

Xochitl Esparza, TANF Manager

Authorized Signature
Number: SS-PT-09-030

Issue Date: 9/15/2009

Topic: Cash Payments: Good Cause for Noncooperation with Child Support

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- All DHS employees
 County Mental Health Directors
 Area Agencies on Aging
 Health Services
 Children, Adults and Families
 Seniors and People with Disabilities
 County DD Program Managers
 Other (please specify):

Policy/Rule Title:	Requirement to Cooperate, Non-Cooperation Penalties and Good Cause		
Policy/Rule Number(s):	FSM Child Support C.3 (09CS-c) advance copy	Release No:	
Effective Date:	10/1/2009	Expiration:	
References:			
Web Address:			

Discussion/Interpretation: FSM Child Support [C.3](#) (09CS-c) is being amended to add policy to address situations when the Division of Child Support (DCS) learns from an obligee (person owed support) who is applying for or getting TANF or medical assistance that the obligee may have a safety concern if DCS pursues paternity or child support, medical support or cash medical support and the case does not yet have good cause coding.

This addition to FSM Child Support [C.3](#) (09CS-c) does not change current policy and procedure on DHS determinations of good cause for noncooperation with child support. This addition addresses a situation that was not previously addressed in policy.

Implementation/Transition Instructions: This addition to policy was implemented by DHS in partnership with DCS. This policy addresses a situation that was not previously addressed in DHS policy but that DCS addressed with an interim DCS process in place from 7/30/09 to 9/30/09. The interim DCS process directed certain DCS staff to add good cause coding to TANF or medical assistance cases when DCS learned from an obligee who is applying for or getting TANF or medical assistance that the obligee may have a safety concern if DCS pursues paternity or support.

Effective 10/1/09, DCS is implementing a new, final process to replace the interim DCS process. DCS' final process and DHS' new policy in FSM Child Support [C.3](#) (09CS-c) mirror one another and require coordination between DHS and DCS on these cases, with DHS responsible for:

- Initially adding good cause coding to the case upon DCS request. (This will be done by Central Office staff.)
- Notifying branch staff that the case has been coded good cause and a determination of good cause is needed. (This is done by Central Office staff.)
- Determining whether good cause for noncooperation with child support will be granted. (This will be done by branch staff.)
- Removing the good cause coding if appropriate. (This will be done by branch staff.)
- Communicating to DCS and Central Office staff whether the good cause coding was removed or not and, if removed, why. (This will be done by branch staff.)

Remember: This new policy affects only those cases in which DCS learns from an obligee who is applying for or getting TANF or medical assistance that the obligee may have a safety concern if DCS pursues paternity or support and the TANF or medical case is not already coded good cause. This policy does not change DHS policy or procedure on cases where DHS learns from an obligee who is applying for or getting TANF or medical assistance that the obligee may have a safety concern if DCS pursues paternity or support. This policy also does not change the manner in which DHS makes good cause determinations.

Determinations of good cause for noncooperation with child support should continue to be made according to policy in [FSM Child Support C](#) (09CS-c). Workers should keep in mind that reviewing the [DHS 415F](#) and [DHS 428A](#) with the TANF applicant or recipient provides an opportunity for workers to discuss the benefits of pursuing paternity and receiving child and medical support, both financially and for the children. For applicants and recipients with a potential safety risk, this also provides an opportunity to look at:

- A contact address, which is an address DCS will use on all child support paperwork sent to the other party on the child support case.
- Nondisclosure based on claim of risk, which is a way to pursue paternity and child support while protecting the applicant's or recipient's personal information.
- Good cause for noncooperation with child support.

For more information on contact address, claim of risk and good cause for noncooperation with child support, see [FSM Child Support C](#) (09CS-c) and the Safety Packet ([DHS 8660](#)).

Training/Communication Plan: Transmittal to the field.

Local/Branch Action Required: Branch managers review this transmittal with local staff.

Central Office Action Required: Update policy in [FSM Child Support C](#). Coordinate with DCS on implementation of this policy and DCS procedure on this issue. Send this policy transmittal. Respond timely to cases pursuant to this new policy.

Field/Stakeholder review: Yes No

If yes, reviewed by: Division of Child Support

Filing Instructions: None

If you have any questions about this policy, contact:

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