# Child Support Program Manual Table of Contents

**John R. Kasich, Governor**  
**Cynthia C. Dungey, Director**  
**Ohio Department of Job and Family Services**

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**5101:12-10 Child Support Program Administration**

The **5101:12-10** chapter outlines various procedures and requirements associated with the Ohio Child Support Program Administration. It includes topics such as request for services, administrative responsibility, case intake, assignment of support, and new hire reporting. Each section provides detailed guidance on how to handle specific aspects of the administrative process for child support cases.
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<td>5101:12-80-05.3</td>
<td>Payment Processing and Disbursement</td>
</tr>
<tr>
<td>5101:12-80-05.4</td>
<td>Exception Item Processing and Resolution</td>
</tr>
<tr>
<td>5101:12-80-05.5</td>
<td>Check Replacement</td>
</tr>
<tr>
<td>5101:12-80-05.6</td>
<td>Recoupment</td>
</tr>
<tr>
<td>5101:12-80-07</td>
<td>Mandatory Electronic Disbursement</td>
</tr>
<tr>
<td>5101:12-80-09</td>
<td>Unreimbursed Assistance</td>
</tr>
<tr>
<td>5101:12-80-10</td>
<td>Allocation Hierarchy for Support Collections</td>
</tr>
<tr>
<td>5101:12-80-10.1</td>
<td>Allocation Hierarchy for Federal Income Tax Refund Offset Collections</td>
</tr>
<tr>
<td>5101:12-80-10.2</td>
<td>Prorating Support Collections</td>
</tr>
<tr>
<td>5101:12-80-14</td>
<td>Limited Assignment, PRWORA Assignment, and Distribution of Assigned Support Collections</td>
</tr>
<tr>
<td>5101:12-80-14.1</td>
<td>Distribution of Assigned Support in a Title IV-D Public Assistance Case</td>
</tr>
<tr>
<td>5101:12-80-14.2</td>
<td>Assignment and Distribution in a Title IV-D/Title IV-E Foster Care Maintenance Case</td>
</tr>
<tr>
<td>5101:12-80-25</td>
<td>Unclaimed Funds</td>
</tr>
<tr>
<td>5101:12-80-99</td>
<td>Chapter 5101:12-80 Forms - Collections and Disbursements</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: Court Order for Genetic Testing- 5 Year Rule Review

The Office of Child Support (OCS) has filed the following rule with no changes. The rule has been reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the “no change” rule will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule Title</th>
<th>Effective Date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court Order for Genetic Testing</td>
<td>12/15/2006</td>
</tr>
</tbody>
</table>

This rule describes the process for court ordered genetic testing. This rule is authorized by ORC section 3125.25, and amplifies ORC section 3111.09.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

- [http://www.odjfs.state.oh.us/forms/inner.asp](http://www.odjfs.state.oh.us/forms/inner.asp)

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

- [http://www.odjfs.state.oh.us/forms/inner.asp](http://www.odjfs.state.oh.us/forms/inner.asp)

or on the ODJFS Forms Central Internet page at:

- [http://www.odjfs.state.oh.us/forms/inter.asp](http://www.odjfs.state.oh.us/forms/inter.asp)

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Cash Bond and Seek Work Rules

The Office of Child Support (OCS) has filed the following rules with no changes. The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rules will remain the same as the existing rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-15</td>
<td>Cash Bond</td>
<td>01/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the circumstances that must exist for the CSEA to ask a court to order an obligor to post a cash bond and specifies that a CSEA may not order a cash bond.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3121.03 and 3121.04.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-17</td>
<td>Seek Work Orders</td>
<td>01/01/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes seek work orders and discusses when the court or CSEA may issue such an order. The rule explains that the seek work order must mirror the OWF self-sufficiency contract when applicable.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3121.03 and 5107.14.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed the following rules with no changes. These rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rules will remain the same as the existing rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-20</td>
<td>Family Violence Indicator</td>
<td>05/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the family violence indicator (FVI). The FVI reflects that there is reasonable evidence that a case participant is subject to family violence or there is reason to believe that the release of information regarding a case participant may result in family violence.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25 and amplifies 3113.31.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-20.1</td>
<td>Request for Override of Family Violence Indicator Restriction</td>
<td>05/15/2008</td>
</tr>
<tr>
<td></td>
<td>When a person listed in the federal case registry (FCR) has a family violence indicator (FVI), the child support enforcement agency (CSEA) shall ensure that no information about a case participant will be released in response to a locate request, an FCR query, or as part of the proactive matching functionality. Courts have the ability to order a one-time override of the FVI if certain requirements are met. This rule defines the override process.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25 and amplifies 3113.31.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. These rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period.

### Amended Rule

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-10</td>
<td>Calculation of the Support Obligation</td>
<td>7/1/2013</td>
<td>06/15/2018</td>
</tr>
</tbody>
</table>

This rule describes the process by which the child support enforcement agency (CSEA) shall use the basic Ohio child support guidelines (hereafter "guidelines") schedule as set forth in sections 3119.01 to 3119.05 of the Revised Code when calculating or adjusting the child support and cash medical support obligations contained within a child support order.

Changes to the rule include: updated the effective date language to the referenced forms in paragraph (G)(1), and removed of the reference to Chapter 5115. of the Revised Code as that Chapter was repealed effective 12/31/2017.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3119.02 and 3125.03.

| 5101:12-55-99      | Chapter 5101:12-55 Forms - Enforcement of the Support Order Based On Finding of Default | 2/1/2016                      | 06/15/2018                   |

This rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-55 of the Administrative Code.

Changes to the rule include: capitalized the title of the form listed in paragraph (M), and removed the additional word "rev." in paragraph (P).

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.25.

| 5101:12-60-99      | Chapter 5101:12-60 Forms - Order Administration           | 2/1/2018                      | 06/15/2018                   |

This rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Administrative Code.

Changes to this rule include: removed forms JFS 07719 and JFS 07724, as they are first listed in rule 5101:12-45-99.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.25.

OCS has proposed the following rules with no changes. The effective date of the "no change" rules will remain the same as the existing rules:
<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03</td>
<td>Default</td>
<td>4/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule defines terms used in chapter 5101:12-55 of the Administrative Code to describe the default process and subsequent enforcement techniques that are available to enforce the support order. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3121.01 and 3123.01.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.1</td>
<td>Identification of Default and Notice to Obligor of Default and Potential Action</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes how at the end of each month, the support enforcement tracking system (SETS), upon identifying that an obligor appears to meet the default criteria and the case meets the automatic income withholding criteria, issues a JFS 04047, &quot;Income Withholding for Support&quot; (rev. 7/2015), to the obligor's current employer and the obligor. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.021, 3123.022, 3123.03, 3123.061, 3123.07, and 3123.21.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.2</td>
<td>Default Investigation</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process of how the CSEA shall conduct an investigation once an obligor has been identified to be in default. This rule is authorized by ORC section 3125.25, and amplifies ORC section 3123.02.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.3</td>
<td>Administrative Mistake of Fact Hearing Process</td>
<td>7/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative mistake of fact hearing process for when an obligor who has been found to be in default. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.031, 3123.033, 3123.04, 3123.21</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.4</td>
<td>Final and Enforceable Determination of Default</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes when a final and enforceable determination of default exists. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.032, 3123.04, 3123.05, and 3123.06.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-20</td>
<td>Liens Against Real and Personal Property</td>
<td>9/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the procedures that a child support enforcement agency (CSEA) shall use when it decides to assert a lien on real or personal property that is owned by an obligor who has been determined to be in default under a support order. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.66, 3123.67, 3123.70, 3123.73, 3123.74, 3123.77, 3123.78, and 3125.03.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-40</td>
<td>Insurance Claim Intercept</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process the CSEA will follow upon notification of an insurance claim match.</td>
<td></td>
</tr>
</tbody>
</table>
This rule is authorized by ORC sections 3123.23 and 3125.25; and amplifies sections 3121.03, 3121.21 and 3125.25.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Federal Tax Information (FTI) Safeguarding Rules

The rules have been reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period.

The Office of Child Support (OCS) has **rescinded** the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-20.2</td>
<td>Safeguarding of Information from the Internal Revenue Service and Safeguarding Visit Procedures</td>
<td>06/15/2006</td>
<td>04/01/2018</td>
</tr>
</tbody>
</table>

This rule describes the procedures an agency is required to follow in order to safeguard information received from the internal revenue service (IRS).

This rule is rescinded and refiled as rules 5101:12-1-22 and 5101:12-1-22.1. Provisions that relate to safeguarding of federal tax information (FTI) are contained in rule 5101:12-1-22 of the Administrative Code, and provisions that relate to the safeguarding visit procedures are contained in rule 5101:12-1-22.1 of the Administrative Code.

| 5101:12-1-20.3 | Safeguarding of Information from the Unemployment Compensation Program and Ohio Department of Taxation | 03/01/2012 | 04/01/2018 |

This rule describes the procedures an agency is required to follow in order to safeguard information received from Unemployment Compensation (UC) and the Ohio department of taxation.

This rule is rescinded and refiled as rule 5101:12-1-20.2. Provisions that relate to information a child support enforcement agency (CSEA) receives from the unemployment compensation program and Ohio department of taxation are contained in rule 5101:12-1-20.2 of the Administrative Code.

OCS has **adopted** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-20.2</td>
<td>Information from the Unemployment Compensation Program and Ohio Department of Taxation</td>
<td>04/01/2018</td>
</tr>
</tbody>
</table>

This rule describes the procedures an agency is required to follow in order to safeguard information received from Unemployment Compensation (UC) and the Ohio department of taxation.

The provisions that relate to the information a CSEA receives from the
unemployment compensation program and Ohio department of taxation from rescinded rule 5101:12-1-20.3 are contained in this rule. Changes to the rescinded rule include: amended the title of the rule.

This rule is authorized under ORC sections 3125.08, 3125.25 and 3125.51 and amplifies ORC sections 3125.43, 3125.50, 4141.21, 4141.22, 4141.99 and 5747.18.

<table>
<thead>
<tr>
<th>5101:12-1-22</th>
<th>Safeguarding of Information from the Internal Revenue Service</th>
<th>04/01/2018</th>
</tr>
</thead>
</table>

This rule describes procedures an agency is required to follow in order to safeguard information received from the IRS.

The provisions that relate to the safeguarding of FTI from rescinded rule 5101:12-1-20.2 are contained in this rule. Changes from the rescinded rule include: removed the hanging paragraph under paragraph (A), added new language in paragraphs (E),(F), and (G) about re-disclosing FTI, and revised and updated the requirements in paragraph (H) for a CSEA.

This rule is authorized under ORC sections 3125.08, 3125.25 and 3125.51 and amplifies ORC sections 3125.03, 3125.08, 3125.43 and 3125.50.

<table>
<thead>
<tr>
<th>5101:12-1-22.1</th>
<th>Safeguarding Visit Procedures</th>
<th>04/01/2018</th>
</tr>
</thead>
</table>

This rule describes visit procedures an agency is required to follow in order to safeguard information received from the IRS.

The provisions that relate to the safeguarding visit procedures from rescinded rule 5101:12-1-20.2 are contained in this rule. Changes from the rescinded rule include: updated the revision date for the IRS publication 1075, removed the JFS 07713 and replaced it with the JFS 07729, in paragraph (C)(1) changed the notification time period to 15 days from 10 days, in paragraph (C)(2) changed the return time of the JFS 07729 from 5 days to 3 days, in paragraph (C)(3)(d) added a more detailed list of locations that could be inspected during an on-site visit, and in paragraph (D) revised the follow up procedure to reflect how the JFS 07729 will be handled between OCS and the CSEA.

This rule is authorized under ORC sections 3125.08, 3125.25 and 3125.51 and amplifies ORC sections 3125.03, 3125.08, 3125.43 and 3125.50.

OCS has amended the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-15</td>
<td>Support Enforcement Tracking System</td>
<td>06/15/2006</td>
<td>04/01/2018</td>
</tr>
</tbody>
</table>

This rule describes the statewide automated data processing and information retrieval system known as the support enforcement tracking system (SETS).

Changes to the rule to include: updated the form effective date language, amended the language in paragraphs (A)(1) and (H)(3) to address the new proposed rule structure, added sub-contractors to paragraphs (F)(1), (2), (3), (4) and (H)(5), for consistency made changes to abbreviations as
needed, and added new language in paragraph (G). This rule is authorized by ORC sections 3125.08 and 3125.25 and amplifies ORC sections 3125.07, 3125.08, 3125.38 and 3125.39.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Effective Date</th>
<th>Revised Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-20</td>
<td>Confidentiality of Information</td>
<td>06/15/2006</td>
<td>04/01/2018</td>
</tr>
<tr>
<td>5101:12-1-20.1</td>
<td>Request for Information Contained in a Person's Case Record</td>
<td>03/01/2012</td>
<td>04/01/2018</td>
</tr>
<tr>
<td>5101:12-50-32.9</td>
<td>Federal Adjustments, State Payments, and Recovery of Disbursed Federal Tax Offset Collections</td>
<td>01/01/2016</td>
<td>04/01/2018</td>
</tr>
<tr>
<td>5101:12-1-99</td>
<td>Chapter 5101:12-1 Forms - Ohio Support Enforcement Program</td>
<td>05/01/2014</td>
<td>04/01/2018</td>
</tr>
</tbody>
</table>

This rule describes the requirements for authorized access to, disclosure, and safeguarding of information contained in a person's case record.

Changes to the rule to include: updated form effective date language, for consistency purposes in paragraph (C) removed the words "term and," in paragraph (C)(13) removed the words "refers to" and replaced with "means," and for consistency made changes to abbreviations as needed.

This rule is authorized under ORC sections 3125.08, 3125.25 and 3125.51 and amplifies ORC sections 3125.03, 3125.08, 3125.49 and 3125.50.

This rule describes the requirements for the use, protection, and disclosure of information that is collected and maintained by an agency dependent upon collection source and disclosure purpose.

Changes to the rule include: in paragraph (B)(1)(c)(iii) amended language to address the new proposed rule structure and in paragraphs (B)(3) and (4) and (C)(2) capitalized or added the word "Title."

This rule is authorized under ORC sections 3125.08, 3125.25 and 3125.51 and amplifies ORC sections 3125.03, 3125.08, 3125.49 and 3125.50.

This rule describes the processes used to rectify an invalid federal tax offset.

Changes to this rule include: amended the title of the JFS 07017 in paragraph (E)(1).

This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.

This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-1 of the Administrative Code.

Changes to the rule include: removed the JFS 07013 as this form is being obsoleted, updated the title of the JFS 02750, updated the revision dates for the JFS 07072, JFS 07713 and ODM 06613, and added the JFS 07729 as this is a new form.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 3125.25.
This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-50 of the Administrative Code.

Changes to this rule include: amending the name and updating the revision date for the JFS 07017.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.25.

OCS has **obsoleted** the following form:

<table>
<thead>
<tr>
<th>Obsoleted Form</th>
<th>Adopted Form Title</th>
<th>Date Form to be Obsoleted</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07013</td>
<td>Federal Tax Information Safeguarding Questionnaires</td>
<td>04/2018</td>
</tr>
</tbody>
</table>

This form was used during the safeguarding visit and was required to be completed by the agency prior to the visit. This form is being obsoleted and replaced with the JFS 07729.

OCS has **adopted** the following form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adopted Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07729</td>
<td>FTI Safeguarding Visit Workbook</td>
<td>04/2018</td>
</tr>
</tbody>
</table>

In accordance with Ohio Administrative Code (OAC) rule 5101:12-1-22.1, OCS is required to conduct periodic Federal Tax Information (FTI) safeguarding visits with each agency. The agency is required to complete the JFS 07729 prior to the safeguarding visit.

OCS has **amended** the following forms:

<table>
<thead>
<tr>
<th>Amended Form</th>
<th>Amended Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07072</td>
<td>Safeguarding of Internal Revenue Service, Ohio Department of Taxation, Federal Parent Locator Service, and Unemployment Compensation Information</td>
<td>02/2006</td>
<td>04/2018</td>
</tr>
</tbody>
</table>

The purpose of this form is to have an agency certify that all employees, contractors and sub-contractors understand the requirements for the safeguarding of information from the Internal Revenue Service, Ohio Department of Taxation, Federal Parent Locator Service, and Unemployment Compensation.

Changes to the form include: revised the title to meet the form design standards described in IPP 4301, added a new requirement that the CSEA director
certifies that all employees of contractors and sub-contractors have completed the JFS 07014 and FTI safeguard training, and submit a list of all contractors and sub-contractors that have completed the JFS 07014 and FTI safeguard training.

<table>
<thead>
<tr>
<th>JFS 07713</th>
<th>Child Welfare Agency Location-Only Request</th>
<th>05/2008</th>
<th>04/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>The purpose of this form is to share information with the Title IV-B and Title IV-E agencies about the parents of a child. The Title IV-B or Title IV-E agency will be submitting a request to locate a parent of a child to assist the agency with the placement of a child in foster care or removing a child from foster care to a permanent home. After CSEA completes the locate request, the information is returned to the Title IV-B or Title IV-E agency. Changes to the form include: revised the title to meet the form design standards described in IPP 4301.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07017</th>
<th>Update of IRS Tax Refund Offset Submittal</th>
<th>04/2006</th>
<th>04/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>The purpose of this form is to report any state payment a CSEA has issued to an obligor. Changes to the form include: added IRS to the name of the form, removed the signature line, added a warning banner in accordance with IRS publication 1075, and updated the contact information for OCS.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A no change rule will continue with the same effective date.
- A rescinded form will be removed.
- A revised form will be replaced with the amended form.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:


Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 134 (Lump Sum Payments)


March 20, 2018

TO: All Child Support Program Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Lump Sum Payments

OCS has amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-12</td>
<td>Lump sum payments.</td>
<td>02/01/2016</td>
<td>4/1/2018</td>
</tr>
</tbody>
</table>

This rule describes the responsibilities of a payor and a child support enforcement agency (CSEA) regarding lump sum payments to be made to an obligor by a payor when the obligor is subject to income withholding pursuant to section 3121.03 of the Revised Code.

