

Memo

Date: 2/7/2017

To: Task Force Members

From: Elizabeth Rusinak Mowers, Task Force Administrator

RE: Question from the January Task Force Meeting

At our last Task Force meeting in January, a member of the public asked a question that a Task Force member asked to be researched and answered. Below is a summary of the question and answer.

If you would like additional information on this issue, DHS staff are ready and able to meet with any Task Force members on an individual basis. Feel free to contact me at Elizabeth.Rusinakmowers@state.mn.us and I'd be happy to coordinate a meeting.

The following question was raised at the last Task Force meeting:

- When a parent receiving child support also receives public assistance, does the state recoup the full amount of public assistance through the collection of child support? And if not, under what authority does the state allow the child support collected to be passed on to the parent rather than kept back to recoup the public assistance expenses incurred by the state?

Under [federal law](#), families receiving public assistance, known as Temporary Assistance for Needy Families (TANF), must cooperate with child support establishment and enforcement efforts. In addition, TANF recipients must assign their rights to child support payments to the state. When a state collects child support on behalf of a TANF recipient, the state is permitted to keep the money to reimburse itself and the federal government for TANF assistance. States, however, have the option of allowing some of the child support payment to be passed through to the parent and child and disregarded when determining TANF assistance, meaning the amount would not be considered income for purposes of determining TANF eligibility. The maximum amount allowed to be passed through is \$100 for one child and \$200 for two or more children.

Minnesota has established this "pass through" option under [Minn. Stat. § 256.741](#) and [Minn. Stat. §256J.21](#).