

CHILD SUPPORT PASS-THROUGH

EARLY OUTCOMES IN MARYLAND

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Child support can provide a substantial boost to custodial families' incomes. Indeed, it can raise families above deep poverty, poverty, and low-income thresholds (Fox, 2020; Demyan & Passarella, 2019). Yet, this financial resource is not always available to families who receive cash assistance from the Temporary Assistance for Needy Families (TANF) program and who are, arguably, the most in need of all financial support available to them. The public child support program was founded on the premise that state and federal governments should be reimbursed for the cash assistance dollars expended on single-parent families. Hence, when families receive TANF, they must not only agree to cooperate with the public child support program in establishing a child support case and order; they must also assign to the state their rights to any support paid while they are receiving TANF. States then keep a portion of the payment and the remainder is shared with the federal government.¹

Recoupment has had limited success, however. With a declining TANF caseload, collections for recoupment have fallen over time. In Maryland, the amount recouped by the state for TANF benefits has declined by 20% in recent years along with a 31% decline in current TANF cases.² Recoupment is further limited in Maryland by the low rate of order establishment among TANF families: only about one third of Maryland TANF families have child support orders within one year of leaving TANF (Hall & Passarella, 2020). Lastly, child support owed to the state is less likely to be paid than support owed to custodial families (Passarella, 2020).

Although child support payments made while a family is receiving TANF are reserved for reimbursement of cash assistance benefits, states have the authority to pass through all or a portion of those payments to TANF families. Passing

KEY FINDINGS

- Pass-through may have had a small impact on the percentage of TANF families with current support orders, increasing from 49% to 52% between June and August 2019.
- Pass-through did have an immediate and significant increase in the percentage of TANF families who received child support payments, from 30% to 53% between June and August 2019.
- TANF families also received a larger portion of child support payments, from 55% of current support payments in June 2019, on average, to 87% in August 2019.
- However, the percentage of parents making current support payments on behalf of TANF families did not change after pass-through, nor did the percentage of support paid and percentage of families with open child support cases.

¹ The federal reimbursement is determined by each state's Federal Medical Assistance Percentage (FMAP); in Maryland, FMAP is 50% (Mitchell, 2020).

² Based on author's calculations of distributed TANF collections and current TANF cases in 2010 and 2018 (Office of Child Support Enforcement [OCSE], 2013, 2021).

through child support payments has been allowed in some form since the Aid to Families with Dependent Children (AFDC) program,³ but the Deficit Reduction Act (DRA) of 2005 made pass-through a more generous policy to states and families. Prior to DRA, states could pass through child support payments to families receiving TANF, but states were still required to pay the federal government its full share of the payment. Under DRA, states could pass through a partial payment—up to \$100 for one child and up to \$200 for two or more children. If states also disregard the passed-through amount for the TANF benefit calculation, then the federal government does not require its share of the dollars passed through to the families. In 2020, 26 states and the District of Columbia (D.C.) had a pass-through policy, including Maryland's recently implemented policy for the first time since welfare reform.

Some states may forego pass-through policies due to the reduction in state funds. States can reinvest these recouped funds back into the program and assist more families with paternity and order establishment, order enforcement, or provide employment services. Even with the loss to state funds, there are several rationales for a pass-through and disregard policy.

First, pass-through puts money in the hands of families who most need the additional income. Families receive the passed-through dollars on top of their full TANF benefit, with pass-through potentially

representing 5% of their annual income (Wheaton & Sorensen, 2007).⁴ The receipt of any child support payments can have a large impact on the lives of families, such as reducing poverty or increasing the chances for a permanent exit from TANF (Fox, 2020; Hall & Passarella, 2015). Additionally, child maltreatment is reduced when families receive a full pass-through payment (Cancian et al., 2013).

Second, pass-through and disregard policies encourage compliance with the child support program. That is, custodial parents may be more likely to cooperate with the process of establishing an order, and noncustodial parents may be more willing to pay their support obligations when they know their child receives the money. When parents are aware that child support will be distributed to families, research found that paternity establishments and payments to current support increased (Cancian et al., 2007; Lippold et al., 2010; Zolot et al., 2020). Additionally, parents were more likely to pay obligations at or below the pass-through threshold, understanding that the full payment would be provided to families (Lippold et al., 2010).

Knowledge of pass-through policies is key to encouraging compliance, however. In Wisconsin, surveys and interviews found that staff felt TANF recipients were aware of the policy, but in practice, these policies took time for TANF recipients to fully understand (Kaplan & Mayer, 2006; Nam et al., 2009). Importantly, TANF recipients who have accurate knowledge about pass-

³ Under AFDC, the predecessor to TANF, \$50 was required to be passed through to all families receiving cash assistance benefits, and states did not need to reimburse the federal portion of the amount (OCSE, 1992).