Changes from the prior rule include: added additional definitions; added language to specify that a payor will need to apply state and/or federal withholding limits when applicable.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3121.03, 3121.037, 3121.0311, 3121.12, and 3125.03.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A no change rule will continue with the same effective date.
- A rescinded form will be removed.
- A revised form will be replaced with the amended form.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.jfs.ohio.gov

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:
<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-12</td>
<td>(B); (C)(1); (D)(2)(a); (D)(2)(b)</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Five Year Rule Review – Administrative Procedure

These rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period.

The Office of Child Support (OCS) has filed the following rule with no changes. The effective date of the "no change" rule will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-30-05</td>
<td>Administrative Subpoenas</td>
<td>2/1/2013</td>
</tr>
</tbody>
</table>

This rule describes the authority of the child support enforcement agency (CSEA) to issue administrative subpoenas.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 5101.37.

OCS has amended the following rule.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-30-10</td>
<td>Service of Process</td>
<td>2/1/2013</td>
<td>2/1/2018</td>
</tr>
</tbody>
</table>

This rule describes the statutory steps a CSEA is required to take to ensure service of process is accomplished in accordance with Ohio Rules of Civil Procedure.

Changes to the rule include: added "Ohio" to the "Rules of Civil Procedure" title, updated the effective dates to comply with the "Ohio Rules of Civil Procedure," replaced the words "a father, mother" with "a parent," and added paragraph (E) to comply with provisions of the recently revised Civil Procedure rule 4.2.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3125.03 and 3125.25.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:
http://emanuals.jfs.ohio.gov

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: IV-D Application Rules

The following rules have been reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective dates of the no change rules will remain the same as the existing rule.

OCS made no changes to the following rules:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-10</td>
<td>Support Enforcement Program Services</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule provides definitions for the rules contained in division 5101:12 of the Administrative Code, lists support enforcement program services and clarifies the child support enforcement agency's (CSEA) responsibility to provide support enforcement program services to both IV-D and Non IV-D cases.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3105.21, 3109.05, 3111.13, 3113.04, 3113.07, 3119.65 and 3119.70.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-10.1</td>
<td>IV-D Services</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes the services available only to IV-D cases.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03 and 3125.36.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-01</td>
<td>Request for Services</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule specifies when a CSEA shall provide support enforcement program services and when it shall provide IV-D services.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03, 3125.05, 3125.06, 3125.10, 3125.11, 3125.27, and 3125.36.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-01.1</td>
<td>IV-D Application and IV-D Referral</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes the sources from which a CSEA may receive a IV-D application or IV-D referral, and the CSEA's duty to approve or deny the application or referral within twenty days of receipt.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03, 3125.11, 3125.36, and 3125.37.</td>
<td></td>
</tr>
</tbody>
</table>

OCS amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-02</td>
<td>Case Intake</td>
<td>3/1/2012</td>
<td>2/1/2018</td>
</tr>
</tbody>
</table>
This rule describes the process the CSEA must follow when it receives a IV-D application, IV-D referral, or an order from a court not accompanied by a IV-D application; and that the CSEA may, but is not required to conduct an interview with the applicant.

Changes to the rule include: added the form effective date language; updated the form effective date for the JFS 04059; and revised the language in paragraph (A)(6).

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.11 and 3125.15

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has reviewed the rules to comply with the new and revised forms released by the Office of Child Support Enforcement (OCSE) in January of 2017.

OCS has **rescinded** the following rule:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05.11</td>
<td>Forms for Interstate Case Processing</td>
<td>7/1/2016</td>
<td>3/1/2018</td>
</tr>
</tbody>
</table>

This rule lists forms that shall be used in processing interstate cases under the Uniform Interstate Family Support Act (UIFSA) (2008). This rule has been rescinded and replaced by a new rule with the same rule number because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added. This rule is authorized under ORC section 3125.25; and amplifies ORC sections 3115.602, 3115.605, 3125.03.

OCS has **adopted** the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05.11</td>
<td>Forms for Intergovernmental Case Processing</td>
<td>3/1/2018</td>
</tr>
</tbody>
</table>

This rule lists forms that shall be used in processing interstate cases under UIFSA (2008). Changes from the rescinded rule include: re-arranged the list of forms to be alphabetical, changed the rule title, revised and added new forms; amended form descriptions; amended paragraph (B) for Child Support Enforcement Agency (CSEA) responsibilities; paragraph (D) has been removed and is incorporated into paragraph (A), added the electronic document exchange (EDE) to paragraph (A); and other minor clarification changes. This rule is authorized under ORC section 3125.25; and amplifies ORC sections 3115.602, 3115.605, 3125.03.

OCS has **amended** the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-99</td>
<td>Chapter 5101:12-70 Forms- Intergovernmental Actions</td>
<td>7/1/2016</td>
<td>3/1/2018</td>
</tr>
</tbody>
</table>

The form in this rule is referenced within various rules contained within division 5101:12 of the Administrative Code. Changes to the rule include: capitalized a word and changed the effective date of the form.
This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3125.03, 3125.25

OCS has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01132</td>
<td>Notice of Lien</td>
<td>11/2016</td>
<td>2/2018</td>
</tr>
</tbody>
</table>

This form is used to issue a notice of lien on an obligor’s assets. Changes to the form include updated the OMB expiration date and removed the instructions and replaced them in a new form.

OCS has adopted the following form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adopted Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01132-I</td>
<td>Instructions for JFS 01132, Notice of Lien</td>
<td>2/2018</td>
</tr>
</tbody>
</table>

This form is used as instructions for the JFS 01132. The instructions were removed from the JFS 01132 and replaced by a new form.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

• A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
• An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
• An adopted rule will be inserted.
• A revised form will be replaced with the amended form.
• An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:

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Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Termination of services and county initiation of a reduction of permanently assigned arrears

The Office of Child Support (OCS) has reviewed the rules to comply with 45 CFR section 303.11. OCS has amended the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-70</td>
<td>Termination of Services</td>
<td>9/1/2015</td>
<td>2/1/2018</td>
</tr>
<tr>
<td>5101:12-60-99</td>
<td>Chapter 5101:12-60 Forms-Order Administration</td>
<td>1/1/2017</td>
<td>2/1/2018</td>
</tr>
</tbody>
</table>

This rule describes the conditions that must exist and the process a child support enforcement agency (CSEA) shall use to terminate IV-D services or to terminate support enforcement program services.

Changes to the rule include adding new and amending existing case closure criteria to comply with the federal rules and regulations, and other minor grammatical changes.

This rule is authorized under ORC sections 3123.121, 3125.25 and amplifies ORC sections 3121.441, 3123.12, 3125.11.

OCS has adopted the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-70.5</td>
<td>County Initiation of a Reduction of Permanently Assigned Arrears</td>
<td>2/1/2018</td>
</tr>
</tbody>
</table>

This rule describes the process a CSEA may use to initiate a reduction of permanently assigned arrears.

This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3125.03, 3125.24, 3125.25.

OCS has adopted the following form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adopted Form</th>
</tr>
</thead>
</table>

OCS has amended the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-70</td>
<td>Termination of Services</td>
<td>9/1/2015</td>
<td>2/1/2018</td>
</tr>
<tr>
<td>5101:12-60-99</td>
<td>Chapter 5101:12-60 Forms-Order Administration</td>
<td>1/1/2017</td>
<td>2/1/2018</td>
</tr>
</tbody>
</table>

This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Ohio Administrative Code (OAC).

Changes to this rule include adding the JFS 04057 as it is a new form.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03, 3125.25.
INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- Amended rules will be inserted and the previous versions will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.jfs.ohio.gov

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07699</td>
<td>Your Child Support Program Information</td>
<td>07/2015</td>
<td>10/2017</td>
</tr>
</tbody>
</table>

The form provides brief descriptions of child support program services and provides information about how the clients may access their cases and obtain child support payments status; advises the clients of their responsibilities; advises the clients of the options available when making child support payments; and describes the options available to receive child support payments.

The form has been revised to provide support recipients with the internet address where they can access the enrollment form to receive support payments through direct deposit to a financial institution or through a debit card.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

• A new form will be posted to Forms Central.

The rules and forms in the CSPM can be accessed at:
http://emanuals.jfs.ohio.gov

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:
http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Five Year Rule Review – State Lottery Prize Award Intercept

The Office of Child Support (OCS) has filed the following rule with no changes. The rule has been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rule will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-30</td>
<td>State Lottery Prize Award Intercept</td>
<td>2/1/2016</td>
</tr>
</tbody>
</table>

This rule describes the process used by a CSEA to issue an intercept directive to the Ohio Lottery Commission (OLC) to transmit an amount from the proceeds of a specified lottery prize award to OCS, when the prize winner is an obligor who is subject to a final and enforceable determination of default.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3123.89 and 3770.071.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.jfs.ohio.gov

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rule.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule contains a compilation of form(s) within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-40 of the Administrative Code. Revised the effective date of the JFS 08079 to match the actual effective date.

This rule is authorized by section 3125.25 of the Revised Code, and amplifies sections 3125.03 and 3125.25 of the Revised Code.

OCS has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 08079</td>
<td>Paternity and Acknowledgment of Paternity Affidavit Brochure</td>
<td>12/2013</td>
<td>1/2017</td>
</tr>
</tbody>
</table>

This brochure is typically distributed by local health departments and hospitals or birthing facilities to unmarried parents to provide information regarding the process to establish paternity in Ohio and the "Acknowledgment of Paternity Affidavit." The CSEA may also distribute the brochure when appropriate. The brochure/form has been revised to list the new ODJFS EEO statement.

This brochure is also available in Spanish and Somali for the purpose of accommodating individuals who are non-English speaking and assist these individuals in understanding the content of the brochure.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rule.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule contains a compilation of form(s) within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-47 of the Administrative Code. Changes from the existing rule include, revised the effective date of the JFS 05050.

This rule is authorized by section 3125.25 of the Revised Code, and amplifies section 3125.03 of the Revised Code.

OCS has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 05050</td>
<td>Schedule of Cash Medical Support Obligations</td>
<td>7/2015</td>
<td>7/2017</td>
</tr>
</tbody>
</table>

The cash medical support schedule is used by all Ohio courts and child support enforcement agencies when calculating the amount of cash medical support to be paid pursuant to a child support order.

Changes from the previous version include: Modified the income ranges and per child expenditure amounts based on the data published by the United States Department of Agriculture: "Expenditures on Children by Families 2015", Estimated annual expenditures on a child by married-couple families, urban Midwest, 2015.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:


INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed the following rule with no changes. The rule has been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rule will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-30-25</td>
<td>Role of the CSEA Administrative Officer</td>
<td>1/1/2012</td>
</tr>
</tbody>
</table>

This rule describes the role of the CSEA administrative officer. There are no changes made to this rule.

This rule is authorized under ORC sections 3111.53, 3125.25 and amplifies ORC section 3111.53.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
A no change rule will continue with the same effective date.

The rule in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has **amended and revised** the following rules and forms. The rules were reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25</td>
<td>License Suspension</td>
<td>2/1/2016</td>
<td>8/1/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes when a child support enforcement agency (CSEA) may, as an enforcement technique, submit an obligor to a licensing entity to suspend, refuse or deny to renew a professional, driver’s, or recreational license. Updated the form name in paragraph (C)(2) and other minor grammatical changes. This rule is authorized by ORC sections 3123.63, 3125.25; and amplifies ORC sections 3123.41 to 3123.50, 3123.53 to 3123.60, 3123.62, 3123.63.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-25.1</td>
<td>License Reinstatement</td>
<td>2/1/2016</td>
<td>8/1/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process a CSEA shall use to reinstate a professional, recreational, or driver’s license that has been suspended. Updated spelling out the acronym for SETS within paragraph (B) and corrected the form name in paragraph (D). This rule is authorized by ORC sections 3123.63, 3125.25; and amplifies ORC sections 3123.41 to 3123.50, 3123.53 to 3123.60, 3123.62, 3123.63.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-25.2</td>
<td>Driver’s License Abstract</td>
<td>2/1/2016</td>
<td>8/1/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process and criterion a CSEA shall use to direct the registrar of motor vehicles to eliminate from the abstract maintained by the bureau of motor vehicles any reference of a previous license suspension. Updated spelling out the acronym for SETS within paragraph (C). This rule is authorized by ORC sections 3123.63, 3125.25; and amplifies ORC section 3123.63.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-26</td>
<td>Suspension and Reinstatement of License to Practice Law</td>
<td>2/1/2016</td>
<td>8/1/2017</td>
</tr>
</tbody>
</table>
|               | This rule describes when a CSEA may submit an obligor to the Ohio supreme court to suspend, refuse, or deny to renew, or reinstate a license to practice law. Corrected the form names in paragraphs (B)(2), (C) and (E)(3). This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03,
Chapter 5101:12-55 Forms-Enforcement of the Support Order Based on Finding of Default

This rule identifies the forms referenced in various rules contained within division 5101:12 of the Administrative Code. Updated the effective dates of the JFS 04016, JFS 07070 and JFS 07071.

This rule is authorized by ORC section 3125.25; and amplifies ORC section 3125.03 and 3125.25.

OCS has revised the following forms:

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04016</td>
<td>Notice to Expunge a Driver’s Abstract</td>
<td>3/2012</td>
<td>8/2017</td>
</tr>
<tr>
<td>JFS 07070</td>
<td>Notice to Terminate the State Lottery Prize Award Intercept Directive</td>
<td>8/2007</td>
<td>8/2017</td>
</tr>
<tr>
<td>JFS 07071</td>
<td>State Lottery Prize Award Intercept Directive</td>
<td>8/2007</td>
<td>8/2017</td>
</tr>
</tbody>
</table>

This form is used to notify the registrar of motor vehicles to eliminate from the driver’s abstract any reference of a child support related suspension(s). Updated the email address for contacting the Ohio department of public safety.

This form is used to notify the Ohio lottery commission to terminate the state lottery prize award intercept directive. Added the "Ohio Department of Job and Family Services" to be compliant with IPP 4301.

This form is used to notify the Ohio lottery commission to deduct an amount from the lottery prize award to satisfy all or part of an obligor’s support obligation. Added the "Ohio Department of Job and Family Services" to be compliant with IPP 4301.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.jfs.ohio.gov

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director

The Office of Child Support (OCS) has created the following form:

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
</table>

The brochure/form provides brief descriptions of how a child support order may be established to provide support to a child, and how a client may request services.

This new brochure/form was created to assist parents who are not familiar with the services that are available to them, and where to request services.

The brochure/form will be mailed to new parents to promote awareness of the services available to them from the local child support enforcement agency (CSEA).

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A new form will be added to Forms Central.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Five Year Rule Review - Account Information Access Agreements

The Office of Child Support (OCS) has filed the following rule with **no changes**. The rule has been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rule will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-90</td>
<td>Account Information Access Agreements</td>
<td>12/01/2011</td>
</tr>
</tbody>
</table>

This rule describes account information access agreements that are between OCS and financial institutions doing business in Ohio and financial institutions doing business in other states, for the purpose of enforcing child support orders.

This rule is authorized under ORC sections 3121.78 and 3125.25, and amplifies ORC sections 3121.74, 3121.76, 3121.77, 3121.99, 3123.25, and 3123.38.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

[http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals).

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 121 (Five Year Rule Review – Enforcement of a Support Order Rules)

Child Support Program Manual Transmittal Letter (CSPMTL) No. 121

February 10, 2017

TO: All Child Support Program Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Five Year Rule Review – Enforcement of a Support Order Rules

The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-25</td>
<td>Monthly administration of support orders</td>
<td>6/15/2006</td>
<td>3/1/17</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirement and process for the child support enforcement agency (CSEA) to administer support orders on a monthly basis. Changes from the existing rule include clarifying language in paragraphs (A), (B)(1) and (B)(3).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3125.25; and amplifies ORC sections 3121.28, 3121.51, 3121.52, 3121.53 and 3121.54.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-45</td>
<td>Enforcing a court support order through the United States district courts</td>
<td>1/1/2007</td>
<td>3/1/17</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process a child support enforcement agency (CSEA) may use to enforce an Ohio court support order against a non-custodial parent through the United States district courts. The change made from the existing rule includes updating the form effective date language.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.11.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-50</td>
<td>Judicial enforcement actions</td>
<td>3/1/2012</td>
<td>3/1/17</td>
</tr>
<tr>
<td></td>
<td>This rule describes judicial enforcement actions that a child support enforcement agency (CSEA) with administrative responsibility is required to or may take in addition to other enforcement actions. The rule is being revised to clarify language in paragraph (B).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies ORC sections 1336.01, 1336.02, 1336.03, 1336.04, 1336.05, 1336.06, 1336.07, 1336.08, 1336.09, 1336.10, 1336.11, 2117.06, 2705.031, 2919.21, 3123.14, 3123.15, 3123.182 and 3123.19.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-65</td>
<td>Office of child support poster program</td>
<td>2/1/2014</td>
<td>3/1/17</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirement the office of child support (OCS) has to establish a poster program and the requirements within the program. The rule is being revised to the following: per statute, adding the requirement in paragraph (A) that OCS shall establish a program and correcting “may” to “shall” use funds appropriated by the general assembly to conduct an OCS poster program, added paragraph (H), reworded paragraph (I) to state that the CSEA shall notify the obligor of their selection on the poster and request the obligee to verify the information on the JFS 07023. Also, in</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
paragraph (I), corrected the effective date language for the form reference by adding the word “effective.”

