

# **TITLE 466 - CHILD SUPPORT ENFORCEMENT PROGRAM**

## **CHAPTER 1 - GENERAL BACKGROUND**

**001. SCOPE AND AUTHORITY.** Part D of Title IV of the Social Security Act and other federal laws and regulations set forth requirements for child support enforcement and participation in federal funding by the state. The Department of Health and Human Services is designated as the agency that is responsible for the administration of the Child Support Enforcement Program and implementing state statutes relating to establishing and enforcing support orders. The Department will administer the program in a manner consistent with the Social Security Act, other applicable laws, and the Title IV-D State Plan.

**002. ORGANIZATION.** The IV-D Unit (Child Support Enforcement) is the single and separate organizational unit within the Department of Health and Human Services responsible for administering the Child Support Enforcement Program.

**003. IV-D SERVICES AVAILABLE.** The IV-D services available from the Child Support Enforcement Program include, but are not limited to, those set forth in 45 CFR Part 302, such as the following:

- (A) Locating parents;
- (B) Establishing paternity;
- (C) Establishing court orders for child support;
- (D) Establishing court orders for medical support;
- (E) Enforcing IV-D orders;
- (F) Review and modification of support order(s); and
- (G) Collection and distribution of support.

**004. CHILD SUPPORT ENFORCEMENT PROGRAM PARTICIPANTS.** IV-D services are available to anyone who:

- (A) Files an application for services with the Department;
- (B) Is a non-IV-A Medicaid recipient;
- (C) Receives Temporary Assistance for Needy Families under Title IV-A, foster care under Title IV-E, or Medicaid; or
- (D) Has been receiving IV-D services and is no longer eligible for assistance under Title IV-A, Title IV-E foster care, and Medicaid.

**004.01 ANNUAL FEE.** Recipients of IV-D services will be assessed an annual fee in the amount specified under, and subject to the exemptions contained in, Title IV-D of the federal Social Security Act, as amended. Once the

minimum amount of support required has been collected and disbursed, future payments will be retained by the Department until the fee has been paid. The obligor of the support order will be given full credit for the entire payment received.

004.01(A) FEE ASSESSMENT. The annual fee will be assessed each Federal Fiscal Year for each IV-D case. Recipients with more than one IV-D case will be assessed a fee for each case.

**005. ELIGIBILITY FOR FORMER PUBLIC ASSISTANCE RECIPIENTS.** Within five (5) days of being notified that a recipient receiving IV-D services is no longer eligible for public assistance, notice is sent to the party that IV-D services will continue unless the party notifies the Department that such services are no longer desired. If there is a debt owed to the state, the case remains open unless it qualifies for case closure.

005.01 MEDICAID RECIPIENTS MANDATORY AND OPTIONAL SERVICES. Medicaid recipients must accept support enforcement services related to securing medical support, including the establishment of paternity when appropriate. Medicaid recipients who are not receiving Aid to Dependent Children (ADC) or foster care assistance and do not wish to receive other support enforcement services must notify the Department that they are requesting IV-D services that relate only to securing medical support.

**006. PARTICIPANT COOPERATION.** Program participants must cooperate with the Department and accept all services offered unless otherwise exempt.

