

Lois A. Day, Administrator
Office of Safety & Permanency for Children

Authorized Signature

Number: CW-IM-11-004
Issue Date: 02-15-2011

Topic: Foster Care

Subject: Title IV-E Eligibility Update due to PL 111-312 Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Other (please specify): Child Welfare
Title IV-E Specialists and their
Supervisors |

Message:

PL 111-312, the Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010, was signed into law on December 17, 2010. In Section 6409, this law requires that tax refunds (state or federal) are disregarded in any eligibility determination for a program funded in part or in full by federal funds, beginning with refunds received after December 31, 2010, and ending with refunds received after December 31, 2012.

This new law impacts Title IV-E eligibility determinations by excluding state and federal tax refunds when determining whether a child/family meets the financial need requirement for Title IV-E eligibility.

In the Title IV-E policy, I-E.6.1, under OAR 413-100-0170, tax refunds are listed as a countable resource for Title IV-E eligibility determinations, and a checkbox to indicate that the family has received a tax refund is located on the CF0178 form which parent(s) complete to report their income and resources.

Title IV-E Specialists are hereby instructed to disregard any reported state or federal tax refunds received between 12-31-2010 and 12-31-2012 when calculating financial need for the Title IV-E foster care program. Title IV-E Specialists will review any children denied Title IV-E foster care eligibility between 1-1-2011 and 2-15-2011 to

determine whether the denial was based on a tax refund received after 12-31-2010.

Please contact your Title IV-E Lead Worker, Debbie Milligan or Jan Touran for assistance with this task.

Title IV-E Lead Worker Assignments:

Kathy Biggs – East, Midtown, Alberta, Rockwood, Gresham, New Market Theatre and Washington County Child Welfare Offices.

Sherry Taylor – Clatsop, Columbia, Tillamook, Lane, Coos, Curry, Hood River, Wasco, Gilliam, Sherman, Wheeler, Crook, Jefferson, Deschutes, Umatilla, Morrow, Baker, Union Wallowa, Grant, Harney or Malheur County Child Welfare Offices.

Inez Crumal - Clackamas, North Clackamas, Polk, Yamhill, Marion, Lincoln, Benton, Linn, Douglas, Jackson, Josephine, Klamath and Lake County Child Welfare Offices and Coquille and Klamath Tribes.

If you have any questions about this information, contact:

Contact(s):	Debbie Milligan		
Phone:	503-945-6654	Fax:	503-581-6198
E-mail:	Debbie.Milligan@state.or.us		