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3123.95, 3123.951, 3123.952, 3123.953, 3123.954, 3123.955, 3123.956, 3123.957 and 3123.958.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-65.1</td>
<td>Child support enforcement agency poster program</td>
<td>12/1/2006</td>
<td>3/1/17</td>
</tr>
</tbody>
</table>

This rule describes a poster program that the child support enforcement agency (CSEA) may establish and the requirements of the program if they choose to establish one. The rule is being revised to update the form effective date language in paragraph (C) and changing some of the word tenses.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3123.96 and 3123.962.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

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INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has revised the following rules. The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-57-01</td>
<td>Enforcement of medical support provisions</td>
<td>3/1/2009</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule outlines the responsibility of the child support enforcement agency (CSEA) to enforce a medical support provision that is contained in a child support order, and provides clarification that Medicaid does not satisfy the requirement of the health insurance obligor to provide medical support under a child support order. The rule is being revised to update the effective date language to the referenced form.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.30, 3119.43, and 3119.44.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10</td>
<td>National medical support notice</td>
<td>5/1/2012</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the content and purpose of the National Medical Support Notice (NMSN), the requirements for issuing the NMSN, the purpose of the JFS 03377, &quot;Employer/Health Plan Administrator Health Insurance Verification Request&quot; and the JFS 04036, &quot;Notice of Medical Support Enforcement Activity,&quot; and the alternative action required by the CSEA when the health insurance obligor is an active member of the military. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.33, 3119.34, and 3119.35.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.1</td>
<td>Responsibility of employer</td>
<td>1/1/2007</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibility of the employer of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.36, 3119.362, and 3119.364.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.2</td>
<td>Responsibility of health plan administrator</td>
<td>5/1/2012</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibility of the health plan administrator of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.36, 3119.362, and 3119.364.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rule Number</td>
<td>Description</td>
<td>Effective Date</td>
<td>Amended Date</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------------</td>
<td>--------------</td>
</tr>
<tr>
<td>5101:12-57-10.3</td>
<td>Selecting a health plan option</td>
<td>1/1/2007</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of the CSEA and the custodial parent in selecting a health plan option in which to enroll the child(ren) based on plan information received from the health plan administrator. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC section 3119.51; and amplifies ORC section 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.4</td>
<td>Administrative mistake of fact hearing regarding the national medical support notice</td>
<td>1/1/2007</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the reasons a health insurance obligor may request an administrative mistake of fact hearing, the time-frame and method of submitting the request, the hearing process, and the health insurance obligor's right to object to the CSEA decision by filing with the court. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.38, 3119.39, and 3119.41.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.5</td>
<td>Court mistake of fact hearing regarding the national medical support notice</td>
<td>1/1/2007</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the court mistake of fact hearing process in accordance with ORC sections 3119.40 and 3119.41. The rule is being amended to update the effective date language to the referenced form. This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.40 and 3119.41.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.6</td>
<td>Terminating the national medical support notice</td>
<td>3/1/2009</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule describes the circumstances under which a CSEA may terminate the NMSN. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3125.03, and 3119.41.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-57-99</td>
<td>Chapter 5101:12-57 forms – enforcement of medical support provisions</td>
<td>1/1/2015</td>
<td>1/15/2017</td>
</tr>
<tr>
<td></td>
<td>This rule contains a compilation of forms within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-57 of the Administrative Code. Changes from the existing rule include: corrected the effective date of forms, and added OMB 0970-0222 to the list. This rule is authorized by ORC section 3125.25, and amplifies ORC section 3125.03.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL t62determine whether they require the CSEA to update its internal procedural handbook.
December 13, 2016

TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Reduction of Permanently Assigned Arrears Rules – Five Year Rule Review

The Office of Child Support (OCS) has rescinded the following rules. The rules were reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-70</td>
<td>Waiver and Compromise of Permanently Assigned Arrears</td>
<td>10/1/2010</td>
<td>1/1/2017</td>
</tr>
<tr>
<td></td>
<td>This rule contains definitions for terms specific to this rule and the supplemental rules; lists the limitations regarding a negotiation for a waiver or compromise; specifies that a child support enforcement agency (CSEA) may elect to implement a waiver or compromise of permanently assigned arrears program; and identifies when a CSEA is required to take action in a legal proceeding for the waiver or compromise of permanently assigned arrears if the CSEA is not already a party to the action.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-70.1</td>
<td>Negotiation for a Waiver or Compromise of Permanently Assigned Arrears</td>
<td>10/1/2010</td>
<td>1/1/2017</td>
</tr>
<tr>
<td></td>
<td>This rule authorizes an obligor to submit a request to a CSEA for a waiver or compromise of permanently assigned arrears; describes what actions a CSEA shall take when a negotiation for a waiver or compromise is pending, including completing the JFS 07717, &quot;Determination Regarding Negotiation for a Waiver or Compromise of Permanently Assigned Arrears&quot;, and forwarding a completed JFS 07717 to office of child support (OCS) when the pending negotiation is for a waiver or compromise of permanently assigned arrears of $5000 or more; and requires the CSEA to notify an obligor in writing when an obligor's request for a waiver or compromise is denied.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-70.2</td>
<td>Agreed Entry for a Waiver or Compromise of Permanently Assigned Arrears</td>
<td>10/1/2010</td>
<td>1/1/2017</td>
</tr>
<tr>
<td></td>
<td>This rule requires the CSEA to use the JFS 07718, &quot;Administrative Agreed Entry for a Waiver or Compromise of Permanently Assigned Arrears&quot; for a waiver or compromise of permanently assigned arrears that accrued under an administrative child support order; lists language required in an agreed entry for a waiver or compromise of permanently assigned arrears that accrued under a court support order; specifies that when permanently assigned arrears are waived or reduced, the same amount of</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
unreimbursed assistance must be reduced; requires the CSEA to maintain a written record of waivers and compromises; and requires the CSEA to provide the OCS a copy of the CSEA's written record, agreed entry or report regarding CSEA's completed waivers and compromises upon OCS' request.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25

OCS has adopted the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-70</td>
<td>Reduction of Permanently Assigned Arrears</td>
<td>1/1/2017</td>
</tr>
<tr>
<td>5101:12-60-70.1</td>
<td>Procedures for a Reduction of Permanently Assigned Arrears</td>
<td>1/1/2017</td>
</tr>
<tr>
<td>5101:12-60-70.2</td>
<td>Process for a Reduction of Permanently Assigned Arrears</td>
<td>1/1/2017</td>
</tr>
<tr>
<td>5101:12-60-70.3</td>
<td>Agreed Entry for a Reduction of Permanently Assigned Arrears</td>
<td>1/1/2017</td>
</tr>
</tbody>
</table>

This rule contains definitions for terms specific to this rule and the supplemental rules. Changes from the rescinded rule 5101:12-60-70, include removing paragraphs (C), (D), (E) and (F) to other rules within this Chapter and the addition of new definitions.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25.

This rule describes the procedure when a CSEA elects to establish a procedure for a reduction of permanently assigned arrears. Changes from the rescinded rule 5101:12-60-70.1 include; giving a more detailed instruction on how the CSEA must establish their procedures for implementing a program for a reduction of permanently assigned arrears, adding requirements that a CSEA must provide when electing to use a family support program, and pre approval is required, as part of their procedures and clarifying the lifetime maximum amount a CSEA can reduce from permanently assigned arrears locally.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25.

This rule describes the negotiation process between the CSEA and the obligor when requesting a reduction of permanently assigned arrears. The rule outlines the responsibilities of the obligor, CSEA and OCS. Changes from the rescinded rule 5101:12-60-70.2 include a detailed process for a CSEA when they are negotiating for a reduction of permanently assigned arrears.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25.

This rule describes the agreed entry process for the CSEA once a request for a reduction of permanently assigned arrears is approved, either locally by a CSEA or OCS. This information was previously found in rule 5101:12-60-70.2.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25.
This rule describes the reporting requirements the CSEA must maintain when tracking all requests and agreements for a reduction of permanently assigned arrears. This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.24 and 3125.25.

OCS has **amended** the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-99</td>
<td>Chapter 5101:12-60 Forms – Order Administration</td>
<td>11/1/2015</td>
<td>1/1/2017</td>
</tr>
</tbody>
</table>

This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Administrative Code. Changes from the existing rule include changes to the form names and effective dates of the JFS 07717 and the JFS 07718.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.25.

OCS has **revised** the following forms:

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07717</td>
<td>Determination Regarding Negotiation for a Reduction of Permanently Assigned Arrears</td>
<td>7/2010</td>
<td>1/2017</td>
</tr>
</tbody>
</table>

This form is used to document the pending request for a reduction of permanently assigned arrears and what actions will be taken by the obligor and the CSEA. Changes from the existing form include; changing the name of the form and reformattting the document to be more user friendly to the CSEA and client.

| JFS 07718 | Administrative Agreed Entry for a Reduction of Permanently Assigned Arrears | 7/2010 | 1/2017 |

This form is used as an administrative agreed entry for a reduction of permanently assigned arrears when arrears accrued under an administrative child support order. Changes from the existing form include; changing the name of the form and reformattting the document to be more user friendly to the CSEA and client.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
• An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
• A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has filed the following rules with no changes. The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rules will remain the same as the existing rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-20-05</td>
<td>Location of an individual for support enforcement program purposes</td>
<td>6/15/2006</td>
</tr>
<tr>
<td>5101:12-20-05.1</td>
<td>Location tools</td>
<td>7/1/2013</td>
</tr>
<tr>
<td>5101:12-20-05.2</td>
<td>State parent locator service</td>
<td>3/1/2012</td>
</tr>
</tbody>
</table>

OCS has amended the following rules. The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-20-05.3</td>
<td>Federal parent locator service</td>
<td>6/15/2006</td>
<td>1/1/2017</td>
</tr>
<tr>
<td>5101:12-20-10</td>
<td>Location for parental kidnapping, child custody,</td>
<td>3/1/2012</td>
<td>1/1/2017</td>
</tr>
</tbody>
</table>
This rule describes the use of the FPLS to locate an individual for parental kidnapping, child custody, or visitation purposes; and the procedures a CSEA shall follow upon receipt of a request to use FPLS for this purpose. Changes from the existing rule include: corrected the link to the federal website in paragraph (A); and corrected a typo in paragraph (H)(3).

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03, 3125.06, and 3125.24.

5101:12-60-45 Continuation of support obligation beyond the child's eighteenth birthday

| 1/1/2007 |

This rule describes when the duty of support continues beyond the age of eighteen. The rule clarifies that the parental duty of support ends upon the child's eighteenth birthday except under three circumstances, describes the three circumstances, and identifies which two of the three circumstances require the parental duty of child support to not extend beyond the child's nineteenth birthday. The rule has been revised to correct the ORC reference in the supplemental information section under the "Rule Amplifies" line.

This rule is authorized by ORC section 3125.25; and amplifies ORC section 3119.86.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rule. The rule has been reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-54</td>
<td>Incentive Payment</td>
<td>4/14/2011</td>
<td>12/1/16</td>
</tr>
</tbody>
</table>

This rule describes the calculation and distribution of the Ohio incentive payment from the Federal Office of Child Support Enforcement (OCSE) to the Ohio department of job and family services (ODJFS), and the incentive payment from ODJFS to the child support enforcement agency (CSEA).

Changes to the rule include: updated the forms effective date language.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 5101.23.

The Office of Child Support (OCS) has proposed the following rules with no changes. The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rules will remain the same as the existing rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-54.1</td>
<td>Incentive Payment: Performance-Based Measure</td>
<td>4/14/2011</td>
</tr>
</tbody>
</table>

This rule describes the calculation of the CSEA incentive payment and corrective action plan.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03, 5101.23.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-54.2</td>
<td>Incentive Payment: County Self-Assessment</td>
<td>4/14/2011</td>
</tr>
</tbody>
</table>

This rule describes the process for the CSEA to receive 25% of the CSEA incentive payment by completing a county self-assessment. The rule includes a definition for "self-assessment category," a description of the sampling methodology for the quality assurance (QA) sample, and timeframes and instructions for the CSEA to complete and submit the county self-assessment.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 5101.23.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuales.

An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.ohio.gov/emanuals

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed the following rule with no changes. The rule has been reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the “no change” rule will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-01</td>
<td>The Support Enforcement Program</td>
<td>3/1/2012</td>
</tr>
</tbody>
</table>

This rule describes the responsibility the CSEA has for the establishment and administration of a support enforcement program. It describes the requirements of the child support enforcement program. There will be no changes to this rule.

This rule is authorized by section 3125.05 and 3125.25 of the Revised Code, and amplifies sections 3125.02, 3125.03, 3125.05, 3125.10, 3125.11, 3125.12, 3125.24 and 5101.24 of the Revised Code.

The Office of Child Support (OCS) has amended the following rule. The rule has been reviewed in accordance with section 106.03 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-50</td>
<td>Program Funding</td>
<td>3/1/2012</td>
<td>12/1/2016</td>
</tr>
</tbody>
</table>

This rule describes the funding for allowable IV-D expenditures and funding for expenditures in which FFP is not allowable. The change includes adding a date to a reference within the rule.

This rule is authorized by section 3125.25 of the Revised Code, and amplifies sections 3125.19, 3125.21 and 3125.22 of the Revised Code.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes how the Child Support Enforcement Agency (CSEA) with administrative responsibility for a child support order administratively terminates the current child support obligation and the medical support provisions when a required or optional administrative termination reason exists. Changes for the existing rule include: corrected the title to JFS 7521 in paragraph (F)(1). This rule is authorized by ORC sections 3119.94 and 3125.25, and amplifies ORC sections 3119.87 and 3119.88.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-50.1</td>
<td>Administrative termination investigation, findings and recommendations and impounding support</td>
<td>2/1/2016</td>
<td>9/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process that the CSEA shall follow to complete an administrative termination investigation, issuing findings and recommendations as a result of that investigation, and the process for impounding support; and provides a formula for calculating the cash medical support when the CSEA terminates a child from an order and determines that there are other minor children subject to the child support order. Changes for the existing rule include: updated a reference in paragraph (C)(1)(b)(i)(b). This rule is authorized by ORC sections 3119.94 and 3125.25 and amplifies ORC sections 3119.89 and 3119.90.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Administrative Code. Changes for the existing rule include: corrected the title to JFS 7521. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03 and 3125.25.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Five year rule review - 5101:12-10-05

The Office of Child Support (OCS) has amended the following rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-05</td>
<td>Case Records</td>
<td>5/1/2011</td>
<td>9/1/2016</td>
</tr>
</tbody>
</table>

This rule describes the requirement to maintain records for each child support case, and the type of records to be maintained.

Changes for the existing rule include: added language in paragraph (B)(1) to include a title IV-B referral.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.07 and 3125.11.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Rule 5101:12-80-10.2 - Revisions

The Office of Child Support (OCS) has amended the following rule:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-10.2</td>
<td>Prorating Support Collections</td>
<td>2/1/2016</td>
<td>8/1/2016</td>
</tr>
</tbody>
</table>

This rule describes how to prorate a support collection when OCS or a child support enforcement agency (CSEA) receives a collection, and the obligor has more than one support order, and there are no instructions included with the collection or remitter instructions cannot be obtained for apportioning the payment between the support orders.

Changes for the existing rule include: deleted the language in paragraph (C)(3) as it no longer applies; added language to paragraph (D) to clarify the proration of a lump sum payment when it's not sufficient to satisfy total arrears; clarified when all balances have been satisfied on a support order, allocate any remaining funds to the current obligations for future months; clarified when a lump sum payment equal or exceeds the total arrears owed on support orders, satisfy the arrears owed and issue the remaining balance to the obligor or to the alternative allocation negotiated with the obligor, if any.

This rule is authorized under ORC sections 3121.71, 3125.25 and amplifies ORC sections 3125.03, 3121.43, 3121.52, 3121.54, 3121.56.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A no change rule will continue with the same effective date.

The rules in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 112 (Continuation of Services)
Child Support Program Manual Transmittal Letter (CSPMTL) No. 112
June 30, 2016

TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Continuation of Services

The Office of Child Support (OCS) has amended the following rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-72</td>
<td>Continuation of Services</td>
<td>6/15/2006</td>
<td>9/1/2016</td>
</tr>
</tbody>
</table>

This rule informs a CSEA to provide IV-D services to a client when their public assistance has terminated unless a client provides a written request to terminate the IV-D services.

Updated the forms effective date language. No other changes were made to the language in this rule.

This rule is authorized by section 3125.25 of the Revised Code, and amplifies sections 3125.03 and 3125.11 of the Revised Code.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule contains a compilation of form(s) within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-10 of the Administrative Code.

Revised the effective date of the JFS 07607.

This rule is authorized by section 3125.25 of the Revised Code, and amplifies sections 3125.03 and 3125.25 of the Revised Code.

OCS has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07607</td>
<td>Case Continuation Notice</td>
<td>4/1996</td>
<td>9/1/2016</td>
</tr>
</tbody>
</table>

The case continuation notice informs the client that their IV-D services will continue even though their public assistance benefits have terminated.

Updated the title to add Ohio Department of Job and Family Services per IPP.4301 and simplified language throughout the form.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. These rules were reviewed in order to comply with Sub. H.B. 64:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05</td>
<td>Scope and definitions for intergovernmental cases</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This is the principle rule, which provides definitions of intergovernmental terms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Updated the reference sections of the Ohio Revised Code (ORC), and updated existing definitions and the added new definitions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3115.102 and 3125.03</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.1</td>
<td>CSEA general responsibilities</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the general responsibilities of the child support enforcement agency (CSEA) as an initiating or a responding agency.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Updated the rule to clarify the language in paragraph (B)(1).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03, 3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.2</td>
<td>Responsibilities of Ohio interstate central registry</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of Ohio's Central Registry when processing an interstate case.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Updated the rule to correcting the spelling error in paragraph (B)(1) and removed paragraphs (E) and (F).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.310, 3115.506, 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.3</td>
<td>Requirements for initiating CSEA in intergovernmental cases</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
</tbody>
</table>
This rule describes the specific responsibilities of an initiating CSEA. Updated the rule to clarify the language in paragraph (B)(4) and updated the terminology to be consistent with Uniform Interstate Family Support Act (UIFSA) 2008.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.304, 3115.305, 3115.307.