⁴ However, disregard does not apply to Supplemental Nutrition Assistance Program (SNAP) benefits, so

families may experience a decline in SNAP benefits as was found in Colorado's full pass-through policy (Zolot et al., 2020).

through and child support distribution policies receive about \$400 more per year than their counterparts who lack accurate knowledge (Meyer et al., 2007). Behavioral economics research has developed a road map on how to encourage the changes desired in public programs.⁵ At its very basic level, the research illuminates that people can be nudged to make decisions in their best interests. Nudges can be used in a range of situations from encouraging healthy eating decisions to increasing the amount individuals save (Thalin & Sunstein, 2009). There may be some lessons from this research in the child support context (Richburg-Hayes et al., 2017) to inform the success of pass-through policies.

Maryland began implementing a pass-through policy in July 2019. For families receiving TANF, they could receive up to \$100 for one child or up to \$200 for two or more children on the TANF case (Maryland Department of Human Services [DHS], 2019). When a current child support payment is made in one month, DHS passes through the funds to TANF families in the following month. TANF families receive all pass-through payments on their Electronic Benefits Transfer (EBT) cards which are used to distribute TANF benefits (DHS, 2019), making it difficult for families to distinguish TANF funds from child support pass-through payments. In the initial eight months of the program, \$2.3 million dollars were distributed to TANF families, and families with pass-through payments received just over \$500, on average (Smith & Hall, 2021). These

payments are disregarded for purposes of the TANF benefit, but if families receive pass-through payments for three consecutive months, then those dollars can be counted in the calculation for SNAP benefits (DHS, 2019).

This report focuses on Maryland's recent pass-through policy and explores its early outcomes. In particular, we examine any effects the child support pass-through policy had on the percentage of TANF cases with open child support cases, current support orders, and payments. Also, we determine the percentage of child support payments that were distributed to custodial families and the state. Analyses examine the first seven months of pass-through payments from August 2019 to February 2020. For comparison, we examine one full year of data prior to pass-through implementation.

While we find that more money went to TANF families immediately after the implementation of Maryland's pass-through policy, not all indicators of child support compliance improved during the initial months of implementation. The findings within this brief will guide policymakers and program managers with next steps to expand the impact of this policy. Increasing the number of financially vulnerable families who receive these additional pass-through funds will not only improve some aspects of compliance with the child support program, but it can be another tool in building families' independence from TANF benefits.

⁵ For example, see Thaler & Sunstein (2009) or Richburg-Hayes et al. (2017).

DATA AND SAMPLE

Data Sources

Findings are based on administrative data retrieved from the Child Support Enforcement System (CSES) and the Client Automated Resources and Eligibility System (CARES). CSES contains demographic data on individuals receiving services from the Maryland Child Support Administration as well as data on payment receipt and distribution. CARES is the statewide automated data system for safety net programs administered by DHS.

Sample

To capture outcomes both before and after pass-through implementation in July 2019, this study examines the period between July 2018 and February 2020.⁶ The population of families receiving TANF benefits during this period was selected as they are the focal group for analysis. For comparison, a sample of never-TANF child support cases was included.

TANF Cases

The study includes families who received TANF for at least one month in Maryland during the study period. Those who did not have at least one child recipient on the TANF case were excluded as they were not eligible for pass-through. The final population includes 30,650 TANF families.

Families are included in analyses every month in which they have an open child support case, regardless of whether they were a TANF recipient in the month. The reason for this inclusion is to provide the baseline of TANF payments before pass-

through and to gauge any changes among both current and former TANF cases. While this means that some families did not receive TANF during implementation, the majority (73%) of TANF families with an open child support case did receive cash assistance during the first eight months.

Never-TANF Cases

A total of 80,844 unique child support cases were identified as never-TANF, indicating that these custodial families had not received TANF benefits before or during the study period. Due to the larger caseload size, a stratified, random sample of these never-TANF cases was selected to yield a 95% confidence level with a 3% margin of error. The final sample includes 14,619 never-TANF cases. Due to the diversity and varying sizes of Maryland jurisdictions, we stratified this sample by over-sampling smaller jurisdictions and under-sampling larger jurisdictions. While this over- and under-sampling provides valid estimates at the jurisdiction level, weights are used in statewide estimates so that each jurisdiction represents its actual statewide percentage of never-TANF cases.

