Department of Human Services

Division of Family Development

Advance Notice

Work First New Jersey/Child Support Program

Updates to the Child Support Pass-Through Amount

To Whom It May Concern:

The New Jersey Department of Human Services, Division of Family Development intends to amend N.J.A.C. 10:90, which governs Work First New Jersey (WFNJ), by updating the regulations to reflect the correct pass-through amount for WFNJ participants who have assigned their right to child support collected on their behalf to the State. The regulatory update will reflect current federal law (specifically the Deficit Reduction Act of 2005, 109 P.L. 171, codified at 42 USC § 657) and comport with state budgetary language of State Fiscal Year 2021-2022 which included the new pass-through amount. Additionally, an update is required at N.J.A.C. 10:110, which governs the Child Support Program to reflect the new pass-through amount.

The proposed amendments to N.J.A.C. 10:90-3.8 and N.J.A.C. 10:110-6 will conform state regulations to make the language consistent with current federal rules and regulations which allowed states to increase their pass-through amount. In New Jersey, the pass-through amount has increased from $100.00 to $200.00 for families with two or more children. Specifically, the amendments would codify that New Jersey allows for a greater child support pass-through amount as intended by state budgetary language which read, “an assistance unit with two or more children that is eligible for benefits under the Work First New Jersey program and in receipt of child support shall receive, in addition to its regular grant of cash assistance benefits, a monthly amount of child support based on the current child support received for the month and adjusted for the number of children in the assistance unit, in accordance with federal law.”

Operationally, the Division has been processing the higher pass-through amount since October 15, 2021 and seeks to update the regulatory language to reflect current Division policies and practices.

Interested parties may submit informal comments on this advance notice within thirty (30) days of its publication on the Department of Human Services’ website. Please submit your informal comments to:

Megan Mazzoni, Administrative Practice Officer

Division of Family Development

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Or via e-mail to: DFD-Regulations@dhs.nj.gov

You will also have a 60-day opportunity to submit formal comments on any actual proposed amendments subsequent to the publication of such proposal in the New Jersey Register. Such proposal will also be published on the Department of Human Services’ website.