<table>
<thead>
<tr>
<th>Rule Reference</th>
<th>Description</th>
<th>Effective Date</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5101:12-70-05.4</strong></td>
<td>Requirements for responding CSEA in intergovernmental cases</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the specific responsibilities of a responding CSEA. Updated paragraph (B)(4) to be consistent with the administrative responsibility process in rules 5101:12-10-03 and 5101:12-10-04 and removed paragraph (D).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.304, 3115.305, 3115.307.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>5101:12-70-05.5</strong></td>
<td>Establishment of paternity in an intergovernmental case</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process and the responsibilities of each CSEA as an initiating or responding agency when establishing paternity for an intergovernmental case. Updated the referenced sections of the ORC, clarified the language found in paragraph (D)(1) and removed paragraph (D)(3).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.201, 3115.203, 3115.304, 3115.305, 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>5101:12-70-05.6</strong></td>
<td>Establishment of a child support order in an intergovernmental case</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process and responsibility of each CSEA as an initiating or responding agency when establishing a support order for an intergovernmental IV-D case. Updated the referenced sections of the ORC, clarified the language found in paragraph (D)(1) and removed paragraph (D)(3).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.201, 3115.203, 3115.304, 3115.305, 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>5101:12-70-05.7</strong></td>
<td>Determination of the controlling order</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td>Rule Number</td>
<td>Description</td>
<td>Effective Date</td>
<td>End Date</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>----------</td>
</tr>
<tr>
<td>5101:12-70-05.8</td>
<td>Enforcement of a support order in an intergovernmental case</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process and techniques available to a CSEA as an initiating or responding agency to enforce an intergovernmental case.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Updated the language to be consistent with the change made to the administrative responsibility rules, 5101:12-10-03 and 5101:12-10-04, updated the referenced sections of the ORC, updated terminology to be consistent with UIFSA 2008, and clarified paragraph (I).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.205, 3115.206, 3115.207, 3115.208, 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.9</td>
<td>Modification of a controlling order in an intergovernmental case</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibility of each CSEA as an initiating or responding agency when modifying a controlling child support order in an intergovernmental case.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Updated the language to be consistent with the changes made to the administrative responsibility rules, 5101:12-10-03 and 5101:12-10-04, updated the referenced sections of the ORC, and other minor formatting changed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.206, 3115.304, 3115.305, 3115.307, 3115.602, 3115.603, 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.10</td>
<td>The child support enforcement network</td>
<td>11/1/2011</td>
<td>7/1/2016</td>
</tr>
</tbody>
</table>
This rule describes the responsibilities of each CSEA, and requires the use of the Child Support Enforcement Network (CSENet) when processing an interstate case.

Clarified paragraph (B) by simplifying the Child Support Enforcement Network process.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.317, 3125.03, 3125.07, 3125.08.

<table>
<thead>
<tr>
<th>Rule Code</th>
<th>Title</th>
<th>Effective Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05.11</td>
<td>Forms for interstate processing</td>
<td>11/1/2011 7/1/2016</td>
</tr>
</tbody>
</table>

This rule lists the UIFSA mandated forms that a CSEA must use when processing an interstate case.

Included the word "limited" in paragraph (A)(3), updated the ORC reference in paragraph (A)(7), updated the name of the form in paragraph (D)(1) and the form effective date language.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.602, 3115.605, 3125.03.

<table>
<thead>
<tr>
<th>Rule Code</th>
<th>Title</th>
<th>Effective Dates</th>
</tr>
</thead>
</table>

This rule describes the process of extraditing an obligor from another state to Ohio, and describes the process used by the governor of Ohio when a request is received from another state to extradite an obligor residing in Ohio.

Include updated referenced sections of the ORC.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 2919.21, 3115.801 and 3115.802.

OCS has adopted new the following rule:

<table>
<thead>
<tr>
<th>Rule Code</th>
<th>Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-99</td>
<td>Chapter 5101:12-70 forms – interstate actions</td>
<td>7/1/2016</td>
</tr>
</tbody>
</table>

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-70 of the Administrative Code.

This rule is authorized by ORC section 3125.25.

OCS has amended the following form:
<table>
<thead>
<tr>
<th>Amended Form</th>
<th>Amended Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Form</th>
</tr>
</thead>
</table>

This form is used to request for a lien to be placed on property owned by a person in a state other than Ohio.

Updated the format to be consistent with the Federal version and changed the title to meet the form design standards described in IPP 4301.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3115.102 and 3125.03

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: 5 Year Rule Review - Rule 5101:12-80-07

The Office of Child Support (OCS) has proposed the following rule as "no change." The rule has been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rule will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-07</td>
<td>Mandatory Electronic Disbursement</td>
<td>2/9/2006</td>
</tr>
</tbody>
</table>

This rule describes the requirement that OCS issues support payments by means of electronic disbursement to reduce the time required to deliver support payments to obligees.

This rule is authorized by ORC sections 3121.50, 3121.71 and 3125.25 and amplifies ORC sections 3121.50 and 3125.03.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A no change rule will continue with the same effective date.

The rules in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Rules Impacted by Income Withholding (IW) and New Forms Rule

The Office of Child Support (OCS) has amended and adopted the following rules to:

- Correct the revised effective date and the title of the JFS 04047, "Income Withholding for Support" (IW).
- Adopt a new rule 5101:12-55-99 to consolidate the effective dates of forms within Chapter 5101:12-55 of the OAC to eliminate amending rules when forms are revised.
- Amend rules contained in Chapter 5101:12-55 to update the effective date language to the referenced forms.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-10</td>
<td>Income Withholding or Income Deduction</td>
<td>3/1/2013</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes in part the requirements for a child support enforcement agency (CSEA) to implement income withholding or income deduction. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3121.01, and 3121.0310.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes when a CSEA shall issue an income withholding or income deduction. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3121.03, 3121.032, 3121.033, 3121.035, and 3121.036.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for withholding unemployment compensation benefits received by an obligor. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3121.07 and 4141.284.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-12</td>
<td>Lump Sum Payments</td>
<td>2/1/2013</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process used by the CSEA when notified that an obligor is eligible to receive a lump sum payment. The rule is being amended to update the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rule Code</td>
<td>Title</td>
<td>Effective Date</td>
<td>Amended Date</td>
</tr>
<tr>
<td>---------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes how a child support enforcement agency (CSEA) with administrative responsibility shall conduct an investigation of an obligor's employment and/or resources when the CSEA receives notification or becomes aware of a change in the obligor's source of income or status of accounts in a financial institution. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3121.03, and 3121.14.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-90</td>
<td>Additional Authority to Collect Arrearages</td>
<td>3/1/2013</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes how a CSEA administering the support order may take enforcement actions to collect any arrearage amount that has not yet been collected. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC sections 3123.823 and 3125.25, and amplifies ORC sections 3121.03, 3123.22, 3123.24, 3123.36, 3123.37, 3123.38, 3123.81, 3123.82, 3123.821, 3123.822, and 3123.823.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes how at the end of each month, the support enforcement tracking system (SETS), upon identifying that an obligor appears to meet the default criteria and the case meets the automatic income withholding criteria, issues a JFS 04047, &quot;Income Withholding for Support&quot; (rev. 7/2015), to the obligor's current employer and the obligor. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.021, 3123.022, 3123.03, 3123.061, 3123.07, and 3123.21.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.2</td>
<td>Default Investigation</td>
<td>3/1/2013</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process of how the CSEA shall conduct an investigation once an obligor has been identified to be in default. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC section 3125.25, and amplifies ORC section 3123.02.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.3</td>
<td>Administrative Mistake of Fact Hearing Process</td>
<td>7/15/2013</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative mistake of fact hearing process for when an obligor who has been found to be in default. The rule is being amended to update the effective date language to the referenced forms. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.031, 3123.033, 3123.04, and 3123.21.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.4</td>
<td>Final and Enforceable Determination of Default</td>
<td>3/1/2013</td>
<td>2/1/2016</td>
</tr>
</tbody>
</table>
This rule describes when a final and enforceable determination of default exists. The rule is being amended to update the effective date language to the referenced forms, and to correct the title of JFS 04047.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.032, 3123.04, 3123.05, and 3123.06.

5101:12-55-10
Financial Institution Data Match Program
12/1/2011 2/1/2016

This rule describes the financial institution data match (FIDM) program, including FIDM definitions, account information access agreements, financial institution rights and responsibilities, and the FIDM procedures that the CSEA is required to follow. The rule is being amended to update the effective date language to the referenced forms.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3121.01, 3121.74, 3123.24, and 3123.25.

5101:12-55-10.1
Investigation of an Account, Imposing an Access Restriction, and Releasing an Access Restriction
12/1/2011 2/1/2016

This rule describes the procedures that the CSEA is required to follow when it investigates an account, imposes an access restriction, or releases an access restriction. The rule is being amended to update the effective date language to the referenced forms.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.25, 3123.26, and 3123.27.

5101:12-55-10.2
Administrative and Court Hearings for Ownership Interest in an Account
12/1/2011 2/1/2016

This rule describes the administrative hearing procedures that the CSEA is required to follow as well as the court process when the joint account owner requests an administrative or court hearing. The rule is being amended to update the effective date language to the referenced forms.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3123.29, 3123.30, 3123.31, 3123.32, 3123.33, 3123.34, 3123.35, and 3123.36.

5101:12-55-10.3
Issuing a Withdrawal Directive
12/1/2011 2/1/2016

This rule describes the procedures that the CSEA is required to follow when it issues a withdrawal directive to a financial institution. The rule is being amended to update the effective date language to the referenced forms.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3123.28, 3123.32, 3123.36, and 3123.37.

5101:12-55-20.1
Lien Levy and Execution
4/1/2006 2/1/2016

This rule describes the process that the CSEA shall use when it decides to execute on a lien on personal or real property of an obligor that has been asserted by the CSEA in accordance with rule 5101:12-55-20 of the Administrative Code. The rule is being amended to update the effective date language to the referenced form.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3123.71, 3123.72, 3123.73, 3123.74, 3123.75, 3123.76, and 3123.78.
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25</td>
<td>License Suspension</td>
<td>5/1/2012 2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes when a CSEA may, as an enforcement technique, submit an</td>
<td></td>
</tr>
<tr>
<td></td>
<td>obligor to a licensing entity to suspend, refuse, or deny renewing a license.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.63 and 3125.25 and amplifies ORC sections 3123.41 to 3123.50, 3123.53 to 3123.60, 3123.62, and 3123.63.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-25.1</td>
<td>License Reinstatement</td>
<td>5/1/2012 2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process and required criteria a CSEA shall use to reinstate a professional, recreational, or driver's license that has been suspended. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.63 and 3125.25 and amplifies ORC sections 3123.41 to 3123.50, 3123.53 to 3123.60, 3123.62, and 3123.63.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-25.2</td>
<td>Driver's License Abstract</td>
<td>5/1/2012 2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This new rule describes the process and criterion a CSEA shall use to direct the registrar of motor vehicles to eliminate from the abstract maintained by the bureau of motor vehicles (BMV) any reference of a previous license suspension. The rule is being amended to update the effective date language to the referenced form.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.63 and 3125.25; and amplifies section 3123.63.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-26</td>
<td>Suspension and Reinstatement of License to Practice Law</td>
<td>5/1/2012 2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes when a CSEA may, as an enforcement technique, refer an obligor who is licensed to practice law in the state of Ohio to the Ohio supreme court for suspension of a license to practice law. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies sections 3125.03 and 4705.021.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the process used by a CSEA to issue an intercept directive to the Ohio Lottery Commission to transmit an amount from the proceeds of a specified lottery prize award to OCS, when the prize winner is an obligor who is subject to a final and enforceable determination of default. The rule is being amended to update the effective date language to the referenced forms.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section and 3125.25, and amplifies ORC sections 3123.89 and 3770.071.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the process the CSEA will follow upon notification of an insurance claim match. The rule is being amended to update the effective date language to the referenced form.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.23 and 3125.25; and amplifies sections 3121.03, 3121.21 and 3125.25.</td>
<td></td>
</tr>
</tbody>
</table>
### OCS has adopted the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5101:12-55-99</strong></td>
<td>Chapter 55 Forms - Enforcement of the Support Order Based on Finding of Default</td>
<td>2/1/2016</td>
</tr>
</tbody>
</table>

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-55 of the Administrative Code.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.25.

### INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

### INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply.
The Office of Child Support (OCS) has amended the following rules. The rules were reviewed in accordance with sections 106.03 and 119.04 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-10</td>
<td>Allocation hierarchy for support collections</td>
<td>5/1/2011</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule provides definitions and describes the standardized allocation hierarchy for support collections. Changes to this rule include: added language in paragraph (C)(9)(b) clarifying that when a balance exists from a lump sum payment the balance must be refunded to the obligor; and replaced section 5101.59 with 5160.38 in the supplemental information section under the &quot;Rule Amplifies&quot; line, as this section was renumbered by the 130th General Assembly. This rule is authorized under ORC sections 3119.51, 3121.71, 3125.25 and amplifies ORC sections 3119.27, 3119.30, 3121.07, 3121.43, 3121.51, 3121.56, 3121.58, 3123.821, 3125.03, 3125.05, 5160.38, and 5107.20.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-10.1</td>
<td>Allocation hierarchy for federal income tax refund offset collections</td>
<td>10/1/2009</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the allocation hierarchy for federal income tax refund offset collections. Changes to this rule include: replaced section 5101.59 with 5160.38 in the supplemental information section under the &quot;Rule Amplifies&quot; line, as this section was renumbered by the 130th General Assembly. This rule is authorized by ORC sections 3121.71, 3125.25, and amplifies ORC sections 3119.30, 3121.51, 3123.81, 5160.38, and 5107.20.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule provides definitions and describes the provisions of limited assignment and Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). Changes to the rule include updating the forms effective date language. This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 3125.24.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
OCS has proposed the following rules as **no change**. These rules have been reviewed in accordance with sections 106.03 and 119.04 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of this rule will remain the same as the existing rules:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-10.2</td>
<td>Prorating support collections</td>
<td>10/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes how to prorate a support collection when the Office of Child Support (OCS) or a child support enforcement agency (CSEA) receives a collection, the obligor has more than one support order, and there are no instructions included with the collection or remitter instructions cannot be obtained for apportioning the payment between the support orders. This rule is authorized under ORC sections 3121.71, 3125.25 and amplifies ORC sections 3125.03, 3121.43, 3121.52, 3121.54, and 3121.56.</td>
<td></td>
</tr>
<tr>
<td>5101:12-80-14.1</td>
<td>Distribution of assigned support in a Title IV-D public assistance case</td>
<td>10/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes distribution in a Title IV-D public assistance case. This rule is authorized under ORC sections 3125.25, 5107.05 and amplifies ORC sections 3121.43, 3123.19, and 5107.20.</td>
<td></td>
</tr>
<tr>
<td>5101:12-80-14.2</td>
<td>Assignment and distribution in a Title IV-D/Title IV-E foster care maintenance case</td>
<td>10/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes the provisions of assignment and distribution in a Title IV-D/Title IV-E foster care maintenance (FCM) case. This rule is authorized under ORC sections 3125.25, 5107.05 and amplifies ORC sections 3121.43, 3123.19, and 5107.20.</td>
<td></td>
</tr>
</tbody>
</table>

OCS has **adopted** the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-99</td>
<td>Chapter 5101:12-80 forms - collections and disbursements</td>
<td>2/1/2016</td>
</tr>
<tr>
<td></td>
<td>This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-80 of the Administrative Code. This rule is authorized by ORC section 3125.25 and amplifies sections 3125.03 and 3125.25.</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
• An adopted rule will be inserted.
• A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has adopted the following flyer/form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 08021</td>
<td>New Rules for Unemployed Parents Who Owe Child Support</td>
<td>11/2015</td>
</tr>
</tbody>
</table>

Pursuant to section 3121.03 of the Revise Code, a court or a child support enforcement agency (CSEA) that issues a seek work order after September 28, 2015 is required to include in the order, a requirement that the obligor registers with Ohio Means Jobs (OMJ). This flyer has been created in order to provide direction to child support customers who have been required to register with OMJ. The CSEA can provide this flyer to individuals as needed, or can attach the flyer to any seek work order being issued. Additionally, there will be a page on the OCS internet website that provides direction to customers who are under this requirement, and a link to this flyer will be provided.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
- An adopted form will be posted to Forms Central and Internet

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
http://www.odjfs.state.oh.us/forms/inner.asp
or on the ODJFS Forms Central Internet page at:
http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rule.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-17</td>
<td>Seek Work Orders</td>
<td>4/1/2013</td>
<td>1/1/2016</td>
</tr>
</tbody>
</table>

This rule describes when the child support enforcement agency (CSEA) may issue an administrative order or request that the court issue an order requiring an obligor under a court support order to seek employment or engage in work activities under the Ohio Works First (OWF) program when the CSEA determines that the obligor is unemployed, has no income, and does not have an account at any financial institution. The rule is being revised to comply with the revisions to section 3121.03 of the Revised Code.