Data Adjustments

We adjusted distribution data obtained from CSES. In CSES, all child support payments made on behalf of cases currently receiving TANF are distributed to state accounts. From those accounts, DHS distributes pass-through to eligible TANF families in the CARES system. Hence, in CSES, it appears that all payments are distributed to the state, but in CARES, we see pass-through

⁶ We exclude cases after February 2020 to avoid capturing any effects of the COVID-19 pandemic.

payments made to families. For distribution data to reflect pass-through payments, we adjusted distribution amounts to custodian and state accounts based on the amount passed through to families. Payments are passed through in the month after they are made, so we adjusted the custodian and state accounts in the month prior to the pass-through payment. For example, if a family received \$100 in August 2019 as a pass-through payment, then we added \$100 to the custodian account in July 2019 and subtracted \$100 from the state accounts. This way we can accurately display funds received by custodians and the state.

Data Analysis

We utilize descriptive and inferential statistics to describe the changes that occur after pass-through implementation. Families are included in each analysis only in months in which they have open child support cases. When examining payments and distributions, families are further limited each month by whether they have current support orders. The Pearson's chi-square statistic found all differences between TANF and never-TANF cases were statistically significant.

To further estimate the effect of Maryland's child support pass-through policy, we employ a quasi-experimental method—interrupted time series analysis (ITSA). ITSA can be used to evaluate interventions at the population-level over a clearly defined period of time. This design uses both pre- and post-intervention observations as well as a clear treatment start date, that is, the July 2019 implementation of pass-through.

⁷ Victims of family violence as well as two-parent families do not need to cooperate with child support. Otherwise, families face a full-family sanction for

FINDINGS

Analyses in this brief examine several child support indicators for both TANF and non-TANF cases: (1) open child support cases, (2) established orders for current support, (3) current support payments, and (4) the percentage of payments distributed to custodian-owed and state-owed support. Analyses examine the year prior to pass-through implementation (July 2018 to June 2019) as well as the first seven months after pass-through implementation (August 2019 to February 2020). Changes are explored in two periods: (1) immediate changes occurring between June 2019, the month before implementation, and August 2019, the month after implementation; and (2) lagged changes occurring between June 2019 and February 2020, seven months after the July 2019 implementation.

Any changes among TANF cases between the two time periods are then compared to non-TANF cases. *Differences occurring for both TANF and non-TANF cases are unlikely to be related to pass-through; however, differences that occur only among TANF cases are likely to be related to its implementation.* We also employ a quasi-experimental method—interrupted time series analysis—to confirm whether pass-through implementation effected the changes we find.

Open Child Support Cases

TANF families are required to cooperate with the child support program,⁷ and while cooperation is necessary for recoupment of funds expended on TANF families, families can also benefit. That is, most families who

noncooperation. In July 2020, though, the full-family sanction began to be phased out.

obtain support orders receive payments of nearly \$2,000 in the year after they exit the TANF program (Hall & Passarella, 2020), and those payments can help lift former TANF families out of poverty (Demyan & Passarella, 2019). The first step of cooperation is opening a child support case that allows the child support program to locate the other parent, establish paternity, create a support order, and enforce that order. Given this requirement, we find that three out of four TANF families have an open child support case during the first year after they exit TANF (Hall & Passarella, 2020). Figure 1 examines whether there was any change in the percentage of TANF and never-TANF families who opened child support cases after pass-through implementation in July 2019.

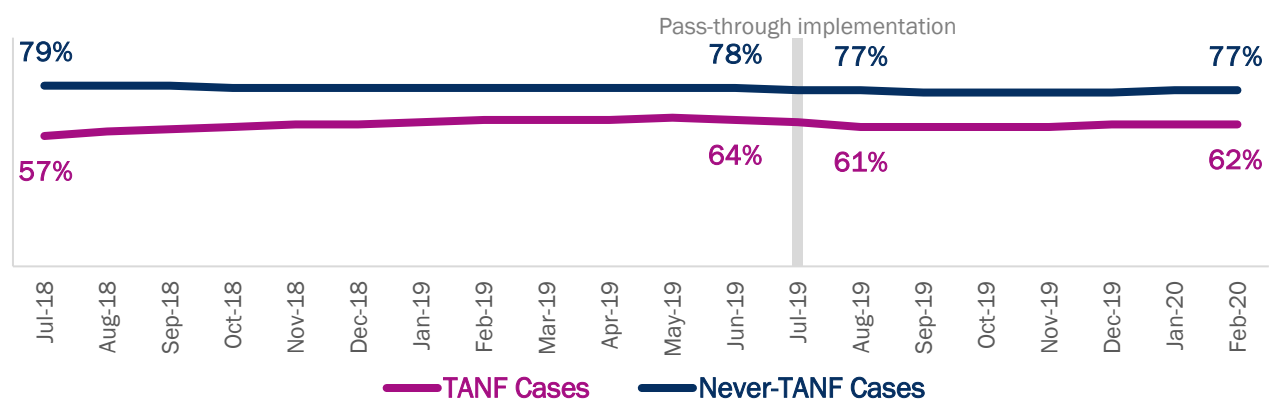
Pass-through implementation did not affect the percentage of TANF families with open child support cases. Prior to pass-through, there was a steady increase in the percentage of TANF families with open child support cases from 57% to 64%. Contrary

