

From the Hotline

- Q** Some of the recipients in my caseload have started to get income tax refunds. How are these treated for each program?
- A** In both TAFDC and EAEDC, the tax refund is not counted as income, but is treated as a countable asset. Some tax refunds will also include an Earned Income Credit (EIC). The EIC is not countable as an asset or as income in either program in the month of receipt and the following month. The remaining portion of the earned income credit is a countable asset in the third month. (See 106 CMR 204.120 (I) of the *TAFDC Policy Manual* and 106.CMR 321.120 of the *EAEDC Policy Manual*.)
- In the Food Stamp Program a tax refund is considered a nonrecurring lump sum payment and is countable as an asset in the month received. If the refund includes an EIC portion, the EIC portion is noncountable in the month of receipt and the following month. Any federal, state or local EIC received by any household member shall be excluded for 12 months provided the household member was participating in the Food Stamp Program at the time of receiving the EIC and provided the household member participates continuously during that 12-month period. (See 106.CMR 363.130 (E) and 363.140 (H)(4)(d) of the *Food Stamp Policy Manual*.)
- Q** I have a person applying for EAEDC as a caretaker for an unrelated child. Does she need to provide a legal document showing custody or guardianship or is a notarized letter acceptable?
- A** It is important to remember that the applicant has six months from the date assistance begins before being required to provide verification of legal custody or guardianship or verification of good cause for not obtaining legal custody or guardianship. A notarized letter is not acceptable. (See 106 CMR 320.400(B) of the *EAEDC Policy Manual*.)
- Q** A recipient's case closed for failure to comply with requirements of the EDP without good cause. The recipient is now working and has come in to apply for child care only for her three children. Is she eligible to receive child care assistance?
- A** Yes, Transitional Child Care may be authorized within 12 months of TAFDC's closing if the recipient is employed, cooperates with CSEU and provides all information necessary to determine eligibility. (See 106 CMR 207.210(A)(3) of the *TAFDC Policy Manual*.)

FYI

DYS Match Liaison Change

Effective immediately, the new DYS Liaison for the Southeast Area Office is:

Jo Ann Tolido
Off Route 6A
Brewster, MA 02631

Phone: (508) 824-1484
ext. 7127

(The Southeast Area Office includes Norfolk, Bristol, Plymouth and Barnstable Counties.)

Please follow the current DYS Match Report procedures as this change requires no action from Transitional Assistance Office staff.

For detailed Department of Youth Services Match Report procedures, refer to Field Operations Memo 97-21 and *Systems User's Guide, Volume 6: Special Field Reports User's Guide, Chapter X: DYS Match Report*.

