NOTE: For these purposes, a new source of earned income means income from a different employer. Income that normally fluctuates does not require use of future income. Future income is used for old sources only when the hourly, weekly, monthly, etc. rate of pay changes or the number of hours worked during a pay period increases or decreases permanently.

EXAMPLE: The T family members have the following income: Mr. T has earnings that fluctuate greatly from week to week. He expects no change in his earnings. Mrs. T was earning a substantial monthly salary, but was laid off last week. She will begin work next week at a job that pays $**7.25**/hr. She does not know how many hours she will work, but her employer has told her she will work a minimum of 20 hrs/wk. Mr. T's income is anticipated by using his past income as an indication of what he can expect to receive in the certification period. Mrs. T's income from an old source cannot be used because it will not be received in the upcoming certification period. Instead, the Worker must anticipate what her future earnings will be based on the best information available at the time. Mr. T's source of income meets the requirements for using past income to anticipate the future income, but Mrs. T's source is new and must be projected.

2. Consideration Of Past Income

It is necessary to consider information about the client's income sources before the Worker can decide which income to use. The Worker must follow the steps below for each old income source.

NOTE: For the use of year-to-date amounts on pay stubs. See Section 4.2,B.

Step 1:   Determine the amount of income received by all persons in the Income Group in the 30 calendar days prior to the application/redetermination date **or interview date when the interview is completed on a different day.**

The appropriate time period is determined by counting back 30 days beginning with the calendar day prior to the date of application/redetermination **or the interview date.** The income from this 30-day period is the minimum amount of income which must be considered. When, in the Worker's judgment, future income may be more reasonably anticipated by considering the income from a longer period of time, the Worker considers income for the time period he determines to be reasonable. Whether the Worker considers income from the prior 30 days, or from a longer period of time, all of the income received from that source during that time period must be considered. All pay periods

during the appropriate time period must be considered and must be consecutive.

When the client applies or is redetermined on the day income has or will be received, income received on that date is also considered along with the income from at least the prior 30 days from the same source.

When the client applies on one day, but the application/redetermination interview is conducted later, the income from at least the 30 days prior to the date of application**/redetermination or interview date** from the same source **is required.**

If the client provides sufficient documentation on the date of application/redetermination or interview date, the income received on that date is not required.

<u>**EXAMPLE:**</u> Application/interview date = June 1st
Paid weekly on Fridays
Last pay = May 28th
Pays in last 30 days =   May 28th
                                              May 21st
                                              May 14th
                                              May 7th

<u>**EXAMPLE:**</u> Application/interview date = December 6th **
Paid weekly on Mondays
Last pay = December 6th **
Pays in last 30 days =   November 29th
                                              November 22nd
                                              November 15th
                                              November 8th

** Because he **provided sufficient documentation**, the December 6th pay **is not required**.

<u>**EXAMPLE:**</u> Application date =   October 8th
Interview date =   October 20th
Paid weekly on Fridays
Last pay at application =   October 8th
Last pay at interview =   October 15th

Pays in last 30 days (prior to application) = October 1st
                                                                  September 24th
                                                                  September 17th
                                                                  September 10th

Or

Pays in last 30 days (prior to interview)= October 15th
October 8th
October 1st
September 24th

Step 2:   Determine if the income from the previous 30 days is reasonably expected to continue into the new certification period.

If it is not expected to continue, the income from this source is no longer considered for use in the new certification period.

If it is expected to continue, determine if the amount is reasonably expected to be more or less the same. If so, the income source is used for the new certification period and treated according to item 4 below. If it is not expected to continue at more or less the same amount, the income source is used for the new certification period and treated according to item 3 below.

Step 3:   Record the results of Step 2, including the amount of income, why the source is or is not being considered for the new certification period, the client's statement about continuation of the income from this source, the time period used, and, if more than the previous 30 days, the reason additional income was considered.

Once the Worker has determined all of the old sources of income to consider and the time period for which they are considered, he must then determine if any source should be considered for future income.

3. Consideration Of Future Income

When the client reasonably expects to receive income from a new source during the new certification period, or when the amount of income from an old source is expected to change, the Worker must consider the income which can be reasonably expected to be received.