This rule is authorized by ORC section 3125.25 and amplifies 3121.03 and 5107.14.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed the following rules as "no change". The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the "no change" rules will remain the same as the existing rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-32.1</td>
<td>Submission criteria</td>
<td>9/1/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the criteria required for submittal to</td>
<td></td>
</tr>
<tr>
<td></td>
<td>the federal tax refund offset program.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC section 3123.81.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.3</td>
<td>Adding, updating, and deleting obligors from the Ohio tax</td>
<td>7/1/2006</td>
</tr>
<tr>
<td></td>
<td>offset file</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for adding, updating,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and deleting obligors from the federal tax offset file</td>
<td></td>
</tr>
<tr>
<td></td>
<td>submittal by Ohio to OCSE.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.4</td>
<td>Rejected submissions</td>
<td>9/1/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the procedure a child support</td>
<td></td>
</tr>
<tr>
<td></td>
<td>enforcement agency (CSEA) is required to follow when a</td>
<td></td>
</tr>
<tr>
<td></td>
<td>federal tax offset submission is rejected by the federal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Office of Child Support Enforcement (OCSE).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.8</td>
<td>Federal income tax refund offset reports</td>
<td>9/1/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the federal income tax refund offset</td>
<td></td>
</tr>
<tr>
<td></td>
<td>collections reports that are provided to the CSEA for</td>
<td></td>
</tr>
<tr>
<td></td>
<td>appropriate action(s).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.10</td>
<td>Joint refund</td>
<td>9/1/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process in which federal tax</td>
<td></td>
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<tr>
<td></td>
<td>refund offset collections from a joint tax returns are</td>
<td></td>
</tr>
<tr>
<td></td>
<td>disbursed.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
</tr>
</tbody>
</table>
OCS has amended the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule lists the programs that are part of the federal tax</td>
<td></td>
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<tr>
<td></td>
<td>offset program. Changes to the rule include: updated the</td>
<td></td>
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<tr>
<td></td>
<td>revision dates of the federal act and the U.S. Code.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ORC sections 3125.03 and 3125.25.</td>
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<td></td>
<td>This is the principle rule, which provides an introduction to</td>
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<td></td>
<td>the federal tax refund offset program and defines terms that</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>are used in the supplemental rules. Changes to this rule</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>include: replaced the term &quot;financial management service&quot; with</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>&quot;bureau of fiscal service&quot; as the federal office has changed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the name.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.2</td>
<td>The federal match process and pre-offset notice</td>
<td>7/1/2006</td>
<td>1/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the federal tax offset match process and</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>the pre-offset notice procedure. Changes to this rule include:</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>replaced the term &quot;financial management service&quot; with &quot;bureau</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>of fiscal service&quot; as the federal office has changed the name.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.5</td>
<td>Administrative offset review of federal income tax refund</td>
<td>9/1/2011</td>
<td>1/1/2016</td>
</tr>
<tr>
<td></td>
<td>offset program submittals</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for requesting and conducting</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>an administrative tax offset review when an obligor has been</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>submitted to the federal tax offset program. Changes to this</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rule include: revised the language in paragraph (C) for clarity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.6</td>
<td>The federal income tax refund offset process</td>
<td>9/1/2011</td>
<td>1/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process used to offset a federal</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>income tax refund. Changes to this rule include: replaced the</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>term &quot;financial management service&quot; with &quot;bureau of fiscal</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>service&quot; as the federal office has changed the name; revised</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the language in paragraph (B) for clarity; and corrected the</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>name of &quot;Office of Fiscal and Monitoring Services.&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3123.81 and 3125.25;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.7</td>
<td>Service fee</td>
<td>9/1/2011</td>
<td>1/1/2016</td>
</tr>
<tr>
<td></td>
<td>This rule describes the fees that are charged by the federal</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bureau of Fiscal Service for each federal tax offset</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>processed. Changes to this rule include: replaced the term</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot;financial management service&quot; with &quot;bureau of fiscal service&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>as the federal office has changed the name.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.


This rule describes the processes used to rectify an invalid federal tax offset. Changes to this rule include: corrected the title of the JFS 07017.

This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.

5101:12-50-99 Chapter 5101:12-50 forms - enforcement of the support order 2/1/2014 1/1/2016

This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-50 of the Administrative Code. Changes to this rule include: revised the effective date of the JFS 01850, and JFS 07544; and corrected the title of the JFS 07017.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.25.

OCS has revised the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is issued by the CSEA to the obligor scheduling an administrative tax offset hearing. The form provides the date, time and location of the hearing. The form is being revised to add the &quot;Ohio Department of Job and Family Services&quot; to be compliant with IPP 4301.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form is issued by the CSEA to the obligor advising of the administrative tax offset review results. The form is being revised to add the &quot;Ohio Department of Job and Family Services&quot; to be compliant with IPP 4301.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
This MTL is being revised to correct the language under OAC rule 5101:12-60-99; the original reference to the new forms (JFS 00592 and JFS 00593) is incorrect. These forms are not ready for use yet.

The Office of Child Support (OCS) has amended the following rules. These rules are being reviewed in accordance with sections 106.03 and 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-05</td>
<td>Administrative review and adjustment process</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative review and adjustment process. Changes to the rule include: updating the forms effective date language.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.1</td>
<td>Initiation of an administrative review</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the criteria to initiate an administrative review. Changes to the rule include: updating the forms effective date language.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.2</td>
<td>Initiation of temporary adjustment for certain military members</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for certain military members called to active duty to request an administrative review. Changes to the rule include: updating the forms effective date language.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, 3119.77, 3119.771, 3119.772, 3119.773 and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.3</td>
<td>The administrative review</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of the CSEA when conducting the administrative review. Changes to the rule include: updating the forms effective date language.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.6</td>
<td>CSEA administrative adjustment hearing process</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative adjustment hearing process. The rule is being amended to correct the ORC reference in paragraph (B)(2).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Administrative Code. The rule is being revised to correct the title, and remove the reference to JFS 04047 as the form is first listed in rule 5101:12-10-99 of the Ohio Administrative Code.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3125.03 and 3125.25.

OCS has proposed the following rules as "No Change." The effective date of the "no change" rules will remain the same as the existing rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-05.4</td>
<td>Calculation and recommendation of a revised support order</td>
<td>3/1/2009</td>
</tr>
</tbody>
</table>

This rule describes the CSEA's responsibilities in calculating the support obligations included in a child support order and recommending an adjusted child support order.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-05.5</td>
<td>Notice of hearing rights</td>
<td>3/1/2009</td>
</tr>
</tbody>
</table>

This rule describes the hearing rights of the parties. Changes to the rule include an update to the form effective date language.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.

INSTRUCTIONS:

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The rules in the CSPM can be accessed at:

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Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply.
The Office of Child Support (OCS) has amended the following rules. These rules are being reviewed in accordance with sections 106.03 and 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-05</td>
<td>Administrative review and adjustment process</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative review and adjustment process. Changes to the rule include: updating the forms effective date language.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.1</td>
<td>Initiation of an administrative review</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the criteria to initiate an administrative review. Changes to the rule include: updating the forms effective date language.</td>
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<td></td>
</tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.2</td>
<td>Initiation of temporary adjustment for certain military members</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for certain military members called to active duty to request an administrative review. Changes to the rule include: updating the forms effective date language.</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, 3119.77, 3119.771, 3119.772, 3119.773 and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.3</td>
<td>The administrative review</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of the CSEA when conducting the administrative review. Changes to the rule include: updating the forms effective date language.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.6</td>
<td>CSEA administrative adjustment hearing process</td>
<td>3/1/2009</td>
<td>11/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative adjustment hearing process. The rule is being amended to correct the ORC reference in paragraph (B)(2).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Administrative Code. The rule is being revised to list two new forms JFS 00592 and JFS 00593 (see below) and to update the revision dates of other forms.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3125.03 and 3125.25.

OCS has proposed the following rules as "No Change." The effective date of the "no change" rules will remain the same as the existing rules.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-05.4</td>
<td>Calculation and recommendation of a revised support order</td>
<td>3/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes the CSEA's responsibilities in calculating the support obligations included in a child support order and recommending an adjusted child support order.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
</tr>
<tr>
<td>5101:12-60-05.5</td>
<td>Notice of hearing rights</td>
<td>3/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes the hearing rights of the parties. Changes to the rule include an update to the form effective date language.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

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- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManu als.
- A no change rule will continue with the same effective date.

The rules in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply.
TO: All Child Support Program Manual Holders  
FROM: Cynthia C. Dungey, Director  
SUBJECT: JFS 04047 and 07699

The Office of Child Support (OCS) has revised the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>JFS 04047</strong></td>
<td>Income Withholding for Support</td>
<td>5/2012</td>
<td>7/2015</td>
</tr>
</tbody>
</table>

This form has been revised to comply with Action Transmittal 14-05. Some changes include:
- Updated the federal hyperlinks,
- Changed some terms for consistency,
- Added headers to every page starting on page 2,
- Increased spaces to allow states to add their own specific requirements on page 3,
- Clarified that tribal law governs withholding limits for tribal orders,
- Clarified the withholding limits on page 3.

Also, we added language to the first page of the form directing the employer to a new OCS website that provides an "Employer Guide."

|-----------|----------------------------------------|--------|--------|

The form provides brief descriptions of child support program services and provides information about how the clients may access their cases and obtain child support payments status; advises the clients of their responsibilities; advises the clients of the options available when making child support payments; and describes the options available to receive child support payments.

The form has been revised to streamline and organize the information to make it easier for the clients to understand.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
http://www.odjfs.state.oh.us/forms/inner.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The rules have been reviewed in accordance with section 106.031 of the Revised Code, which requires the review of all state agency rules within a five-year period.

The Office of Child Support (OCS) has proposed the following rule with no changes. The effective date of the "no change" rules will remain the same as the existing rule.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-90.1</td>
<td>Employer responsibilities</td>
<td>5/1/2014</td>
</tr>
<tr>
<td>5101:12-10-90</td>
<td>New hire reporting program</td>
<td>5/1/2014</td>
</tr>
</tbody>
</table>

This rule describes the responsibilities of an employer to submit a new hire report to the Ohio Department of Job and Family Services. The rule also lists the required data and the process of submitting the data; and identifies an employer's liability for failing to submit a new hire report.

This rule is authorized under ORC sections 3121.8911 and 3125.25, and amplifies ORC sections 3121.891, 3121.892, 3121.893, 3121.8910, and 3125.03.

OCS has revised the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-25</td>
<td>Record retention, disposal, and destruction of fiscal, statistical, and administrative records</td>
<td>7/1/2010</td>
<td>9/1/2015</td>
</tr>
</tbody>
</table>

This rule describes the retention and destruction of all records that relate to the child support program. Revised the effective dates of the Code of the Federal Regulations (CFR).

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 9.01, 149.38, and 3125.15.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-90</td>
<td>New hire reporting program</td>
<td>5/1/2014</td>
<td>9/1/2015</td>
</tr>
</tbody>
</table>

This rule identifies the federal law that requires Ohio to administer a new hire reporting program; contains definitions used in this rule and the supplemental rules; specifies that new hire reports are not public records; and notes that the Ohio Department of Job and Family Services may provide copies of new hire reports to the Bureau of Workers Compensation.

Changes from the existing rule include: corrected the ORC reference in the supplemental information section under the "Rule Amplifies" line.

This rule is authorized by ORC sections 3121.8911 and 3125.25, and amplifies ORC sections 3121.89, 3121.899, and 3125.03.
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Effective Date</th>
<th>Revised Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-90.2</td>
<td>This rule describes the process by which the Ohio department of job and family services (ODJFS) enters the information described in division (A)(1) of section 3121.89.2 of the Revised Code into the new hire directory of employees. Changes from the existing rule include: corrected the ORC reference in the supplemental information section under the &quot;Rule Amplifies&quot; line; and revised the language in paragraph (E) to be consistent with section 3121.898 of the Revised Code. This rule is authorized under ORC sections 3121.8911 and 3125.25, and amplifies ORC sections 3121.894, 3121.895, 3121.897, 3121.898 and 3125.03.</td>
<td>3/1/2013</td>
<td>9/1/2015</td>
</tr>
<tr>
<td>5101:12-10-90.3</td>
<td>This rule describes the actions the Ohio Department of Job and Family Services (ODJFS) takes upon receiving a new hire report regarding a contractor, including entering the information into the new hire directory, and comparing the social security number of the contractor with the social security numbers of obligors in the Support Enforcement Tracking System (SETS). The rule also states that ODJFS shall use information from the new hire report for support establishment and enforcement purposes. Changes from the existing rule include: corrected the ORC reference in the supplemental information section under the &quot;Rule Amplifies&quot; line. This rule is authorized under ORC sections 3121.8911 and 3125.25, and amplifies ORC sections 3121.891, 3121.892, 3121.895, 3121.896, 3121.898 and 3125.03.</td>
<td>9/1/2005</td>
<td>9/1/2015</td>
</tr>
</tbody>
</table>

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**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 101 (Revisions to the JFS 05050 and Rule 5101:12-47-99)


July 30, 2015

TO: All Child Support Program Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Revisions to the JFS 05050 and Rule 5101:12-47-99

The Office of Child Support (OCS) has amended the following rule.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule contains a compilation of form(s) within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-47 of the Administrative Code. Changes from the existing rule include, revised the effective date of the JFS 05050.

This rule is authorized by section 3125.25 of the Revised Code, and amplifies sections 3125.03 and 3125.25 of the Revised Code.

OCS has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 05050</td>
<td>Schedule of Cash Medical Support Obligations</td>
<td>7/2014</td>
<td>7/2015</td>
</tr>
</tbody>
</table>

The cash medical support schedule is used by all Ohio courts and child support enforcement agencies when calculating the amount of cash medical support to be paid pursuant to a child support order.

Changes from the previous version include: Modified the income ranges and per child expenditure amounts based on the data published by the United States Department of Agriculture: "Expenditures on Children by Families 2013", Estimated annual expenditures on a child by husband-wife families, urban Midwest, 2013.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 100 (Termination of Services Rules and Forms)
Child Support Program Manual Transmittal Letter (CSPMTL) No. 100
August 13, 2015

TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Termination of Services Rules and Forms

The Office of Child Support (OCS) has amended and transmitted new the following Ohio Administrative Code (OAC) rules and form. The rules and form have been reviewed in accordance with sections 106.03 and 119.04 of the Revised Code (ORC), which requires the review of all state agency rules within a five-year period.

OCS has amended the following rule:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-70</td>
<td>Termination of Services.</td>
<td>12/15/2009</td>
<td>09/01/2015</td>
</tr>
</tbody>
</table>

This rule describes the conditions that must exist and the process a child support enforcement agency (CSEA) shall use to terminate IV-D services or to terminate support enforcement program services. Changes from the existing rule include: revised paragraph (F)(1) to include the new language of the forms rule.

This rule is authorized under ORC section(s) 3123.121 and 3125.25, and amplifies ORC sections(s) 3121.441, 3123.12 and 3125.11.

OCS has adopted the following new rule:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-99</td>
<td>Chapter 5101:12-10 forms - child support program administration.</td>
<td>09/01/2015</td>
</tr>
</tbody>
</table>

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-10 of the Administrative Code.

This rule is authorized by ORC section 3125.25.

OCS has revised the following form:

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07046</td>
<td>Pending Case Closure Notification</td>
<td>06/2015</td>
</tr>
</tbody>
</table>

This form is used to notify the client of an administrative action that will be taken on their child support care as pertaining to termination of services.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards. Additional changes were made to update telephone and address information for the Ohio Department of Job and Family Services, Bureau of State Hearings.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted in the CSPM.
- A no change rule will continue with the same effective date.
- A revised form will be replaced with the amended form

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Or on the ODJFS Form Central Internet page at:

http://odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. These rules were reviewed in accordance with sections 106.03 and 119.04 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-56</td>
<td>Assigned medical support collections incentives</td>
<td>5/1/2012</td>
<td>6/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the distribution of assigned medical support collections.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes to the rule include updating form JFS 06613 to show it is now form number</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ODM 06613 with a revised date of July 2014 and clarifying language for a stated</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>acronym.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25 and amplifies sections 3125.03 and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-99</td>
<td>Chapter 5101:12-1 forms - Ohio support enforcement program</td>
<td>5/1/2014</td>
<td>6/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule contains a compilation of forms with their effective or revised effective</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>date, referenced within various rules contained within division 5101:12 of the</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Administrative Code, but first cited within Chapter 5101:12-1 of the Administrative</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Code.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes to the rule include updating form JFS 06613 to show it is now form number</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ODM 06613 with a revised date of July 2014.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-31</td>
<td>Requirement to cooperate with the child support enforcement agency</td>
<td>12/15/2009</td>
<td>6/1/2015</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for an applicant/recipient of Ohio Works First</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(OWF), applicant/recipient of Medicaid, and the Title IV-E agency that has custody</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>of a child receiving Title IV-E Foster Care Maintenance (FCM) benefits, to cooperate</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>with the CSEA to establish paternity and establish, modify, and enforce a child support</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>order.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes to the rule include: clarification of instances of non-cooperation when a CSEA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>sends a notification letter; update to a referenced form number; and added language</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>for consistency with OAC 5101:2-47-08.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25, 5101.591, 5107.05 and amplifies</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ORC sections 5101.58, 5101.59, 5107.20, 5107.22.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:
An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.

An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:
CSPMTL 98 (JFS 00594, "Lump sum Notification")


March 27, 2015

TO: All Child Support Program Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: JFS 00594, "Lump sum Notification"

The Office of Child Support (OCS) has adopted the following form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 00594</td>
<td>Lump Sum Notification</td>
<td>01/2015</td>
</tr>
</tbody>
</table>

This form was created to clarify the process for government agencies when an obligor may be entitled to receive a lump sum payment. This form will be issued manually by the local child support enforcement agency to the Social Security Administration and to the Bureau of Workers Compensation when an obligor may receive a lump sum payment.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A new form will be posted to Forms Central.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: State Lottery Data Match and Withholding

The Office of Child Support (OCS) is adopting the following rule to comply with amended H.B. 483 as part of the 130th General Assembly.

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-30.1</td>
<td>State Lottery Data Match and Withholding</td>
<td>12/01/2014</td>
</tr>
</tbody>
</table>

This rule describes the process to identify whether a person entitled to a lottery prize award is an obligor subject to a final and enforceable determination of default.

