received in April included payment for January, February and/or March, CSI payments are automatically issued for those months also.

All supplemental CSI payments require written approval from the **DFA Family Support Policy Unit**. The following information must be provided to the Help Desk in an e-mail message.

- Case number
- Case name
- The month in question
- A brief explanation of why the client should have received a CSI payment
- When N/A is displayed in the AP Seq Number on Screen IVFI which indicates a mismatched AP sequence number.

After approval is received from the DFA Family Support Policy Unit, RAPIDS staff will evaluate the reported problem and advise the local office of any required action. No approval will be granted unless this process is used. In addition, RAPIDS consults with BCSE State Office staff to correct AP sequence number mismatches. Supplemental CSI benefits are deposited in the EBT account.

EXCEPTION: The Worker may issue a supplemental CSI payment without prior approval only when the case number is written to MOBIUS Report WRBI271A, CSI Payments Not Issued Report. Auxiliary Reason Code 921 is used.

Adverse action notice requirements do not apply when a CSI will not be paid. However, they do apply when receipt of the CSI affects another benefit.

When a WV WORKS case is closed, and child support is received by BCSE in the effective month of closure, a CSI is issued in the month after closure for the child support received in the effective month of closure.

EXAMPLE: A WV WORKS AG is closed effective August for excessive earned income. The last month of receipt of a WV WORKS benefit is August, and child support is received by BCSE in August. A \$25 CSI is issued in September for August.

When received ineligibly, the CSI is subject to repayment. See Section 20.3. Received ineligibly includes, but is not limited to, BCSE crediting a payment to the wrong case, or the client failed to report income and received a WV WORKS benefit ineligibly.

3. Child Support Excess Payment (MR)

When the absent parent has no remaining state debt from previous TANF receipt and makes a payment to BCSE that is in excess of the current WV WORKS payment, any amount which exceeds the benefit is distributed to the custodial parent by BCSE. This payment is coded as MR on screen IVFI in RAPIDS. The Worker receives an alert that a payment has been sent to client. The Worker must code the excess payment as unearned income, then determine if the new countable income exceeds the WV WORKS benefit amount per Section 10.24,C,5. **The child support excess refund must be coded to the children for whom it is intended as CSEO income on AFUI. If there is more than 1 child, the amount should be evenly divided among the children.** When the countable income exceeds the WV WORKS benefit amount, then the Worker must close the WV WORKS benefit.

NOTE: The child support excess payment does not have to be reasonably anticipated to continue in order to be considered as unearned income.

EXAMPLE: Ms. Jones's TANF AG consists of herself and her 2 children. Her Worker receives an alert that a child support excess refund payment has been sent. Her Worker checks IVFI in RAPIDS and the MR amount is listed as \$20 for the month. She has no other income. The \$20 does not exceed the WV WORKS benefit amount of \$340, so the Worker adds the \$20 as unearned income. Following adverse action deadlines, the WV WORKS and SNAP benefits will reduce.

EXAMPLE: Ms. Smith's TANF AG consists of herself and her son. Her Worker receives an alert that a child support excess refund payment has been sent. Her Worker checks IVFI in RAPIDS and the MR amount is listed as \$305 for the month. She has no other income. The \$305 exceeds the WV WORKS benefit amount of \$301, so the Worker closes the WV WORKS AG and reduces the SNAP benefits following adverse action guidelines. The following month, her entire child support payment would be redirected to her.

4. Determining Eligibility - 100% Of Need Test

The AG is ineligible in any month that its non-excluded monthly gross income exceeds 100% of the Standard of Need. The test is applied as follows:

Step 1: Add together the total non-excluded gross earned income, the gross profit from self-employment and the non-excluded gross unearned income of the AG and any disqualified person(s).

NOTE: The pass-through amount is not deducted at this point of the calculation.

Step 2: Determine the 100% of Need amount in Appendix A of this Chapter for the appropriate AG size, excluding the disqualified person(s).

Step 3: If the amount in Step 1 is greater than the amount in Step 2, the AG is ineligible.

Step 4: If the amount in Step 1 is equal to or less than the amount in Step 2, the AG is eligible for further determinations.

5. Determining Countable Income

Once the 100% of Need test is met, the following steps are taken.

- Step 1: Add together the non-excluded gross earned income of the AG and any disqualified person(s).
- Step 2: Subtract the Earned Income Disregard, i.e., 40% of earnings.
- Step 3: Subtract the Dependent Care Deduction for each person who pays dependent care.

This resulting amount is the Total Countable Earned Income.

- Step 4: Total all child support **received by the AG**.
- Step 5: Subtract the child support pass-through amount from Step 4, up to \$100 or \$200 for children eligible for TANF.
- Step 6: Add all other non-excluded unearned income of the AG and any disqualified person(s). The resulting amount is the countable unearned income.
- Step 7: Add together the total countable earned income and unearned income. The resulting amount is the total monthly countable income.
- Step 8: Determine the maximum WV WORKS benefit amount for the AG size, using Appendix A.
- Step 9: If the amount arrived at in Step 7 equals or exceeds the amount in Step 8, the AG is ineligible. If the amount arrived at in Step 7 is less than the amount in Step 8, the AG is income eligible and the amount from Step 7 is subtracted from the amount in Step 8.
- Step 10: If a sanction is applicable, multiply the Step 9 amount by .3333 (1/3) or .6666 (2/3) and drop any cents, or use Appendix F. Subtract this amount from the Step 9 amount.
- Step 11: Subtract any repayment amount from the amount remaining. The result is the WV WORKS benefit amount.

D. SPECIAL SITUATIONS

1. Categorical Eligibility

SNAP Categorical Eligibility has no bearing on the WV WORKS check or how the check is issued.

2. Expedited Service

The SNAP requirement of Expedited Service has no bearing on the WV WORKS check or how the check is issued.

3. Destitute AG's

The SNAP requirement of Destitute AG's has no bearing on the WV WORKS check or how the check is issued.