NOTE: When the amount of income or the date of receipt cannot be reasonably anticipated, income from that source is not considered until the necessary information can be obtained. See Step 2 below.

Step 1:   Determine if the Income Group expects to receive income from a new source, or expects a different amount from an old source, in the new certification period.

If not, none of the following steps are necessary. However, the Worker must record the client's statement that he does not expected income from a new source.

Step 2:   Determine the amount of income the client can be reasonably expected to receive from the new source, or the new amount from the old source.

If the amount of income cannot be reasonably anticipated, none of the following steps are necessary and income from this source is not considered for the new certification period. The Worker must record the client's statement that he expects income from a new source or that the amount from an old source will change. In addition, the Worker must record why the amount of income cannot be reasonably anticipated and information about all the attempts made to determine the amount.

When it is possible to reasonably anticipate a range of income, the minimum amount that can be anticipated is used.

EXAMPLE: A client is scheduled to start work in February, the month following the month of application. He knows he will earn $**7.25**/hour, but is not sure how many hours he will work. The Worker verifies through the employer that he will work 30-40 hours/week. The Worker anticipates the income by using 30 hours, the minimum number of hours he is expected to work

Step 3:   Determine when the client can be reasonably expected to receive income from the new source or the changed amount from the old source.

If the date of receipt cannot be reasonably anticipated, income from this source is not considered. The Worker must record the client's statement that he expects income from a new source or a change in the amount from an old source. In addition, the Worker must record why the date of receipt cannot be anticipated and information about attempts made to determine the date of receipt.

Step 4:   When the amount and date of receipt can be anticipated, the Worker treats the income according to item 4 below.

The Worker must record how the amount and date of receipt were projected.

no repayment when the client receives higher benefits and no supplemental issuance when the client receives lower benefits. Should the client report fluctuations in the amount of income, the Worker is only required to recalculate the countable income when, in his judgment, the fluctuation will significantly impact the **benefit amount**. All changes reported by the client must be considered, but not necessarily used. Reported changes must be recorded and the Worker must record why the reported income was or was not used.

Conversion of income to a monthly amount is accomplished by multiplying an actual or average amount as follows:

- Weekly amount x 4.3
- Bi-weekly amount (every 2 weeks) x 2.15
- Semi-monthly (twice/month) x 2

Proration of income to determine a monthly amount is accomplished by dividing the amount received by the number of time periods it is intended to cover as follows:

- Bi-monthly amount (2 months) ÷ 2
- Quarterly amount (3 months) ÷ 3
- Semi-annual amount (twice/year) ÷ 6
- Annual amount ÷ 12
- 6-week amount ÷ 6 and converted to monthly amount by using x 4.3
- 8-week amount ÷ 8 and converted to monthly amount by using x 4.3

EXAMPLE: A woman begins working on the 2nd Monday of a month. She earns $200/wk and is paid every Friday. Her average weekly pay is $200. For the 1st month she has earnings, she expects to be paid 3 times. Her income for the month is $200 x 3 = $600. A change must be made for the anticipated income from the 2nd month of her employment.

EXAMPLE: Family of 4. The man works and earns a monthly salary of $300. His wife works part-time and is paid weekly. She earns $**7.25**/hr., but the number of hours she works fluctuates each week. His mother receives $150 every 3 months from the mineral rights to some property she owns out of state. His son just received a disability insurance check in the amount of $420 for the past 6 weeks. Income is determined as follows:

Monthly Pay, Amount Stable = $300 Salary = Monthly Amount

More Often, Amount Fluctuates = $**7.25**/hr. x Average No. Hours/week x 4.3 Monthly Amount

Less Often = $150 ÷ 3 Mos. = Monthly Amount

Less Often = $420 ÷ 6 Wks. x 4.3 Wks. = Monthly Amount

5. Exception: Use of Actual Income

There is one exception to the rules in items 1 - 4 above. It applies to both applicants and recipients and requires use of actual income instead of conversion or proration of it.

a.   Applicants

When an income source terminates in the month of application or in the 30 days prior to the date of application income from this source must not be converted to a monthly amount. Instead, the Worker must use the actual amount already received from the terminated source in the month of application plus the amount expected to be received from this source later in the month of application. This is the amount used as income for the month of application. Income from this source for the past 30 days or from the month of application must not be used to convert the terminated income to a monthly amount.