This rule is authorized by ORC section 3125.25, and amplifies ORC section 3123.89.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed to **rescind**, **revise**, and **adopt** new the following rules and forms. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

OCS has proposed to **rescind** the following rule:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Titles</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-57-08</td>
<td>Medical support mistake of fact hearing process.</td>
<td>3/1/2009</td>
<td>01/01/2015</td>
</tr>
</tbody>
</table>

This rule describes the medical support mistake of fact hearing process which is only available to an individual whose child support order was issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly. This rule has been rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being restructured to a new format for clarity.

OCS has proposed to **revise** the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-47-01</td>
<td>Medical support provisions.</td>
<td>3/1/2009</td>
<td>01/01/2015</td>
</tr>
</tbody>
</table>

This rule defines terms used throughout division 5101:12 of the Administrative Code. Changes from the existing rule include: revised paragraph (F) to remove the word caretaker from the definition of "Health insurance obligor" to be consistent with the federal definition.

This rule is authorized under ORC section 3119.51; and amplifies ORC section(s) 3119.29, 3119.30, 3119.31, 3119.32

| 5101:12-47-01.1 | Medical support provisions for health insurance and uncovered expenses. | 3/1/2009 | 01/01/2015 |

This rule describes an action or proceeding in which a child support enforcement agency (CSEA) issues or modifies a child support order. Each party to the child support order is required to provide a list of any available private group health insurance policies, contracts, or plans to the CSEA. Changes from the existing rule include: revised paragraph (E) by removing the header to be consistent with the format of the rule.

This rule is authorized under ORC section 3119.51; and amplifies ORC section(s) 3119.30, 3119.31, 3119.32

| 5101:12-47-01.2 | Medical support provision for cash medical | 7/1/2013 | 01/01/2015 |
This rule describes the CSEA's process on how to calculate the cash medical support amount in accordance with the Ohio child support guidelines as described in rule 5101:12-45-10 of the Administrative Code. Changes from the existing rule include: revised paragraph (A) by writing our agency full title since this is the first time referenced in this rule, also revised paragraph (E)(2) to update the format to address the addition of the forms rule.

This rule is authorized under ORC section 3119.51; and amplifies ORC section(s) 3119.30, 3119.302

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-57-01.1</td>
<td>Enforcement of order to report private health insurance</td>
<td>3/1/2009</td>
</tr>
<tr>
<td>5101:12-57-01.2</td>
<td>Enforcement of cash medical support obligation.</td>
<td>3/1/2009</td>
</tr>
</tbody>
</table>

This rule applies only to child support orders issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly. Changes from the existing rule include: revised multiple paragraphs to include the new language of the forms rule.

This rule is authorized under ORC section 3119.51; and amplifies ORC section 3119.30

OCS has proposed the following new rules:

<table>
<thead>
<tr>
<th>New Rules</th>
<th>New Rules Titles</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-57-08</td>
<td>Medical support mistake of fact hearing</td>
<td>01/01/2015</td>
</tr>
</tbody>
</table>

This rule describes the medical support mistake of fact hearing process which is only available to an individual whose child support order was issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly. This rule has been adopted as new because more than fifty percent of the format changes for clarity and flow. Additionally, multiple paragraphs were revised to include the new language of the forms rule.

This rule is authorized under ORC section 3119.51; and amplifies ORC section 3119.30

<table>
<thead>
<tr>
<th>New Rules</th>
<th>New Rules Titles</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-47-99</td>
<td>Chapter 5101:12-47 form - medical support provisions for cash medical.</td>
<td>01/01/2015</td>
</tr>
</tbody>
</table>

This is a new rule that contains a compilation of forms within division 5101:12 of the
5101:12-57-99 | Chapter 5101:12-57 forms - enforcement of medical support provisions. | 01/01/2015

This is a new rule that contains a compilation of forms within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-57 of the Administrative Code.

This rule is authorized by ORC section 3125.25.

---

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 03377</td>
<td>Employer/Health Plan Administrator Health Insurance Verification Request</td>
<td>5/2005</td>
<td>01/2015</td>
</tr>
</tbody>
</table>

This form is used to notify the CSEA if the employee is currently enrolled in health insurance or in the process of being enrolled in health insurance.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.

| JFS 03399 | Notice of Administrative Mistake of Fact Hearing | 2/2003 | 01/2015 |

This notice is used by the CSEA to inform parties of an upcoming hearing and what is expected of them during the hearing.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.

| JFS 04031 | Notice Regarding Cash Medical Support Order and Request for a Medical Support Mistake of Fact Hearing | 8/2008 | 01/2015 |

This form is used by the CSEA to notify the parties when private health insurance that is accessible and reasonable in cost becomes available to the Health Insurance Obligor. The Health Insurance Obligor shall be required to provide private health insurance coverage for the child(ren) named in the order and the cash medical support obligation for the child(ren) named in the order shall cease while private health insurance coverage is being provided. This form also includes a Request for a Medical Support Mistake of Fact Hearing.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.

| JFS 04032 | Notice to Provide Cash Medical Support and Request for a Medical Support Mistake of Fact Hearing | 8/2008 | 01/2015 |

This form is used by the CSEA to notify the parties during any period in which private health insurance that is reasonable in cost and accessible is not being provided for the child(ren) as
ordered. The Child Support Obligor is required to pay cash medical support and both parties are required to immediately report to the CSEA any available private health insurance coverage for the child(ren). This form also includes a Request for a Medical Mistake of Fact Hearing.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.

<table>
<thead>
<tr>
<th>JFS 04033</th>
<th>Notice to Provide Private Health Insurance and Request for a Medical Support Mistake of Fact Hearing</th>
<th>8/2008</th>
<th>01/2015</th>
</tr>
</thead>
</table>

This form is used by the CSEA to notify the parties when private health insurance that is accessible and reasonable in cost becomes available to one of the parties, that party shall be deemed the Health Insurance Obligor and be required to provide private health insurance coverage for the child(ren) named above and the cash medical support obligation for the child(ren) named above shall cease while private health insurance coverage is being provided as ordered. This form also includes a Request for a Medical Mistake of Fact Hearing.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.

<table>
<thead>
<tr>
<th>JFS 04034</th>
<th>Notice of Selection of Health Plan Options</th>
<th>12/2005</th>
<th>01/2015</th>
</tr>
</thead>
</table>

The CSEA uses this notice to inform the party that a selection from available health insurance plan options has been made.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.

<table>
<thead>
<tr>
<th>JFS 04035</th>
<th>Notice of Available Health Plan Options and Health Insurance Obligee’s Selection of Health Plan Options</th>
<th>2/2006</th>
<th>01/2015</th>
</tr>
</thead>
</table>

This notice is used by the CSEA to inform the party about available health plan options. Once a selection is made, the party has the responsibility to return the Health Insurance Obligee’s Selection of Health Plan Options to the CSEA.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.

<table>
<thead>
<tr>
<th>JFS 04036</th>
<th>Notice of Medical Support Enforcement Activity and Request for an Administrative Mistake of Fact Hearing</th>
<th>1/2006</th>
<th>01/2015</th>
</tr>
</thead>
</table>

This notice is used by the CSEA to inform the party that since they were determined by a court or CSEA to be the Health Insurance Obligor a National Medical Support Notice was sent to their employer to enroll the child(ren) listed on the order in any available health insurance plan and to withhold premiums for health insurance coverage in accordance with section 3119.33 of the Revised Code. Attached is also a Request for an Administrative Mistake of Fact Hearing.

The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.
<table>
<thead>
<tr>
<th>JFS 04037</th>
<th>Medical Support Enforcement Administrative Mistake of Fact Hearing Decision</th>
<th>2/2006</th>
<th>01/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is used by the CSEA to inform the party of the decision made during the Medical Support Enforcement mistake of fact hearing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 04098</th>
<th>Notice Regarding National Medical Support Notice Withholding Requirements</th>
<th>8/2008</th>
<th>01/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is used by the CSEA to inform a party's employer that their employee has satisfied the requirements of the medical support order and is no longer required by the courts or CSEA to continue the coverage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The changes made to this form were to spell out the title from NMSN to National Medical Support Notice to be consistence with other forms in this package.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 05050</th>
<th>Schedule of Cash Medical Support Obligations</th>
<th>7/01/2013</th>
<th>7/01/2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The cash medical support schedule is used by all Ohio courts and child support enforcement agencies when calculating the amount of cash medical support to be paid pursuant to a child support order.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from the previous version include: Modified the income ranges and per child expenditure amounts based on the data published by the United States Department of Agriculture: &quot;Expenditures on Children by Families 2012&quot;, Estimated annual expenditures on a child by husband-wife families, urban Midwest, 2012.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07053</th>
<th>Notice of Medical Support Mistake of Fact Hearing</th>
<th>8/2008</th>
<th>01/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is used by the CSEA to inform the parties that the CSEA received a request for a Medical Support Mistake of Fact Hearing and the date of the hearing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07058</th>
<th>Medical Support Mistake of Fact Hearing Determination</th>
<th>8/2008</th>
<th>01/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is used by the CSEA to inform the party of the decision made during the Medical Support mistake of fact hearing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The changes made to this form were to add the title of Ohio Department of Job and Family Services to the form therefore becoming in compliance with requirements of IPP 4301 forms design standards.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted in the CSPM.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 95 (Passport Denial Rule)

Child Support Program Manual Transmittal Letter (CSPMTL) No. 95

December 3, 2014

TO: All Child Support Program Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Passport Denial Rule

The Office of Child Support (OCS) has proposed to rescind the following rule. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-34</td>
<td>Passport denial and reinstatement</td>
<td>09/01/2009</td>
<td>01/01/2015</td>
</tr>
</tbody>
</table>

This rule describes the passport denial and the reinstatement process. This rule is being proposed for rescission and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

OCS has proposed to adopt the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-34</td>
<td>Passport denial and reinstatement</td>
<td>01/01/2015</td>
</tr>
</tbody>
</table>

This rule describes the passport denial and the reinstatement process. Changes from the rescinded rule include: rearrange paragraphs (C) and (D); added new language clarifying that the Child Support Enforcement Agency (CSEA) must collect a lump sum payment in addition to the monthly child support obligation before the obligor's passport may be reinstated; and added new paragraph (E) clarifying that OCS may reverse the action(s) taken by the CSEA when it fails to comply with the requirements of this rule.

This rule is authorized by ORC section 3125.25, and amplifies ORC section 3125.03.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted in the CSPM.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to
OCS within thirty days of the revision. The CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following Ohio Administrative Code (OAC) rules. The rules have been amended as a result of a review conducted in accordance with section 119.032 of the Revised Code (ORC), which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-50</td>
<td>Termination of Support.</td>
<td>11/15/2008</td>
<td>8/1/2014</td>
</tr>
<tr>
<td></td>
<td>This rule and its supplemental rules describe how the child support enforcement agency (CSEA) may administratively terminate a current child support obligation and medical support provisions when an administrative termination reason exists. Clarify the language in the rule and amended JFS form references contained in the rule. This rule is authorized by ORC sections 3125.25 and 3119.94, and amplifies ORC sections 3119.87 and 3119.88.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-50.1</td>
<td>Administrative termination investigation, findings and recommendations, and impounding support.</td>
<td>3/1/2013</td>
<td>8/1/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for completing an administrative termination investigation, issuing findings and recommendations, and the process to impound support. Provided a formula for calculating the cash medical support when the CSEA terminates a child from an order and determines that there are other minor children subject to the child support order; and amended JFS form references contained in the rule. This rule is authorized by ORC sections 3119.94 and 3125.25, and amplifies ORC sections 3119.89 and 3119.90.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-60-50.2</td>
<td>Administrative termination hearing, court hearing, administrative termination order, and disbursement of impounded funds.</td>
<td>11/15/2008</td>
<td>8/1/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for the CSEA to conduct an administrative termination hearing, to issue an administrative termination order, and the process of disbursing impounded funds once an order has been terminated. This rule also describes the ability for the parties of the order to request a court hearing when an administrative termination request is either denied or the parties object to the outcome. Clarify the language in the rule and amended JFS form references contained in the rule. This rule is authorized by ORC sections 3119.94 and 3125.25, and amplifies ORC sections 3125.12, 3125.13, 3125.14, and 3125.17.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has adopted the following rule:
5101:12-60-99  Chapter 5101:12-60 forms - order administration.  8/1/2014

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-60 of the Administrative Code.

This rule is authorized by ORC section 3125.25.

OCS has **revised** the following forms:

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07521</td>
<td>Results of Support Order Termination Investigation</td>
<td>6/2014</td>
</tr>
<tr>
<td></td>
<td>The form has been revised to clarify that an investigation has been completed by the CSEA and should the requesting party not agree with the investigation result, they may object the decision to the court.</td>
<td></td>
</tr>
<tr>
<td>JFS 07522</td>
<td>Findings and Recommendations to Terminate the Administrative Child Support Order.</td>
<td>6/2014</td>
</tr>
<tr>
<td></td>
<td>The form has been revised to include the amount that an obligee has been overpaid, when applicable.</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted in the CSPM.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 93 (Federal Financial Participation Reimbursement)

Child Support Program Manual Transmittal Letter (CSPMTL) No. 93

July 7, 2014

TO: All Child Support Program Manual Holders

FROM: Cynthia C. Dungey, Director

SUBJECT: Federal Financial Participation Reimbursement

The Office of Child Support (OCS) has amended the following Ohio Administrative Code (OAC) rules. The rules have been amended as a result of a review conducted in accordance with section 119.032 of the Revised Code (ORC), which requires five-year reviews of all state agency rules:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Previous Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-60</td>
<td>Expenditures eligible for federal financial participation reimbursement</td>
<td>2/15/2009</td>
<td>8/1/2014</td>
</tr>
</tbody>
</table>

This rule describes the support enforcement program services and IV-D services for which a child support enforcement agency (CSEA) may request federal financial participation (FFP) reimbursement. Corrected the OAC reference in paragraph (C)(3).

This rule is authorized under ORC section 3125.25; and amplifies ORC section 3125.03.

| 5101:12-1-60.1     | Expenditures ineligible for federal financial participation reimbursement | 2/15/2009                | 8/1/2014       |

This rule describes the expenditures for which a child support enforcement agency (CSEA) shall not request federal financial participation (FFP) reimbursement. Made a change to paragraph (B)(9) to correct effective date of CFR.

This rule is authorized under ORC section 3125.25; and amplifies ORC section 3125.03.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) is amending the following rules. These rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-05</td>
<td>Support order establishment</td>
<td>12/15/2009</td>
<td>7/1/2014</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the parental duty of support and when a child support enforcement agency (CSEA) must establish an administrative child support order or file an action to establish a court child support order.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes to the rule include: clarification of when a CSEA schedules an administrative child support hearing or when to file a court action to establish a child support order; adding a reference to the Ohio Revised Code (ORC); and adding a reference to the Ohio Administrative Code (OAC).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25; it amplifies ORC sections 3103.03, 3103.031, 3111.03, 3111.13, 3111.24, 3111.25, 3111.29, 3111.49, 3111.78, 3111.821, 3111.95, 3119.61, 3125.03, 3125.36.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-45-05.1</td>
<td>Scheduling the administrative support hearing</td>
<td>4/1/2009</td>
<td>7/1/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process the CSEA must follow when scheduling an administrative child support hearing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes to the rule include: updating references to rules in the OAC.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3111.80, 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-45-05.2</td>
<td>Conducting the administrative support hearing</td>
<td>4/1/2009</td>
<td>7/1/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for conducting an administrative child support hearing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes to the rule include: correction to a dollar amount cited in the ORC and adding a reference to a rule in the OAC.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3111.03, 3111.82, 3111.821, 3111.95, 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-45-05.3</td>
<td>Administrative support order</td>
<td>4/1/2009</td>
<td>7/1/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes when the administrative child support order may terminate, methods of registering the administrative child support order, and the timeframes for objecting to the administrative child support order.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The change to the rule includes adding a reference to a rule in the OAC.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule is authorized under ORC section 3125.25, and amplifies ORC sections 2151.231, 3111.81, 3111.83, 3111.831, 3111.832, 3111.84, 3119.86, 3121.24, 3121.27, 3121.28, 3121.29, 3121.30, 3125.03.

OCS is adopting the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-99</td>
<td>Chapter 5101:12-45 forms - support establishment</td>
<td>7/1/2014</td>
</tr>
</tbody>
</table>

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-45 of the Administrative Code.

This rule is authorized by ORC section 3125.25.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:
The Office of Child Support (OCS) has proposed to **rescind** the following rule. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-03</td>
<td>Administrative responsibility</td>
<td>09/01/2008</td>
<td>6/1/2014</td>
</tr>
</tbody>
</table>

This rule describes the criteria when a child support enforcement agency (CSEA) has administrative responsibility for a case. For clarification purposes, this rule is being rescinded and replaced by rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code. Provisions that relate to *intrastate* cases will be moved to new proposed rule 5101:12-10-03 of the Administrative Code, and provisions that relate to *intergovernmental* cases will be moved to new proposed rule 5101:12-10-04 of the Administrative Code.