to this growth, there was a three percentage point decline between the month before pass-through implementation (June 2019) and the month after implementation (August 2019). For the seven months after pass-through, the percentage of TANF families with an open child support case remained stable around 61% to 62%.

A similar pattern was found among the never-TANF families. Throughout the year before implementation, the percentage of never-TANF families with open child support cases was stable, between 78% and 79%. These cases also had an immediate, but smaller decline in open child support cases.

The interrupted time series confirms that the declines in open child support cases are significant. Yet, there is no rationale as to why pass-through would cause this drop. It is likely that there is some cause other than the implementation of pass-through for these immediate, albeit small, declines in open cases.

Figure 1. Percent with Open Child Support Cases



	IMMEDIATE CHANGE <i>1 month after pass-through Jun-19 to Aug-19</i>	LAGGED CHANGE <i>8 months after pass-through Jun-19 to Feb-20</i>
Never-TANF	-1 percentage point	-1 percentage point
TANF	-3 percentage points	-2 percentage points

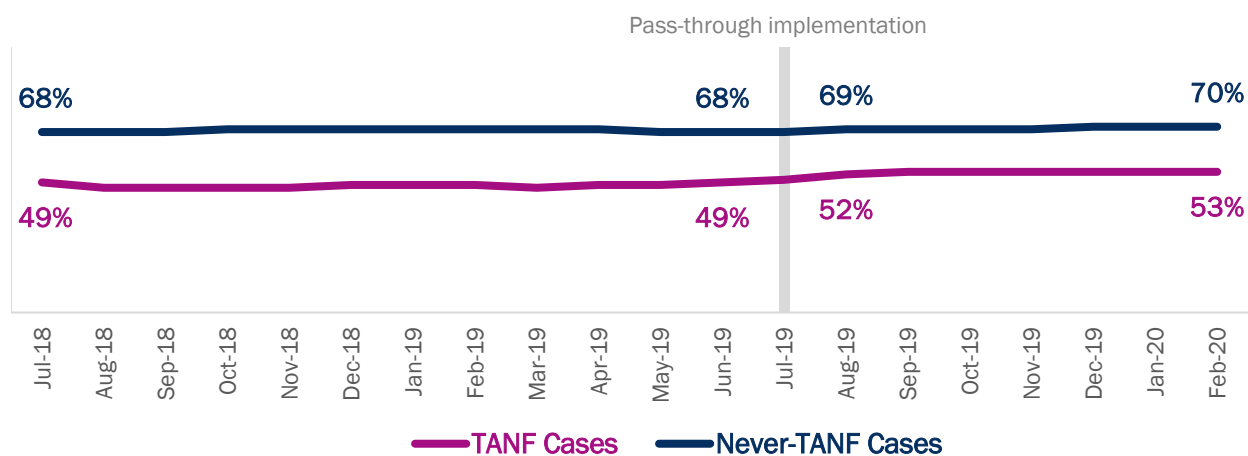
Current Support Orders

Once families have an established order for current child support, they can begin to receive payments that are collected through the public program. Without this order, the child support program has no legal authority to enforce payments and families may go without needed support. Alternatively, some parents may choose to maintain informal arrangements that cannot be collected by the public program (Kane et al., 2015; Nepomnyaschy & Garfinkel, 2010). Establishing current support orders is an initial indicator of success as most families who have an order receive payments. For previous TANF families, these child support payments can represent a 20% to 30% boost in their incomes (McColl & Passarella, 2019; Solomon-Fears & Falk, 2007). Figure 2 examines the percentage of TANF and never-TANF families with established

support orders between July 2018 and February 2020.

