

From the Hotline

If you have any questions on this column or other policy and procedural material, please have your Hotline designee call the **Policy Hotline at 617-348-8478**.

- Q.** If verified, are legally obligated child support payments made by my client deducted as an expense from his gross income when determining the SNAP benefit amount?
- A.** Yes. Once verified, any legally obligated child support payments made by your client are deducted as an expense from his gross income as long as the payment is for a child living outside of your client's household. Legally obligated child support payments may include arrearages, health insurance, or third party obligations to landlords or utility companies.

Refer to 106 CMR 364.400(E) for more policy information on this topic. For procedural information on how to enter child support payment amounts in BEACON, refer to *A User's Guide: Transitional Assistance Programs and BEACON*, Chapter XIV-G.

- Q.** Do the regulations concerning legally obligated child support payment expenses also apply to legally obligated alimony payments?
- A.** No. Alimony payments are not an allowable expense deduction when determining a client's SNAP benefit amount.

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- Q.** Are the alimony payments received by a SNAP household considered countable income?

- A.** Yes. According to 106 CMR 363.220(B), alimony payments received by a SNAP household are considered countable unearned income.

- Q.** How does my client's child support payment information get verified?

- A.** Your client's legal obligation to pay child support, the amount of the obligation and the actual amount of his payments each must be verified for SNAP. Examples of acceptable verifications are as follows:

- Your client's current obligation to pay child support and the legally obligated amount of the payments can be verified by a court or administrative order, or other legally enforceable agreement.
- Your client's actual payment(s) can be verified through DOR, or by canceled checks, wage withholding statements, verification of withholding from unemployment compensation or statements from the custodial parent regarding direct payments or third party payments.

- Q.** I have a copy of my client's wage stub. My client's employer has told me that he will garnish employee wages only after receiving court documents or other legally enforceable agreements that verify the obligation. Why do I still need to verify my client's obligation with court documents when the employer has already checked into this?

(Continued on page 7)

From the Hotline

(Continued from page 6)

- A.** Your client's pay statement may not provide you with all of the required information. In addition to any child support obligation, the amount withheld on a client's wage statement may also include alimony. In other words, the withheld amount may be a combination of these two legal obligations. While the client's wage stub may not differentiate between these two obligations, up-to-date court documents will distinguish between your client's child support and alimony requirements.
- Q.** Can court documents verifying my client's legal obligation also be used as proof of my client's actual monthly child support payments?
- A.** No. Court documents verifying your client's legal obligation cannot be used as proof of your client's actual monthly child support payments because while they demonstrate your client's legal requirement to pay, they do not indicate whether your client is actually fulfilling his legal requirement. Refer to 106 CMR 361.610(J) for more details.
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Field Operations Memos

Department Obligations under the Americans with Disabilities Act (ADA)

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Field Operations Memo 2009-7

The Department has certain obligations towards applicants and clients under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. Section 504 makes it illegal for public agencies receiving federal funds to discriminate against individuals with disabilities. Title II of the ADA prohibits discrimination on the basis of disability by state and government entities. The purpose of this memo reminds TAO staff about:

- current ADA policies;
- timelines for processing ADA accommodation requests; and
- TAO Accommodation Teams used for handling and reviewing ADA-related issues, including requests for ADA accommodations.