OCS has proposed to **adopt** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-03</td>
<td>Administrative responsibility</td>
<td>6/1/2014</td>
</tr>
</tbody>
</table>

This rule describes the criteria when a CSEA has administrative responsibility for *intrastate* cases. The provisions that relate to *intrastate* cases from rescinded rule 5101:12-10-03 have been moved to this new rule. Changes from the rescinded rule include: moved paragraph (F) from the rescinded rule to paragraph (B), and added language to this paragraph clarifying what the CSEAs must do when the administrative responsibility is disputed. There are no other changes to the provisions. This rule replaces part of rule 5101:12-10-03, which is being rescinded; is authorized under ORC section 3125.25; and amplifies ORC section 3125.03.

| 5101:12-10-04| Administrative responsibility for an intergovernmental case | 6/1/2014                      |

This is a new rule that describes the criteria when a CSEA has administrative responsibility for *intergovernmental* cases. The provisions that relate to intergovernmental cases from rescinded rule 5101:12-10-03 have been moved to this rule. Changes from the rescinded rule include: added paragraph (B) to clarify what the CSEA must do when the administrative responsibility is disputed; and added paragraph (E) to clarify what the CSEA must do when the parties reside in Ohio and it receives a request for services or a Uniform Interstate Family Support Act (UIFSA) petition from another state to enforce a non-Ohio support order. There are no other changes to the provisions. This rule replaces part of rule 5101:12-10-03, which is being rescinded; is authorized...
INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted in the CSPM.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Revisions of Mandatory Fiscal Reports and IV-D Contracts Rules

The Office of Child Support (OCS) has proposed to amend the following rules. The rules have been amended for clarity.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-51</td>
<td>Mandatory CSEA Fiscal Reports</td>
<td>07/01/2010</td>
<td>6/01/2014</td>
</tr>
</tbody>
</table>

This rule describes the requirements for submitting the JFS 04234 "Annual Full-Time Equivalent Report" to OCS, and other required financial reports to the Office of Fiscal and Monitoring Services within ODJFS. Changes from the existing rule include: deleted the reference to JFS 02712 as the form is obsolete and the information must be submitted electronically to the Office of Fiscal and Monitoring Services through their database system; and added language directing the Child Support Enforcement Agency (CSEA) to follow the instructions stated in rules 5101:9-6-83, 5101:9-7-02.1, 5101:9-7-23, and 5101:9-7-29 of the Administrative Code.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3125.03 and 3125.25.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80</td>
<td>IV-D Contracts: Overview</td>
<td>08/15/2013</td>
<td>6/01/2014</td>
</tr>
</tbody>
</table>

The rule describes the process by which a CSEA enters into a IV-D contract with a governmental entity or a private entity; the rule lists the types of IV-D contracts and the procurement process, terms and definitions and the required contracts forms. The rule is being amended to change the effective date of the JFS 07018 "IV-D Contract" as the form was revised to correct the numbering sequence.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.13, 3125.14, 3125.141, and 3125.17.

The following forms have been revised:

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07018</td>
<td>IV-D Contract</td>
<td>11/2012</td>
<td>12/2013</td>
</tr>
</tbody>
</table>

This form is the official IV-D contract that the CSEA and a governmental or a private contractor must complete, sign, and date in order to establish the terms and conditions of a IV-D contract.

The form has been revised to correct the numbering sequence on pages 3 and 4.

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07037</td>
<td>IV-D Contract Amendment</td>
<td>2/2009</td>
<td>12/2013</td>
</tr>
</tbody>
</table>

This form is used by the CSEA and contractor to describe the terms of the IV-D contract.
that the CSEA and contractor have agreed to amend.
The form has been revised to correct the appropriate paragraph reference of JFS 07018.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules in the CSPM can be accessed at:


Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.ohio.gov/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.ohio.gov/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) is transmitting new and amended paternity establishment rules and forms with this MTL. The proposed changes to the rules and forms are significant and will require your agency to review local paternity processes for necessary changes.

The rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

OCS has proposed to **rescind** the following rules.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-05</td>
<td>Determination of the existence or non-existence of a father and child relationship</td>
<td>12/15/2006</td>
<td>05/01/14</td>
</tr>
<tr>
<td></td>
<td>This rule defines terms used throughout division 5101:12 of the Administrative Code, and describes when a child support enforcement agency (CSEA) will determine the existence or non-existence of a father and child relationship. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| 5101:12-40-15  | Acknowledgment of paternity                                                          | 12/15/2006                   | 05/01/14                     |
|                | This rule describes the process to allow parties to voluntarily sign an acknowledgment of paternity affidavit. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added. |

| 5101:12-40-17  | Rescinding an acknowledgment of paternity                                           | 12/15/2006                   | 05/01/14                     |
|                | This rule describes the processes by which an acknowledgment of paternity affidavit may be rescinded by an action initiated at the CSEA or by one of the parties filing an action in court. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added. |

| 5101:12-40-20.1| Scheduling and conducting genetic tests                                              | 12/15/2006                   | 05/01/14                     |
|                | This rule describes the procedures for scheduling and conducting genetic testing to determine the existence or non-existence of a father and child relationship. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added. |
This rule describes the procedures for issuing an administrative paternity order upon the receipt of genetic testing results. This rule is being rescinded and replaced by a new rule 5101:12-40-20.3, but with the same title, because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

This rule describes the procedure for modifying the birth record as a result of issuing an administrative order finding paternity or non-paternity. This rule is being rescinded and replaced by a new rule 5101:12-40-20.2, but with a different title, because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

This rule describes the responsibilities of the Central Paternity Registry (CPR) and what type of data is required to be maintained in the birth registry. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-99</td>
<td>Chapter 1 forms - Ohio support enforcement program</td>
<td>05/01/14</td>
</tr>
<tr>
<td>5101:12-40-05</td>
<td>Determination of the existence or non-existence of a father and child relationship</td>
<td>05/01/14</td>
</tr>
<tr>
<td>5101:12-40-15</td>
<td>Acknowledgment of paternity</td>
<td>05/01/14</td>
</tr>
</tbody>
</table>

OCS has proposed to adopt the following rules.

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-1 of the Administrative Code. This rule is authorized by ORC section 3125.25.

This rule defines terms used throughout division 5101:12 of the Administrative Code and describes when a CSEA will determine the existence or non-existence of a father and child relationship. Changes from the rescinded rule include: a list of the forms with a description of each that may be used in the administrative paternity process.

This rule replaces rescinded rule 5101:12-40-05. This rule is authorized by ORC section 3125.25; and amplifies sections 3111.04, 3125.03, and 3125.25.

This rule describes the process to allow parties to voluntarily sign an acknowledgment of paternity affidavit.

Changes from the rescinded rule include: clarified the responsibility of the CSEA.
regarding the determination of whether there is a presumed father prior to notarizing the acknowledgment of paternity affidavit.

This rule replaces rescinded rule 5101:12-40-15. This rule is authorized by ORC sections 3111.35 and 3125.25; and amplifies sections 3111.22, 3111.26, and 3125.03.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-17</td>
<td>Rescinding an acknowledgment of paternity</td>
<td>05/01/14</td>
</tr>
<tr>
<td>5101:12-40-20.1</td>
<td>Scheduling and conducting genetic tests</td>
<td>05/01/14</td>
</tr>
<tr>
<td>5101:12-40-20.2</td>
<td>Agreement to modify the child's surname</td>
<td>05/01/14</td>
</tr>
<tr>
<td>5101:12-40-20.3</td>
<td>Administrative paternity orders</td>
<td>05/01/14</td>
</tr>
<tr>
<td>5101:12-40-30</td>
<td>Central paternity registry</td>
<td>05/01/14</td>
</tr>
</tbody>
</table>
This rule describes the responsibilities of the Central Paternity Registry (CPR) and what type of data is required to be maintained in the birth registry. Changes from the rescinded rule include: clarification of the processes to be taken for the different documents the CPR receives.

This rule replaces rescinded rule 5101:12-40-30. This rule is authorized by ORC sections 3111.34, 3111.67, and 3125.25; and amplifies sections 3111.22, 3111.23, 3111.24, 3111.27, 3111.64, 3111.65, 3111.66, and 3125.03.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-99</td>
<td>Chapter 40 Forms - Paternity Establishment</td>
<td>05/01/14</td>
<td></td>
</tr>
</tbody>
</table>

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-40 of the Administrative Code.

This rule is authorized by ORC section 3125.25.

OCS has proposed to amend the following rules. The rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-85</td>
<td>Statewide genetic testing contract</td>
<td>12/15/2006</td>
<td>05/01/14</td>
</tr>
</tbody>
</table>

This rule describes the statewide contract for genetic testing that the Ohio Department of Job and Family Services (ODJFS) may enter into with a laboratory that performs genetic testing. Revised paragraph (C)(2) to update the effective date of JFS 07038 and update the reference to the Administrative Code rule.

This rule is authorized by ORC section 3125.25; and amplifies sections 3111.45 and 3125.03.

| 5101:12-40-01 | Distribution of paternity acknowledgment   | 12/15/2006                   | 05/01/14                   |

This rule describes the responsibility of OCS to develop and disseminate a paternity establishment brochure and acknowledgment of paternity affidavit. Revised paragraph (A) for clarity.

This rule is authorized by ORC section 3125.25; and amplifies sections 3111.32 and 3111.33.

| 5101:12-40-10 | Presumption of paternity                   | 12/15/2006                   | 05/01/14                   |

This rule describes when a man is presumed to be the father of a child. Revised paragraph (A)(5) to update the effective date of JFS 07038.

This rule is authorized by ORC section 3125.25; and amplifies sections 3111.03, 3111.95 and 3125.03.

| 5101:12-40-36 | Reimbursement for cost of genetic testing  | 2/15/2006                    | 05/01/14                   |

This rule describes when and from whom the CSEA may seek reimbursement for the costs of genetic testing. Revised paragraph (A)(3) for clarity.

This rule is authorized by ORC section 3125.25; and amplifies sections 3111.09 and 3111.10.
OCS has proposed the following rules with **no changes**. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>No Change Rule</th>
<th>Rule Title</th>
<th>Effective date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-20</td>
<td>Administrative determination of the existence or non-existence of a father and child relationship</td>
<td>12/15/06</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative procedure to determine the existence or non-existence of a father and child relationship and the information that must be included in a request to determine a father and child relationship.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies sections 3111.38, 3111.40, 3125.03.</td>
<td></td>
</tr>
<tr>
<td>5101:12-40-25</td>
<td>Court order for genetic testing</td>
<td>12/15/06</td>
</tr>
<tr>
<td></td>
<td>This rule describes the CSEAs responsibilities when a court order for genetic testing is received.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies section 3111.09.</td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **rescind** the following forms:

<table>
<thead>
<tr>
<th>Rescinded Form</th>
<th>Rescinded Form Title</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07039</td>
<td>CSEA Transmittal Log</td>
<td>05/01/14</td>
</tr>
<tr>
<td></td>
<td>This form is attached to any JFS 07771, JFS 07774, JFS 07038, and JFS 07029 it files with the CPR. This is no longer a required form and is no longer in use by the CSEA.</td>
<td></td>
</tr>
<tr>
<td>JFS 07723</td>
<td>Administrative Order to Modify the Birth Record</td>
<td>05/01/14</td>
</tr>
<tr>
<td></td>
<td>This form is used when a CSEA issues a JFS 07771 and JFS 07774 to modify the father's name and/or the child's name on the birth record. This form is being rescinded and replaced with the JFS 04070.</td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **revise** the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01716</td>
<td>Waiver of Service of Notice and Order to Appear for Genetic Testing</td>
<td>05/01/14</td>
</tr>
<tr>
<td></td>
<td>This form is used when service of process has not been obtained on the presumed father, alleged father or natural mother of the child and that party appears for genetic testing.</td>
<td></td>
</tr>
</tbody>
</table>
Revisions include minor grammatical changes and formatting changes.

<table>
<thead>
<tr>
<th>JFS 07029</th>
<th>Request for Paternity Determination and Notification to Central Paternity Registry</th>
<th>05/01/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is used when a party that signed the JFS 07038 wishes to rescind the JFS 07038 and requests the CSEA to determine the existence or non-existence of a father and child relationship through the administrative process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revisions include minor grammatical changes and formatting changes.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07038</th>
<th>Acknowledgment of Paternity Affidavit</th>
<th>05/01/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is utilized by the parties when they wish to voluntarily acknowledge paternity and do not wish to go through the administrative process to determine the existence or non-existence of a father and child relationship.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revisions were made to remove information that was being requested by the parties but was not required.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07754</th>
<th>Notice of Request for Paternity Determination and Order to Appear for Genetic Tests</th>
<th>05/01/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is sent to the natural mother of the child, each man presumed to be the father of the child, and each man alleged to be the father of the child to provide notice of the request to determine the existence or non-existence of a father and child relationship and scheduling of genetic testing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revisions were made to include language instructing the parties on the process to compete if they wish to change a child's surname.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07771</th>
<th>CSEA Administrative Order Non-Existence of Father and Child Relationship</th>
<th>05/01/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>This administrative order is issued to the parties when through the administrative process the alleged father is excluded from being the father of the child. The title of this form has been changed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revisions include language that orders the Ohio Department of Health to make changes to a child's birth record as determined by the completion of genetic testing.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07773</th>
<th>CSEA Administrative Order Paternity Finding Inconclusive</th>
<th>05/01/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>This administrative order is issued to the parties when through the administrative process one of parties fails to submit to genetic testing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revisions include minor grammatical changes and formatting changes.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07774</th>
<th>CSEA Administrative Order Establishment of Paternity</th>
<th>05/01/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>This administrative order is issued to the parties when through the administrative process the alleged father is determined to be the natural father of the child.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revisions include language that orders the Ohio Department of Health to make changes to a child's birth record as determined by the completion of genetic testing.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **adopt** the following forms:

<table>
<thead>
<tr>
<th>Adopted</th>
<th>Adopted Form Title</th>
<th>Effective</th>
</tr>
</thead>
</table>


<table>
<thead>
<tr>
<th>Form</th>
<th>Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04070</td>
<td>05/01/14</td>
</tr>
<tr>
<td>Addendum to the Administrative Order to Modify the Birth Record - Child's Surname</td>
<td></td>
</tr>
<tr>
<td>This form is used when the alleged father and natural mother agree that if the alleged father is found to be the natural father of the child through genetic testing that the child's name will be changed as part of the administrative order.</td>
<td></td>
</tr>
<tr>
<td>JFS 04070-I</td>
<td>05/01/14</td>
</tr>
<tr>
<td>Instructions for completing the JFS 04070, Addendum to the Administrative Order to Modify the Birth Record - Child's Surname</td>
<td></td>
</tr>
<tr>
<td>This is an instruction sheet to assist an alleged father or natural mother in completing the JFS 04070 if they agree to change the child's surname as part of the administrative order.</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted in the CSPM.
- A no change rule will continue with the same effective date.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

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Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

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**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed to comply with HB 59 of the 130th General Assembly.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-90</td>
<td>New Hire Reporting Program</td>
<td>09/01/2005</td>
<td>5/01/2014</td>
</tr>
<tr>
<td></td>
<td>This rule identifies the federal law that requires Ohio to administer a new hire reporting program; contains definitions used in the rule and the supplemental rules; specifies that new hire reports are not public records; and notes that the Ohio Department of Job and Family Services may provide copies of new hire reports to the Bureau of Workers Compensation. Changes from the existing rule include: revised the effective date of the federal statute in paragraph (A); added a new definition of &quot;newly hired employee&quot; in paragraph (B)(4) to comply with the revisions to the federal statute.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3121.8911 and 3125.25, and amplifies ORC sections 3121.89, 3121.8910, and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-90.1</td>
<td>Employer Responsibility</td>
<td>12/01/2011</td>
<td>5/01/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of an employer to submit a new hire report to the Ohio Department of Job and Family Services. The rule also lists the required data and the process of submitting the data; and identifies an employer's liability for failing to submit a new hire report. Changes from the existing rule include: deleted the terms &quot;rehire&quot; and &quot;return to work&quot; to comply with HB 59.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC sections 3121.8911 and 3125.25, and amplifies ORC sections 3121.891, 3121.892, 3121.893, 3121.8910, and 3125.03.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

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- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuials.

The rules and forms in the CSPM can be accessed at:

[http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals).

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rule. The rule was reviewed in order to comply with Amended Substitute House Bill Number 59 (130th G.A.):

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule describes the requirements of the OCS poster program. Changes from the prior rule include: updating the language according to House Bill 59 to include the option that OCS "may" participate in the annual program rather than "shall" participate in the program; and minor grammatical changes.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.95 to 3123.958.

OCS has adopted the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-99</td>
<td>Chapter 50 Forms - Enforcement of the Support Order</td>
<td>2/1/2014</td>
</tr>
</tbody>
</table>

This is a new rule that contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-50 of the Administrative Code.

This rule is authorized by ORC section 3125.25.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

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http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:
The Office of Child Support (OCS) has amended the following rules. The rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-30</td>
<td>Assignment of Support</td>
<td>12/1/2008</td>
<td>1/15/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes when support is assigned to ODJFS due to the receipt of OWF, medical assistance, or Title IV-E foster care maintenance (FCM) benefits. Changes from the prior rule include: updating the definition of &quot;medical assistance&quot; in accordance with section 5101.571 of the Revised Code and adding a definition for the term &quot;assistance group&quot;. This rule is authorized under ORC sections 3125.25 and 5101.591; and amplifies ORC sections 5101.571, 5101.59 and 5107.20.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-09</td>
<td>Unreimbursed Assistance</td>
<td>12/1/2008</td>
<td>1/15/2014</td>
</tr>
<tr>
<td></td>
<td>This rule describes when OWF or FCM benefits are included in the unreimbursed assistance (URA); provides definitions of terms used when calculating the URA; and states that the IV-D program may only recover the amount of URA that does not exceed the assigned support obligation. Changes from the prior rule includes: clarification to the definition of the term &quot;caretaker&quot;. This rule is authorized under ORC section 3125.25; and amplifies ORC sections 3125.03 and 5107.20.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed no change to the following rule. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of this rule will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-25</td>
<td>Unclaimed Funds</td>
<td>11/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements of ORC section 3123.88 for OCS to report unclaimed funds from child support collections to the Ohio Department of Commerce. The statute and the rule do not require any action from the CSEA. This rule is authorized under ORC section 3125.25; and ammplies ORC sections 169.03 and 3125.03.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

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**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders
FROM: Cynthia C. Dungey, Director
SUBJECT: Five Year Rule Review - Grandparent’s Request for Child Support

The Office of Child Support (OCS) has proposed to **amend** the following rule. This rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule describes the establishment of an administrative child support order for a child born to parents who are minors and unmarried when a grandparent of that child requests child support for that child. Paragraph (C)(2) and (F) were revised for clarification.