Pass-through implementation may have caused an immediate increase in the percentage of TANF families with established current support orders. Between July 2018 and June 2019, the percentage of TANF families with current support orders remained between 47% and 49%. Immediately after the implementation of pass-through, there was a three percentage point increase to 52%. The lagged effect—from June 2019 to February 2020—showed that this increase remained fairly stable with a four percentage point increase overall, from 49% to 53%. The interrupted time series indicates a significant effect on the percentage of TANF cases that had support orders established due to the implementation of pass-through.

Figure 2. Percent with Current Support Orders



	IMMEDIATE CHANGE	LAGGED CHANGE
	1 month after pass-through <i>Jun-19 to Aug-19</i>	8 months after pass-through <i>Jun-19 to Feb-20</i>
Never-TANF	1 percentage point	2 percentage points
TANF	3 percentage points	4 percentage points

Also shown in Figure 2, there was a significant and immediate increase in the percentage of TANF families with support orders compared to never-TANF families. In the year prior to implementation, the percentage of never-TANF families with a support order hovered around 68% to 69%. After implementation, there was an immediate one percentage point increase and a lagged increase of two percentage points. While there was a similar, albeit smaller, increase in the percentage of never-TANF families with support orders after pass-through implementation, the interrupted time series did not find the immediate or lagged increases to be significant.

Current Support Payments

The final indicator of success is when families receive current support payments. Prior to pass-through implementation, current support payments would first be used to satisfy any current and past-due balances owed to the state before TANF families could receive any portion of payments. With pass-through, however, families see the first \$100 for one child or \$200 for two or more children.

Figure 3 provides two different perspectives of current support payments. First, it shows the percentage of TANF and never-TANF cases with any payments to determine whether parents were more likely to make payments after pass-through. Research indicates that once parents understand that payments will go to their children under pass-through initiatives, they are more likely

to make payments (Cancian et al., 2007; Lippold et al., 2010; Zolot et al., 2020). Second, it examines to whom the payments were distributed—to custodial families⁸ and/or to the state. Given the mechanism of pass-through, we expect to see an increase in distributions to custodial families.

Cases with Payments

Ideally, once parents are aware of pass-through and its benefits, the likelihood that they pay their current support obligations would increase. However, pass-through implementation in Maryland did not affect the percentage of cases with payments, and this finding is confirmed by the interrupted time series analysis. In the year before implementation, the percentage of TANF cases with current support payments ranged from 50% to 54%, as shown by the solid pink/purple line. After implementation, the percentage hovered between 53% and 54%; this resulted in a two percentage point increase in both the immediate two-month and lagged seven-month periods.

Never-TANF cases saw a similarly small increase immediately after pass-through implementation, again suggesting that pass-through did not have an effect on payments. In the year prior to implementation, the percentage of never-TANF cases with payments ranged from 74% to 79%, as shown by the solid blue line. There was a similar range after implementation, from 75% to 78%. The immediate two-month increase was two percentage points, but by February 2020, the change was only one percentage point higher from the June 2019 percentage.

⁸ While receiving TANF, current support payments are recouped to cover the costs of TANF benefits. Any payments above that cost can be distributed to families while receiving TANF; these payments can result in TANF case closure. Also, the TANF

population in this report is composed of current and former TANF families, so that payments received by TANF custodial families can occur in months in which families did not receive TANF benefits.

