



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
600 Washington Street • Boston MA 02111

William F. Weld
Governor
Argeo Paul Cellucci
Lieutenant Governor

Gerald Whitburn
Secretary
Joseph Gallant
Commissioner

Fax 96-53
Field Operations Memo 96-19
May 23, 1996

To: Local Office Staff
From: Joyce Sampson, Assistant Commissioner for Field Operations
Re: Child Support Sanctions IV

Introduction

This memo provides local offices with instructions for the following two *Doe v. Gallant* related activities:

- (1) An Exception Report Requiring Local Office Action
- (2) Reimbursing Training, Transportation and Child Care Benefits

An Exception Report Requiring Local Office Action

An exception report entitled *Child Support Sanction - Exception Listing* will be sent to local offices to be received on May 24, 1996. See Attachment A for a listing of offices that were included on the report.

The cases on this report are cases coded "S" in the Fortin TD Block 41. The "S" code was entered in Block 41 by local office workers in accordance with instructions given in Field Operations Memos 96-10 and 96-13. Local offices were informed in Field Operations Memo 96-17 that Central Office staff would provide the retroactive benefits to these cases.

Due to recent transactions taken by local office workers on these cases Central Office staff are unable to determine the individual's eligibility for a retroactive payment. These cases must be handled by local office staff.

By Wednesday, June 5, 1996 local office workers must:

- review each case on the report to determine retroactive benefits prior to March 19, 1996;
- calculate and issue the "Q" payment to cover the period from the day the sanction took effect to March 18, 1996 (the date the grantee was restored); and
- mail to the individual the letter explaining the "Q" payment (see Attachment B). Local offices will receive a copy of the letter in English and Spanish by May 24, 1996. Since the letter will not be issued through the regular distribution process, local offices are responsible for making copies.

Reimbursing Training, Transportation And Child Care Benefits

In accordance with Field Operations Memo 96-13 and Field Operations Memo 96-17 certain individuals who were sanctioned for not cooperating with the new child support rules are eligible for retroactive benefits. The notices informing individuals about the retroactive benefits also informed them about possible reimbursement for training, transportation and child care benefits that he or she paid for.

To receive a retroactive benefit for these expenses, the individual must:

- have been eligible for the benefit during the period he or she was sanctioned; and
- provide verification that he or she paid for the expense. Proof of payment for an expense should be a canceled check or receipt.

When an individual makes a request, the local office worker must review the request to determine if the individual would have been eligible for these benefits if he or she had not been sanctioned. Refer to the *ESP Reference Guide*, formerly known as the *MassJOBS Reference Guide*, Chapters 5, 6 and 7 for details regarding eligibility for these benefits.

If the individual would have been eligible, then the worker must:

- authorize a payment to that individual for the amount owed. This additional payment is generated using a PID with a code "Q" in Block 72. The dollar and cent amount of the payment is entered in Block 73 (amount cannot exceed \$1500) and the date of payment in Block 74. Three authorized signatures are required: the worker, the supervisor and the director or designee. Because Central Office will track these payments, *they must not be data entered until Wednesday June 12, 1996; and*
- mail to the individual the completed NFL-9 (rev. 7/92).

If the individual would not have been eligible or cannot provide proof of payment, then the request must be denied. Mail to the individual the completed NFL-9 indicating the denial reason and manual citation.

Additional Information

Retroactive benefit "Q" payments shall not be considered income or assets for a period of three months from the date of receipt for purposes of TAFDC and FS eligibility.

The Division of Hearings may be contacting local office directors to determine the current status of a case under a child support sanction appeal. The director or designee may be asked to provide information about the case in writing.

Workers should be familiar with *Doe v. Gallant* code "S" cases and should be prepared to respond promptly to an individual's request for:

- reimbursement of training, transportation and child care benefits; and/or
- an appeal form (DOH-10 rev. 5/95) in the event the individual wants to appeal the amount of the back benefits that he or she received.

For other *Doe v. Gallant* information and procedures see Fax 96-32 and Field Operations Memos 96-10, 96-13 and 96-17.

If you have policy questions, please have your Hotline designee call the Policy Hotline at (617) 348-8478. If you have systems questions, please call the Systems Customer Support Services at (617) 348-5290.

Local Offices Included On The *Child Support Sanction - Exception Listing*

20	Barnstable
44	Brockton
97	Fall River
99	Fitchburg
102	Framingham
131	Haverhill
140	Holyoke
152	Lawrence
163	Lowell
168	Malden
204	New Bedford
217	Northampton
227	Orleans
239	Pittsfield
242	Plymouth
247	Quincy
252	Revere
262	North Shore
278	Davis Sq.
282	Southbridge
285	Springfield/State
297	Taunton
312	Waltham
333	Westfield
343	Springfield/Liberty
352	Worcester
425	Newmarket Sq.
440	Bowdoin Park
470	Roslindale
490	Grove Hall



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96-19
Attachment B

Local Office Address

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Secretary
Joseph Gallant
Commissioner

Name

Address

City/Town

State

ZIP

Dear Recipient,

Your TAFDC grant was reduced because of new child support rules. Later, your case closed for another reason. Because of a recent lawsuit, the Department will provide retroactive TAFDC benefits for the time between when the sanction took effect and your case closed for another reason.

You will receive a check for the amount of your back benefits. If you have any questions about this amount, please call : 1-800-249-2007.

If you did not get training, transportation and/or child care benefits because of a child support sanction, and you paid for these items, you may be entitled to be reimbursed. Please contact your worker if you believe that you are entitled to reimbursement.

You should get about \$92 a month for each month you were sanctioned unless you had other income. If you disagree with the amount of back benefits that you receive, you have the right to appeal to the Department's Division of Hearings. An appeal form is available at any local DTA office or call 1-800-249-2007.

To ask about free legal services, please call your local legal services office.

Worker signature

Date



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Estimado beneficiario,

La cantidad de su subsidio del programa TAFDC se disminuye a consecuencia de nuevas normas de manutención de niños. Posteriormente, su caso se cerró por otro motivo. Debido a una acción judicial reciente, el Departamento proveerá beneficios retroactivos de TAFDC por el tiempo durante el cual entró en vigencia la sanción y su caso fue cerrado por otras circunstancias.

Usted recibirá un cheque por la cantidad de sus beneficios anteriores. Si tiene algunas preguntas sobre esta noticia, por favor llame al 1-800-249-2007.

Si no recibió beneficios de capacitación, transporte y/o guardería infantil debido a una sanción de manutención de niños, y pagó por dichas actividades, usted puede tener derecho a una devolución de dinero. Por favor póngase en contacto con su trabajador si considera tener derecho a una devolución.

Aproximadamente \$92 dólares es la cantidad que debe obtener por cada mes que estuvo sancionado salvo que haya tenido otros ingresos. Si no está de acuerdo con la cantidad de beneficios anteriores, usted tiene derecho a apelar con la División de Audiencias del Departamento. Un formulario para apelación es disponible en algún oficina local de DTA o llame 1-800-249-2007 para un formulario.

Para solicitar servicios legales gratis, por favor llame a su oficina local de servicios legales.

 La firma del tabajador

 Fecha