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MEMORANDUM

TO:	EES Program Administrators All Asst. Regional Directors	DATE:	04-16-10
FROM:	Bobbi Mariani, Director Economic and Employment Support	RE:	Implementation Instructions - KEESM Revision 43, effective May 01, 2010

This memo provides implementation instructions and information for the following May 1, 2010, policy changes in the Kansas Economic and Employment Support Manual (KEESM):

I. All Programs

Eligible Non-Citizens – See Summary of Changes, Item I, A, 1 and KEESM 2142.1 and 2142.3. This revision implements changes mandated by a law passed in December 2009. This law requires that Iraqi and Afghani special immigrants are eligible for benefits to the same extent and for the same time period as refugees. A new Appendix item A-13 is being included to provide easy access to the verification documents that will confirm their special status.

For implementation purposes, this change is effective for all applications and reviews processed on or after May 1, 2010. For ongoing households the change is also effective back to December 19, 2009 if a special immigrant household member lost eligibility for benefits and it becomes known to the agency that a redetermination of eligibility is needed based on the change in the law. If eligible, benefits would start with the benefit month of January, 2010.

II. Food Assistance and TAF Mandatory Verification –

See Summary of changes, Section III, A. 1 and KEESM 1322.1 1322.3, 9121.2 and 9122.6. This revision implements a change regarding the verification of dependent care expenses for TAF and food assistance, and the verification of shelter expenses for food assistance. Verification of these expenses is not mandatory. The customer's statement regarding these expenses shall be accepted and budgeted. The expense may be verified if deemed questionable. If questionable, the case file must be documented as to why the expense was questionable and verification requested. There are no

changes to the policies if verification of a questionable expense is not provided. For example, verification of a questionable \$500 rent expense is requested at the time of initial application. It is known that this property may be Section 8 housing, so verification is requested. Verification is not provided. The application will be processed without allowing any rent expense. If later provided, the expense is added to the case the month following the month the verification was provided. Please note that shelter expenses include rent, lot rent, mortgage, taxes, insurance, utility costs if using actual, and the like.

In addition for food assistance, a claim of separate household status shall be verified only if questionable. If not questionable, the statement of customer shall be accepted.

Along with these changes, the checking of BARI and BASI for all adult recipients is being mandated at the time of application, IR and review processing. These changes are effective with all applications, reviews and changes processed on or after May 1, 2010. This change is intended to speed up the processing of applications, reviews and IR's. The change will be carefully monitored to insure that we have the intended effect.

III. **Successful Families**

Successful Families Child Support and Alimony Income – See Summary of Change Item V, A, 1 and KEESM Section 7124.2. This section is being added to clarify when to count or exclude child support payments in the application processing month. Child Support arrearage payments are no longer assignable to the state on applications approved on or after October 1, 2009. In addition, if TAF is not open as of the date the current support is due for the month, and current support due is paid at any time during the month after TAF is approved, the current support is not assignable and the customer will receive it.

Example:

Customer is due child support, with a due date of the 1st of each month. On November 1, the customer is not a current TAF recipient, so the November support obligation is not assigned. On November 6, customer applies for, and is approved for TAF. A payment is made on November 25. Federal Distribution rules dictate current support is always paid first. Therefore, the current support for November, which was due on the first, is paid. Since the due date of the payment was November 1, and the customer was not open TAF on November 1, the current support for November is due to the customer. If the TAF case remains open, and a payment is received in December, that payment

would be retained as the case would have TAF on December 1, the due date of the current child support obligation for the month.

This policy has a direct effect on TAF policy and budgeting of child support in the month of application, or more specifically, the month of approval. At the time of the TAF opening any current child support (CCS on PACC) received in the month prior to TAF approval will be budgeted as income for that month. Anticipated child support payments that have not been received at the time of TAF approval will be exempt for TAF purposes and will be budgeted as CS EX on the KAECSES UNIN screen. If the anticipated child support will exceed the TAF budgetary guidelines, the TAF application will be denied. If the cases passes the gross income test, the TAF case will be approved, and the anticipated child support will not be counted against the TAF payment. If the customer eventually receives the child support for the initial month after the TAF has been approved, there will be no overpayment. Examples below summarize this policy:

Example 1:

TAF Example:

TAF application for a household of three received December 19th. All verification received in January and the EES case manager processes the application on January 10th. Current Child Support payment of \$200 received on December 15th is budgeted as the customer received this payment. No payment is showing for January (processing month), however, it appears \$200 child support payments are made consistently. Code the anticipated child support as CS EX on UNIN for January. Since the current support is less than the budgetary need, the TAF case is approved with no current support applied against the grant. If CSE determines the customer is due the \$200 child support for January, EES will not consider this an overpayment.

Food Assistance Not Entitled to Expedited and Processed at the Same Time as TAF Approval:

December: Average of September, October and November budgeted for December benefits. (\$200 coded CS RE)

January: Budget TAF benefit. No child support is budgeted as it will be assumed that it will be assigned. No overpayment for FA if child support is later received by the customer.

Food Assistance is Expedited and Approved Before TAF Approval:

December: The child support is averaged and budgeted for the application month. (\$200 coded CS RE.)

January: Average still budgeted for FA. TAF approved on January 10th. Change coding on UNIN to OF of \$200 to avoid adversely affecting the FA and add CS EX of \$200 for correct prospective budgeting of TAF. Changes made for February to budget TAF and remove child support since it will be assigned. No changes made for January FA budget.