Payments to Custodian-owed and State-owed Balances

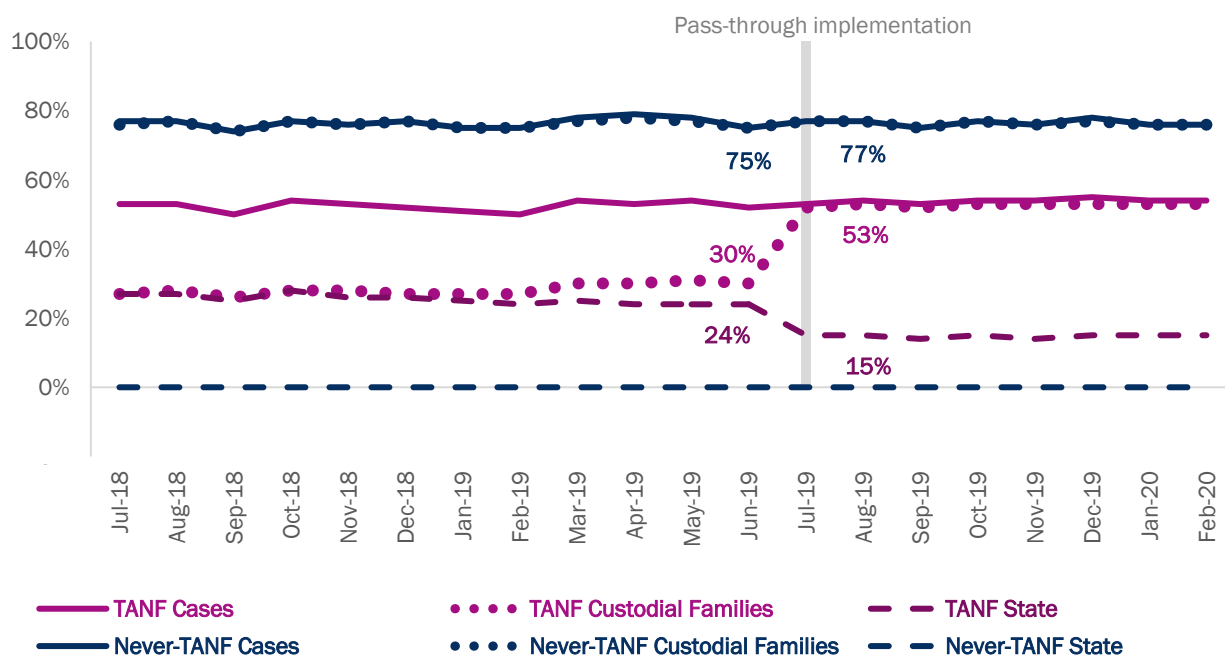
While parents were not more likely to pay current support obligations after pass-through implementation, custodial families were more likely to receive the payments that were made by parents. In the year before pass-through, the percentage of TANF cases with payments distributed to custodial families hovered around 30%, but immediately after implementation, there was a 13 percentage point increase to 53%, as shown by the dotted pink line. This level remained stable throughout the remaining months. The interrupted time series confirms that pass-through led to a significant, immediate increase in payments distributed to custodial families. Moreover, the percentage of payments distributed to custodial families mirrors that of TANF cases with any payments, shown by the solid and dotted pink lines. This suggests that nearly all TANF cases receiving

payments had all or a portion of those payments go directly to custodial families.

Conversely, TANF cases with payments distributed to the state declined after pass-through. Prior to implementation, 24% to 28% of payments went to the state; this declined by nine percentage points immediately after pass-through, as shown by the dashed pink line. The percentage of TANF cases with payments distributed to the state remained around 15% throughout the follow-up period.

No changes occurred among never-TANF cases because these cases did not have any payments distributed to the state. As a never-TANF case there is no need for reimbursement of public benefits, so all payments are distributed to custodial families. This is displayed by the overlap between cases with payments and payments to custodial families, as shown by the solid and dotted blue lines.

Figure 3. Percent with Current Support Payments
Among cases with current support orders



		IMMEDIATE CHANGE <i>1 month after pass-through Jun-19 to Aug-19</i>	LAGGED CHANGE <i>8 months after pass-through Jun-19 to Feb-20</i>
Cases with Payments	Never-TANF	2 percentage points	1 percentage point
	TANF	2 percentage points	2 percentage points
Payments to Custodial Families	Never-TANF	2 percentage points	1 percentage point
	TANF	13 percentage points	13 percentage points
Payments to State	Never-TANF	-	-
	TANF	-9 percentage points	-9 percentage points

Although the percentage of TANF cases with payments did not increase, it is possible that the parents paying support may be more likely to pay higher percentages of support if they understand the money will go to their children. For instance, research has shown that current support obligations that are less than or equal to the amount of the pass-through thresholds are more likely to be fully paid since those dollars will go entirely to the family (Lippold et al., 2010). Figure 4 examines the percentage of current support obligations paid among TANF and never-TANF cases that received payments.

Pass-through implementation did not have any effect on the percent of current support obligations that were paid. Between 77% and 79% of current support obligations were

