

TITLE 466 - CHILD SUPPORT ENFORCEMENT PROGRAM

CHAPTER 6 - PATERNITY ESTABLISHMENT

001. SCOPE AND AUTHORITY. Part D of Title IV of the Social Security Act and other federal laws and regulations set forth requirements for the establishment of paternity and support orders. This chapter relates to the establishment of paternity.

002. GENETIC TESTING. In accordance with applicable federal and state law, the Department identifies and uses laboratories which perform, at reasonable costs, legally and medically accepted genetic tests and makes a list of such laboratories available upon request. In paternity actions brought or intervened in by the state, the state initially pays for testing when performed by any blood testing lab under contract with the Department or a lab used in an intergovernmental action in which Nebraska is the initiating state. If the result of genetic testing is disputed, additional testing may be done at the expense of the party requesting additional testing.

003. REIMBURSEMENT OF STATE COSTS. A reasonable fee for genetic tests may be charged to any individual who is not a recipient of public assistance not to exceed the actual costs of genetic testing.

004. VOLUNTARY PATERNITY ACKNOWLEDGEMENT. In addition to any requirement contained in applicable state statutes, the Department, hospitals, local birth record agencies, and all other entities participating in voluntary paternity acknowledgement for children born out of wedlock shall provide the following to a child's mother and alleged father, if the alleged father is readily identifiable and available:

- (A) Written materials about paternity establishment;
- (B) The forms necessary to voluntarily acknowledge paternity;
- (C) Notice, orally or through video or audio equipment, and in writing, of the alternatives to, the legal consequences of, and the due process rights (including any rights, if a parent is a minor, due to minority status) and responsibilities of acknowledging paternity;
- (D) The opportunity to speak with staff, either by telephone or in person, who are trained to clarify information and answer questions about paternity establishment; and
- (E) The opportunity to voluntarily acknowledge paternity on site.

005. FILING FORMS AND DECREES WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. Voluntary acknowledgements and adjudications of paternity by judicial or administrative processes shall be filed with the Department of Health and Human Services.