EXAMPLE: A client applies on September 10th. His job ended on August 31st.   He was paid on that date, but still has another pay due him on September 15th.   Because the income is from a terminated source, the income from this source cannot be converted. Instead, the amount already received in the month of application ($0) plus the amount expected to be received on September 15th are used to determine his eligibility and benefit level for the month of application.

b.   Recipients

When:

-       A client reports the beginning or ending of a source of income; and

-       The client is not expected to receive a full month's income, i.e., the appropriate number of payments within the month, income from this source must not be converted to a monthly amount.

RAPIDS may not have enough time to notify OSCAR that WV WORKS has been opened in this case before June 1. Because of this, the worker will anticipate that the child support will be forwarded to Ms. Williams for the month of June at the time of confirmation. The worker must set an alert on **the Expected Household Change screen** to check OSCAR on June 1st to see if the case type has changed to "A" in OSCAR. If the case type has changed to "A" in OSCAR, then the child support will be retained and the worker will need to issue an auxiliary for WV WORKS. Once the child support has been retained for a full month, then the pass through and CSI payments will be issued the following month. Subsequently, the worker should anticipate the pass through and CSI payment to continue for one month after WV WORKS closure.

The client is not considered out of compliance with the redirection requirement if he fails to redirect when:

- The child support payment is received during the effective month of approval of the application. The Worker considers the non redirected child support payment in excess of $100 or $200 depending on the number of children eligible for TANF as income only in the month of application**.**

- Any overpayment is recovered through the TANF repayment process**.** All child support must be redirected, unless only a DCA payment is received.

NUMBER OF CHILDREN	MAXIMUM PASS-THROUGH
1	$100
2 or more	$200

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 will not be issued until the month following the month that CSED retains the Child Support collected.

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 **the WV WORKS Issuance History screen** in RAPIDS and must be coded to the children for whom it is intended as CSI income on **the Unearned Income screen**. If there is more than 1 child, the amount should be evenly divided among the children.

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 **the WV WORKS Issuance History screen** in RAPIDS. This payment must be coded as CSI income on **the Unearned Income screen**.

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-though 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 **the IV-D Financial Information** screen 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 **the IV-D Financial Information screen** 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 **the IV-D Financial Information** screen 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, the 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 **the Unearned Income screen**. 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. No disregards or deductions are applied to this payment.

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 **the IV-D Financial Information screen** 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 **the IV-D Financial Information screen** 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.

If insufficient or conflicting evidence exists, the Worker must question the client about the possibility of unstated income and allow him the opportunity to explain how his expenses are met. If the client provides a satisfactory explanation, the Worker records the explanation.

If the client's explanation of how the expenses are met is inadequate, the Worker makes a recording of the explanation and then determines the amount of unstated income to count.   To determine the amount of unstated income to count, the Worker compares the usual amount of monthly living expenses with the client's reported income, taking into consideration any other reasonable explanations the client provides. The difference is unstated income and is counted as unearned income.

15.   Spenddown

The Medicaid spenddown provision does not apply.

16.   Unavailable Income

Income intended for the client, but received by another person with whom he does not live, when the individual receiving this income refuses to make it available, is excluded.

17.   Income Received For A Non-Income Group Member

Income received by a member of the Income Group, which is intended and used for the care and maintenance of an individual whose income is not used in determining eligibility or the benefit level of the payee's AG, is excluded.

18.   Income Received From Military Personnel Deployed to a Designated Combat Zone

There is no provision for excluding income received as a result of service in a designated combat zone.

19.   Income Received From The United States Census Bureau

Wages paid directly by the Census Bureau for 2010 Census-related activities are not counted. This must be coded "E" on **the Earned Income screen** and Census Bureau listed as the employer.

Wages paid by private employers who contract with the Census Bureau are counted. This income must be coded "R" on **the Earned Income screen** and the employer's name must be added. This assures that the income is counted correctly.