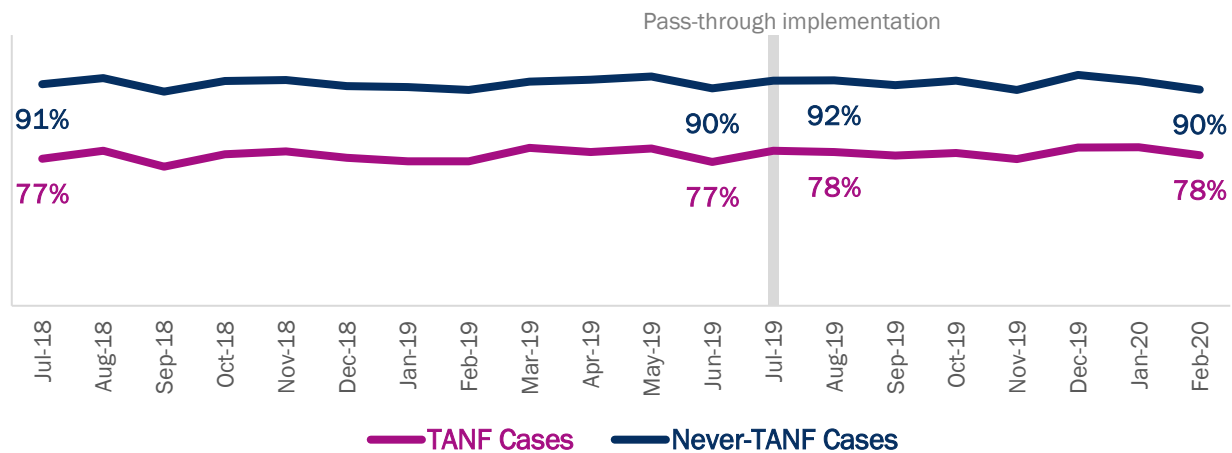
paid before and after pass-through among TANF cases. Similarly, there was no change in the percent of obligations paid among never-TANF cases: 90% to 93% was paid throughout the entire period. The lack of effect on the percentage of support paid was confirmed by the interrupted time series analysis.

Furthermore, additional analyses⁹ were conducted (and not shown in this report) to determine whether specific types of cases had changes to current support payments after pass-through implementation. No effect was found in any of these additional analyses, suggesting that parents may not yet be aware of the change with pass-through nor its implications for families, child support debt, and child support enforcement actions.

⁹ Pass-through did not have any effect on two analyses examining the percentage of cases with payments and the percentage paid among TANF and never-TANF cases. First, we examined payments among cases with newly established obligations after pass-through implementation versus those with existing obligations; cases new to the program may have an accurate understanding of the policy and its benefits, as compared to those who experienced the change in the policy (Nam et al., 2009; Lippold et al.,

2010). Second, we reviewed payments among cases with obligations less than or equal to \$100 as well as cases with obligations less than or equal to \$200, but more than \$100; cases with obligations less than or equal to the pass-through thresholds may be more likely to pay the full obligation as they understand the full payment will go to the families (Lippold et al., 2010).

Figure 4. Average Percent of Current Support Paid
Among cases with payments



	IMMEDIATE CHANGE <i>1 month after pass-through Jun-19 to Aug-19</i>	LAGGED CHANGE <i>8 months after pass-through Jun-19 to Feb-20</i>
Never-TANF	2 percentage points	0 percentage points
TANF	1 percentage point	1 percentage point

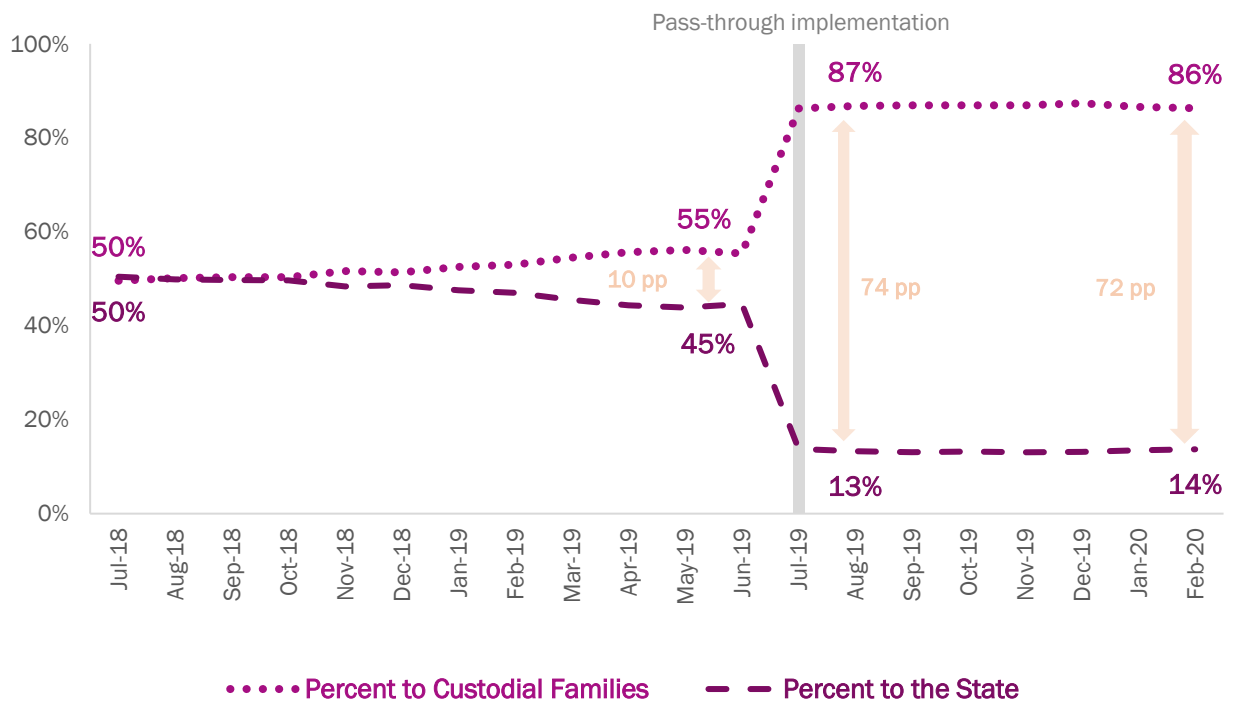
Despite no effect on several child support indicators, there was a substantial increase in distributions to custodial families. Yet, there were distributions that went to the state. This is expected, as any current support payments above the \$100 and \$200 thresholds will still be recouped by the state for the receipt of TANF benefits. This last analysis examines the payments made to TANF cases and determines the percentage of the payments that went custodial families and to the state.

