



Public Assistance

****Note:** A child support case is considered a “public assistance case” when the child subject to that order has received, or is currently receiving cash assistance or when the child and caretaker are receiving the medical card.

- If / when the Custodial Parent or Caretaker goes on cash public assistance or receives the medical card, he/she is required to establish an order for the benefit being received. This means that if the Custodial Parent is receiving cash public assistance, this agency is required to establish an order for child support. If the Custodial Parent / Caretaker and child are receiving the medical card, this agency is required to establish a medical support order. The Custodial Parent / Caretaker is required to cooperate in the establishment of these orders by appearing for appointments and hearings. Failure to cooperate with the CSEA could result in the loss of cash public assistance for the household or loss of medical card for the Custodial Parent / Caretaker.
- If / when the Obligee or Caretaker goes on cash public assistance, he/she assigns their rights to receive child support over to the State. This means that while the Obligee is receiving cash assistance, the child support checks for those months will go to the State, not to the Obligee. The Obligee cannot receive both cash public assistance and child support.
- Any current support not paid during the time the Obligee is on cash assistance accrues as arrears, and those arrears are due to the State for reimbursement of the cash assistance paid out.
- When the Obligee starts receiving cash public assistance, any arrearage that was previously due him/her is now conditionally assigned to the State, meaning the State will collect and keep all funds received against that arrearage while the Obligee is on cash assistance.
- Once the Obligee stops receiving cash assistance, the balance of those conditionally assigned arrears are now conditionally assigned to the Obligee and will be paid to him/her (unless paid by an IRS tax intercept - see below).
- When an IRS tax refund is intercepted, that money will first pay any balance due the State, even if the Obligee is not receiving a cash grant at that time. Arrears that are conditionally assigned to the Obligee that are paid by an IRS tax intercept will be sent to the State. (See Tax Refund Intercept information sheet).

