

TITLE 466 - CHILD SUPPORT ENFORCEMENT PROGRAM

CHAPTER 12 - CONFIDENTIALITY AND SAFEGUARDING INFORMATION

001. SCOPE AND AUTHORITY. Part D of Title IV of the Social Security Act and other federal laws and regulations set forth requirements for cooperation with child support enforcement. This chapter relates to confidentiality and safeguarding information.

002. MAINTAINING CONFIDENTIALITY. Confidential information in a child support case is used only for the administration of the IV-D program or for specific purposes as provided by state or federal law. All support records are confidential and information contained in the support file is safeguarded to protect the privacy rights of the parties. For the purposes of this section, a support record includes all file records regardless of the format in which they are kept.

002.01 AUTHORIZED DISCLOSURE OF CONFIDENTIAL INFORMATION. Use or disclosure of information concerning custodial parties, noncustodial parties, non-parental relatives, or children associated with child support enforcement is limited to programs and purposes directly connected with:

- (1) The administration of the Child Support Enforcement IV-D Program;
- (2) The administration of IV-A, IV-B, IV-E, Supplemental Nutrition Assistance Program (SNAP) and Medicaid Programs including Tribal programs under IV-A, IV-B, IV-E, Supplemental Nutrition Assistance Program (SNAP) and Medicaid;
- (3) Any investigation, prosecution, criminal proceeding, or civil proceeding conducted in connection with the administration of the programs identified in this section;
- (4) The location of an individual in connection with known or suspected mental or physical injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child who is the subject of child support activity when circumstances indicate that the child's health or welfare is threatened;
- (5) The location of an individual in connection with a parental kidnapping, child custody, or visitation case as specified in this title; or
- (6) State or federal law which allows or requires disclosure.

002.01(A) DATA REQUESTS. Only authorized persons or entities are permitted to request data from the State Parent Locator Service or Federal Parent Locator Service for authorized purposes.

003. FAMILY VIOLENCE INDICATOR. Notwithstanding any other provision in this title, the Department has authority to place a family violence indicator in any case file when:

(A) There is a protective order, restraining order, or standing criminal restraining order in effect relating to one of the parties or a child; or

(B) When the Department has reason to believe that the release of the information may result in physical or emotional harm to a party.

003.01 RELEASE OF INFORMATION. When a family violence indicator has been placed in a case, no information may be released to any individual or entity concerning the whereabouts of the protected party or child.

004. RELEASE TO COURT. A court which has authority to issue an order against a noncustodial parent for the support and maintenance of a child, or to issue an order against a resident parent for child custody or visitation rights, or any agent of such court may request through a court order, information from a case file upon which a family violence indicator has been placed. The information will be delivered to the court. Upon receiving the information, the court shall determine whether disclosure to any other person could be harmful to the parent or child and, if the court determines that disclosure to any other person could be harmful, the court and its agents shall not make any such disclosure.

005. INTERNAL REVENUE SERVICE INFORMATION. The Department and its agents only use tax return information disclosed by the Internal Revenue Service (IRS) to the extent necessary to establish or collect a support obligation. This restriction also applies to other information received in any manner from the Internal Revenue Service (IRS). Internal Revenue Service (IRS) information is not disclosed outside the IV-D program unless independently verified or otherwise authorized in federal statute.

006. NEBRASKA DEPARTMENT OF REVENUE INFORMATION. The Department and its agents only use information disclosed by the Nebraska Department of Revenue to the extent necessary to establish or collect a child support obligation. Nebraska Department of Revenue information is not disclosed outside the IV-D program unless independently verified or otherwise authorized by applicable law.

007. STATE FINANCIAL INSTITUTION DATA MATCH AND MULTI-STATE FINANCIAL INSTITUTION DATA MATCH. The Department and its agents only use financial institution information disclosed through the State Financial Institution Data Match and Multi-State Financial Institution Data Match programs, to the extent necessary to enforce a support obligation. Financial institution information is not disclosed outside the IV-D program.