Pass-through resulted in a substantial and immediate increase in the average percent of current support payments distributed to custodial families. In June 2019, the month prior to pass-through implementation, there was a 10 percentage point difference in the percent of payments that went to custodial families and the state: 55% of the payment went to custodial families, on average, and 45% went to the state. After pass-through implementation, however, there was a 74 percentage point difference in the percentage that went to custodial families and the state. In fact, the vast majority—87%, on average—of current support payments went to custodial families, and that percentage remained stable through February 2020. Although there were still payments to the state during pass-through, only 13% to 14% of current support payments went toward recoupment for TANF benefits.

TANF custodial families began receiving **87%** of current support payments after pass-through.

Prior to implementation, they received **55%** of current support payments.

Figure 5. Average Percent of Payments to Custodial Families and to the State
Among TANF cases with payments



CONCLUSIONS

Child support can positively impact custodial families, ranging from reducing poverty to limiting returns to the TANF program. These benefits are only realized once families exit the TANF program as child support payments are used to recoup the costs of TANF benefits. Pass-through policies create exceptions to recoupment and allow some of or all payments to be distributed to families while receiving TANF. Not only do these policies provide additional financial support to families who most need the income, they can encourage compliance with child support, resulting in higher paternity establishments, more payments, and higher payments (Cancian et al., 2007; Lippold et al., 2010; Zolot et al., 2020).

Only 26 states and D.C. had pass-through policies in 2020, including Maryland's newly implemented program in July 2019. This brief examined the early child support outcomes of Maryland's pass-through initiative. Indeed, TANF families became the primary recipients of child support payments after pass-through implementation. In August 2019, the first month in which pass-through payments were made, TANF families received nearly 90% of child support payments, on average, up from 55% in June 2019. During the initial months of pass-through, TANF families received \$2.3 million (Smith & Hall, 2021).

The success found in this brief is simply the mechanism of pass-through, which changed the beneficiary of child support payments from the state to custodial families. The outcomes found in other pass-through research have not yet been realized in Maryland, however. For example, there was no additional compliance with the child support program. TANF families were not

any more likely to have open child support cases, to have current support payments, or to have a higher percentage of current support paid. The percentage of TANF families with established support orders did rise slightly after implementation.

Nonetheless, these early findings do not mean that these additional successes cannot be achieved in Maryland. These findings are from the first few months of implementation, and research indicates it takes parents more time to understand the benefits of pass-through. For instance, it may not even be clear to families that they received child support payments since pass-through funds are placed on EBT cards intended for TANF benefits rather than Electronic Payment Issuance Cards (EPiC) through which regular child support payments are issued (DHS, 2019, n.d.).

One way to facilitate this understanding is to incorporate lessons learned from behavioral economics. Child support pilot projects have used behavioral economics with some success in increasing payments and modifications among different groups of parents (Richburg-Hayes et al., 2017). Lessons from these pilots could be used to inform both custodial parents and parents paying child support about the benefits of pass-through as well as the potential to avoid child support debt and enforcement actions.

Certainly, the initial months of pass-through have provided families with additional and necessary financial support. Still, this benefit could reach more families. It is paramount to explore opportunities to grow the reach and impact of pass-through for families most in need of the support.

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