Example 2:

TAF Example:

TAF application received for a household of four on October 12th. All verification received and the case is ready for processing on October 18th. Customer reports she receives child support of \$400 from a wage withholding each month. At the time of processing the worker notes current support is for \$300 monthly and the absent parent is also making payments towards the arrears each month. The previous three months payments are as follows:

7/2 \$100 CCS
7/9 \$100 CCS
7/16 \$100 CCS
7/23 \$100 ACS
7/30 \$100 ACS

8/6 \$100 CCS
8/13 \$100 CCS
8/20 \$100 CCS
8/27 \$100 ACS

9/3 \$100 CCS
9/10 \$100 CCS
9/17 \$100 CCS
9/24 \$100 ACS }

October payments, as of October 18th, are as follows:

10/1 \$100 CCS
10/8 \$100 CCS
10/15 \$100 CCS

Budgeting for October occurs as follows:

CS RE \$300
CS CO \$133.33 (average of last 3 months of arrears)

If the case passes the gross income test, authorize and roll into November. The customer will receive the next two arrearage payments (if paid) of \$100 on October 22nd and October 29th. These arrearage payments have already been considered in the October budget (by averaging the prior three months arrears payments) and will not be budgeted, nor are they considered an overpayment. November child support income will be budgeted as follows on UNIN: CS EX \$300, CS CO \$133.33.

Food Assistance – Not Entitled to Expedited and Processed at the Same Time as TAF:

October: \$300 actual received in October budgeted (CS RE) plus average of arrears of \$133.33 (CS CO). Average not used since CS will be assigned in the month of approval.

November: TAF budgeted, plus CS arrearage of \$133.33 (CS CO).

Food Assistance – Expedited and Processed in October Prior to TAF Approval:

October: Average of July, August and September (CS CO). Average includes arrearage.

November: Average would still be in place as TAF is being processed. When processing the TAF application remember to change the coding on UNIN from CS CO to OF to avoid adversely affecting the FA budget.

December: Case change made and CS average removed and TAF income and CS arrearage of \$133.33 (CS CO) used for FA budget (assuming benefits will increase as adverse action would be needed if benefits decreased).

Example 3:

TAF Example:

Same example as above, except the dates of the application and processing have been changed to the following: TAF application received 10/2, processed on 10/9. Payments in the example remain the same. For the month of October, budgeting on UNIN will be CS RE \$200; CS CO (arrears) will be \$133.33; CS EX will be \$100. Again, the

arrears payments have been considered in the average and are already budgeted. The customer will receive these and no overpayment for October will exist. The current support of \$100 is anticipated, and if the TAF case is approved, that \$100 may or may not be distributed to the customer. If it is forwarded to the customer, it will not be considered an overpayment for October. If CSE accepts assignment of the balance of the current support, the state will retain the support. EES staff does not need to determine the date payment is due in the month to determine if the support is a current or an arrears payment.

Food Assistance – Not Expedited and Approved at the Same Time as TAF Approved:

October: Actual support of \$200 budgeted for October (CS RE), plus arrear average of \$133.33 (CS CO), plus TAF amount approved for October.

November: CS removed from budget. TAF amount budgeted, plus arrear average of \$133.33 since arrearage payments are anticipated to continue and be received by the household.

Food Assistance – Expedited and Approved Prior to TAF Approval on 10/9:

October: Average of July, August and September CS. Average includes arrearages. Coded CS CO.

November: Since TAF approved on 10/9, budget changed for November. Count TAF grant for November, plus \$133.33 CS arrearage (CS CO) that is anticipated to be received by the household.

Example 4:

TAF Example:

TAF application received on January 4th for a household of two. Applicant has never received assistance prior to this request and court ordered child support payments of \$350 are made through the Kansas Payment Center. Client reports child support is sporadic, and she is never sure when she will receive a payment. She has received no payments at the time of the application on January 4th and none in December. Application processed on January 17th. A review of the Kansas Payment Center shows a current child support payment of \$200 made on January 12th, no payments in December, current support of \$200 on November 9th, and \$150 current on November

23rd, with a \$50 arrears payment on the 23rd. There was one payment of \$200 in October, applied to current support.

The budget for January on UNIN will be: CS RE \$200; CS CO \$16.66.

The budget for February on UNIN will be CS EX \$183.33 (average of prior 3 months of current support); CS CO \$16.66 (average of prior 3 months of arrears). If additional payments are received and forwarded to the TAF recipient in January, these payments will not be considered an overpayment.

Food Assistance - Not Expedited and Approved at the Same Time TAF Approved:

January: \$200 actual support (CS RE) received in January budgeted since TAF and FA approved at the same time and CS will now be assigned. Arrearage support of \$16.66 also budgeted (CS CO).

February: TAF benefit and \$16.66 CS arrearage (CS CO) budgeted.

Food Assistance – Expedited and Approved Prior to TAF Approval:

January: Average of October, November and December budgeted for January food assistance benefits. (CS CO). Average includes CS arrearages.

February: TAF benefit and \$16.66 arrearage that is anticipated to be received by the household (CS CO).

[KEESM Home](#) | [Table of Contents](#) | [Index](#) | [EES Home](#) |

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