This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3109.19, 3125.03, and 3125.25.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

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**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO:     All Child Support Program Manual Holders

FROM:   Cynthia C. Dungey

SUBJECT: Child Support Rules - IV-D Contract Time

The Office of Child Support (OCS) has proposed to amend the following rule. The rule has been reviewed in order to comply with the repeal of the Declaration of Material Assistance/Non-Assistance (DMA) in accordance with H.B. 487 (129th G.A.).

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80.3</td>
<td>IV-D contract time and exception reporting, invoicing, monitoring, and evaluation</td>
<td>2/15/2009</td>
<td>12/01/2013</td>
</tr>
</tbody>
</table>

The rule identifies the requirements of IV-D contract time and exception reporting, invoicing, monitoring, and evaluation.

The rule is being proposed for amendment to update the revision date of the JFS 07018, "IV-D Contract" (Rev. 11/2012) in order to comply with the repeal of the Declaration of Material Assistance/Non-Assistance (DMA) in accordance with H.B. 487 (129th G.A.).

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.12, 3125.13, 3125.14, and 3125.17.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

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The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05</td>
<td>Collection and Disbursement</td>
<td>01/15/2008</td>
<td>09/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirement to process and disburse support payments from a single physical location and contains definitions used in this rule and supplementary rules. Changes from the existing rule include: revised the name of the &quot;support disbursement bureau&quot; to the &quot;support disbursement unit&quot;, added the definition of CSEA to the list of definitions for this chapter, expanded paragraph (F) and added paragraph (G) to clarify details regarding remitter inquires. This rule is authorized by ORC sections 3121.71 and 3125.25, and amplifies ORC sections 3121.43 and 3121.48.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.1</td>
<td>Collection at the Child Support Enforcement Agency</td>
<td>01/15/2008</td>
<td>09/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements of a child support enforcement agency (CSEA) that elects to collect support payments, and the requirements regarding bonding employees and following recognized accounting standards. Changes include: revised paragraph (E)(4) to clarify the funds that are to be available in the CSEA depository account and added paragraph (E)(5) requiring the CSEA to collect payments for any Ohio child support case. This rule is authorized by ORC sections and 3121.71 and 3125.25, and amplifies ORC sections 117.43, 329.01 and 3125.29.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.3</td>
<td>Payment Processing and Disbursement</td>
<td>01/15/2008</td>
<td>09/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the processes taken to disburse funds and the timeframes required for disbursing support payments. Paragraph (A)(2) was revised to clarify the posting identifiers. This rule is authorized by ORC sections 3121.71 and 3125.25, and amplifies ORC sections 3121.43, 3121.50, 3123.81 and 3125.03.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.4</td>
<td>Exception Item Processing and Resolution</td>
<td>01/15/2008</td>
<td>09/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes exception items and actions OCS and the CSEA's are required to take in order to resolve the problems and subsequently disburse payments. Changes include: clarification to paragraphs (C)(1) and (C)(2) regarding suspense payments, paragraph (E)(1)(a) was updated to include the new name for the state disbursement</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
unit and provide clarification regarding processing errors, paragraph (F) was revised to provide clarification regarding disbursement errors, paragraph (G)(3) was added to require the CSEA to notify the support disbursement unit of a stop payment to prevent a return deposit item.

This rule is authorized by ORC sections 3121.71 and 3125.25, and amplifies ORC section 3121.43.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05.5</td>
<td>Check Replacement</td>
<td>01/15/2008</td>
<td>09/15/2013</td>
</tr>
</tbody>
</table>

This rule describes the actions the CSEA is required to take when a payee requests replacement of a check disbursed by CSPC. Changes include: paragraph (B) was revised to require the use of the JFS 07741 to request that a check be voided by CSPC, paragraph (C)(1) was revised to require the use of the JFS 07749 with the JFS 04021 when the original check is not redeemed and require the payee to submit the documents to the CSEA to be forwarded to CSPC.

This rule is authorized by ORC sections 3121.71 and 3125.25, and amplifies ORC section 3121.43.

The Office of Child Support (OCS) has **rescinded** the following rule. The rule was reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05.2</td>
<td>Date of Collection</td>
<td>01/15/2008</td>
<td>09/15/2013</td>
</tr>
</tbody>
</table>

This rule describes how the date of collection of a support payment is determined. Changes from the rescinded include: removed information regarding business processes for post dated checks and added a paragraph to specify the date of collection as it pertains to tax offset payments.

This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

OCS has **adopted** the following rule.

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05.2</td>
<td>Date of Collection</td>
<td>09/15/2013</td>
</tr>
</tbody>
</table>

This rule describes how the date of collection of a support payment is determined. Changes from the rescinded include: removed information regarding business processes for post dated checks and added a paragraph to specify the date of collection as it pertains to tax offset payments.

This rule is authorized by ORC sections 3121.71 and 3125.25; and amplifies sections 3121.43, and 3121.71.

OCS has made **no change** to the rule listed below. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of this rule will remain the same as the existing rule pursuant to paragraph (E) of section 119.032 of the Revised Code.
<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05.6</td>
<td>Recoupment</td>
<td>8/15/2007</td>
</tr>
</tbody>
</table>

This rule describes the purpose and process for establishing and enforcing recoupment accounts.

This rule is authorized by ORC sections 3121.71 and 3125.25, and amplifies ORC sections 3121.43 and 3123.822.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

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**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders  
FROM: Michael B. Colbert, Director  
SUBJECT: Child Support – Five-Year Rule Review - Liens

The Office of Child Support (OCS) has amended the following rule. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-20</td>
<td>Liens against real and personal property.</td>
<td>4/1/2009</td>
<td>9/15/2013</td>
</tr>
</tbody>
</table>

This rule describes the procedures that a child support enforcement agency (CSEA) shall use when it decides to assert a lien on real or personal property that is owned by an obligor who has been determined to be in default under a support order.

This rule has been amended to update Ohio Administrative Code references and a federal web address.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.66, 3123.67, 3123.70, 3123.73, 3123.74, 3123.77, 3123.78, and 3125.03.

INSTRUCTIONS:
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INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has adopted the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-40</td>
<td>Insurance Claim Intercept</td>
<td>08/01/2013</td>
</tr>
</tbody>
</table>

This rule describes the process the CSEA will follow upon notification of an insurance claim match.

This rule is authorized by ORC section 3125.25 and 3123.23; and amplifies sections 3121.03, 3121.21 and 3125.25.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuels.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuels.
- An adopted rule will be inserted in the CSPM.
- A no change rule will continue with the same effective date.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

Or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed in order to comply with the repeal of the Declaration of Material Assistance/Non-Assistance (DMA) in accordance with H.B. 487 (129th G.A.).

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80</td>
<td>IV-D contracts: overview</td>
<td>2/15/2009</td>
<td>8/15/2013</td>
</tr>
<tr>
<td></td>
<td>The rule and its supplemental rules describe the process by which a child support enforcement agency (CSEA) enters into an IV-D contract with a governmental entity or a private entity to provide IV-D services and for the CSEA to receive federal financial participation (FFP) reimbursement to offset the cost of the purchase of the services under an IV-D contract. The rule is being proposed for amendment to update the revision date of the JFS 07018, &quot;IV-D Contract&quot; (Rev. 11/2012) in order to comply with the repeal of the Declaration of Material Assistance/Non-Assistance (DMA) in accordance with H.B. 487 (129th G.A.). This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.13, 3125.14, 3125.141, and 3125.17.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-80.1</td>
<td>Completing the IV-D contract</td>
<td>2/15/2009</td>
<td>8/15/2013</td>
</tr>
<tr>
<td></td>
<td>The rule describes the process for completing an IV-D contract and outlines the terms that must be agreed upon by the parties to the IV-D contract being completed by the CSEA, the contractor, or another entity. The rule is being proposed for amendment to update the revision date of the JFS 07018, &quot;IV-D Contract&quot; (Rev. 11/2012) in order to comply with the repeal of the Declaration of Material Assistance/Non-Assistance (DMA) in accordance with H.B. 487 (129th G.A.). This rule is authorized by ORC section 3125.25, and amends ORC sections 3125.13, 3125.14, and 3125.17.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-80.2</td>
<td>IV-D contract submission requirements and acceptance process</td>
<td>2/15/2009</td>
<td>8/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the IV-D contract submission and acceptance process. The rule is being proposed for amendment to update the revision date of the JFS 07018, &quot;IV-D Contract&quot; (Rev. 11/2012) in order to comply with the repeal of the Declaration of Material Assistance/Non-Assistance (DMA) in accordance with H.B. 487 (129th G.A.). This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.12, 3125.13, 3125.14, and 3125.17.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has made no change to the rule listed below. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.
The effective date of this rule will remain the same as the existing rule pursuant to paragraph (E) of section 119.032 of the Revised Code.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80.4</td>
<td>IV-D contract record retention</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This rule identifies what is an IV-D record and outlines how long the a CSEA and IV-D contractor will retain such records.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.12, 3125.13, 3125.14, and 3125.17.

The Office of Child Support (OCS) has revised the following form:

<table>
<thead>
<tr>
<th>Form</th>
<th>Form Title</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07018</td>
<td>IV-D contract</td>
<td>11/2012</td>
</tr>
</tbody>
</table>

The form is proposed for revision to comply with the repeal of the Declaration of Material Assistance/Non-Assistance (DMA). Per H.B. 487 (129th G.A.) the DMA requirement no longer exist. Language regarding the DMA has been removed.

INSTRUCTIONS:

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INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has made no change to the rule listed below. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of this rule remains the same as the existing rule pursuant to paragraph (E) of section 119.032 of the Revised Code.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03</td>
<td>Default</td>
<td>4/15/2008</td>
</tr>
</tbody>
</table>

This rule defines terms used in chapter 5101:12-55 of the Administrative Code to describe the default process and subsequent enforcement techniques that are available to enforce the support order.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3121.01 and 3123.01.

OCS has amended the following rule. The rule was reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03.3</td>
<td>Administrative Mistake of Fact Hearing Process</td>
<td>4/15/2008</td>
<td>7/15/2013</td>
</tr>
</tbody>
</table>

This rule describes the administrative mistake of fact hearing process for when an obligor who has been found to be in default. The rule has been amended to update the revision date of the JFS 04049, "Notice to Obligor of Default and Potential Action" (rev. 8/2010).

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.031, 3123.033, 3123.04, 3123.21

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuels.

- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

### Amended Rule

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-53</td>
<td>Program Income</td>
<td>5/15/2008</td>
<td>7/15/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes what is considered IV-D program income and that IV-D program income must be reported by the CSEA on the JFS 02750, &quot;Child Support Enforcement Agency Quarterly Financial Statement.&quot; Changes from the existing rule include: revised the effective date of the JFS form in paragraph (C), and corrected the Ohio Administrative Code (OAC) rule reference in paragraph (D)(6). This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3119.27, 3121.59, 3123.17, and 3125.37.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| This rule describes the state income tax refund offset administrative review process and the debtor's rights to an income tax refund offset review to contest the submittal of a child support debt for offset. Changes from the existing rule include: revised paragraphs (A)(1) and (B)(5) for clarity. This rule is authorized under ORC sections 3123.823 and 3125.25, and amplifies ORC sections 3123.82, 3123.821, 3123.822, and 3123.823. |

OCS has proposed the rules listed below as "No Change." The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective dates of these rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule describes the state income tax refund offset program to collect overdue or overpaid child support and provides definitions of certain terms used in this rule and its supplemental rules. This rule is authorized under ORC sections 3123.823 and 3125.25; and amplifies ORC sections 3123.82, 3123.821, 3123.822, and 3123.823.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule describes the criteria for submitting overdue child support to the Ohio Department of Taxation (ODT) for a state income tax refund offset. This rule is authorized under ORC sections 3123.823 and 3125.25; and amplifies ORC sections 3123.82, 3123.821, 3123.822, and 3123.823.

This rule describes the criteria for submitting overpaid child support to ODT for a state income tax refund offset. This rule is authorized under ORC sections 3123.823 and 3125.25, and amplifies ORC sections 3123.82, 3123.821, 3123.822, and 3123.823.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-47-01.2</td>
<td>Medical Support Provisions for Cash Medical Support</td>
<td>9/1/2012</td>
<td>7/01/2013</td>
</tr>
</tbody>
</table>

This rule describes the requirements of the obligor to pay cash medical support when private health insurance that is accessible and reasonable in cost is not available to either parent or is not being provided in accordance with the support order. Changes from the existing rule include: rearranged paragraph (A) for clarity, and revised the effective date of the JFS 05050, "Cash Medical Support Schedule" in paragraph (D).

This rule is authorized by ORC section 3119.51 and amplifies ORC sections 3119.30 and 3119.302.

OCS has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 05050</td>
<td>Schedule of Cash Medical Support Obligations</td>
<td>7/2012</td>
<td>7/2013</td>
</tr>
</tbody>
</table>

The cash medical support schedule is used by all Ohio courts and child support enforcement agencies when calculating the amount of cash medical support to be paid pursuant to a child support order.

Changes from the previous version include: Modified the income ranges and per child expenditure amounts based on the data published by the United States Department of Agriculture: "Expenditures on Children by Families 2011", Estimated annual expenditures on a child by husband-wife families, urban Midwest, 2011.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 76 (Five Year Rule Review - Miscellaneous Rules)

Child Support Program Manual Transmittal Letter (CSPMTL) No. 76

June 24, 2013

TO: All Child Support Program Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Five Year Rule Review - Miscellaneous Rules

The Office of Child Support (OCS) has amended the following rules. The rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-20-05.1</td>
<td>Location Tools</td>
<td>1/1/2008</td>
<td>7/1/2013</td>
</tr>
</tbody>
</table>

This rule defines the location tools utilized by the child support enforcement agency (CSEA).

Changes from the existing rule include the addition of a reference to a rule of the Administrative code for the federal form OMB-0970-0085, "Locate data sheet."

This rule is authorized by ORC section 3125.25 and amplifies ORC section 3125.03.

| 5101:12-10-32   | Good Cause Waiver of Cooperation                            | 1/1/2008                     | 7/1/2013                    |

This rule describes the good cause waiver process by which the child support enforcement agency (CSEA) follows when making the determination that cooperation from the caretaker is not in the best interest of the child or would make it more difficult for the caretaker or child to escape domestic violence.

Changes to the rule include: clarification of the acronym PCSA and updating the revision date of the JFS 07092, "Notice to Individuals Applying for or Participating in Ohio Works First (OWF) Regarding Cooperation with the Child Support Enforcement Agency (CSEA)" (rev. 3/2009).

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3125.03, 5101.59, 5107.02, and 5107.22.

OCS has proposed no changes to the rules listed below. These rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of this rule will remain the same as the existing rule pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-10.1</td>
<td>Income That May Be Withheld or Deducted</td>
<td>1/1/2008</td>
</tr>
</tbody>
</table>

This rule defines the sources of income that are subject to withholding or deduction by the child support enforcement agency (CSEA).

This rule is authorized by ORC section 3125.25 and amplifies ORC section 3121.03.

| 5101:12-50-15  | Cash Bonds                                             | 1/1/2008               |
When a child support enforcement agency (CSEA) determines that no income withholding or income deduction notice is appropriate, it may request that the court issue an order requiring the obligor to enter into a cash bond. This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3121.03 and 3121.04.

5101:12-50-17 Seek Work Orders 1/1/2008

The child support enforcement agency (CSEA) may request that the court issue an order requiring an obligor under a court support order to seek employment or engage in work activities under the Ohio workers first (OWF) program when the CSEA determines that the obligor is unemployed, has no income, and does not have an account at any financial institution.

This rule is authorized by ORC section 3125.25 and amplifies 3123.03 and 5107.14.

5101:12-10-20 Family Violence Indicator 5/15/2008

This rule describes the family violence indicator (FVI). The FVI reflects that there is reasonable evidence that a case participant is subject to family violence or there is reason to believe that the release of information regarding a case participant may result in family violence.

This rule is authorized by ORC section 3125.25 and amplifies 3113.31.

5101:12-10-20.1 Request for Override of Family Violence Indicator Restriction 5/15/2008

When a person listed in the federal case registry (FCR) has a family violence indicator (FVI), the child support enforcement agency (CSEA) shall ensure that no information about a case participant will be released in response to a locate request, an FCR query, or as part of the proactive matching functionality. Courts have the ability to order a one-time override of the FVI if certain requirements are met. This rule defines the override process.

This rule is authorized by ORC section 3125.25 and amplifies 3113.31.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 75 (Calculation of the Support Obligations)
Child Support Program Manual Transmittal Letter (CSPMTL) No. 75
June 24, 2013

TO: All Child Support Program Manual Holders
FROM: Michael B. Colbert, Director
SUBJECT: Calculation of the Support Obligations

The Office of Child Support (OCS) has amended the following rule. The rule has been reviewed in order to comply with Amended Substitute Senate Bill Number 337 (129th G.A.).

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-10</td>
<td>Calculation of the Support Obligations</td>
<td>3/1/2009</td>
<td>7/1/2013</td>
</tr>
</tbody>
</table>

This rule describes the process by which the child support enforcement agency (CSEA) shall use the basic Ohio child support guidelines (hereafter "guidelines") schedule as set forth in sections 3119.01 to 3119.05 of the Revised Code when calculating or adjusting the child support and cash medical support obligations contained within a child support order.

Changes to the rule include: updating the criteria to be considered when a CSEA imputes income for support orders; the ability of a CSEA to disregard a parent's additional income when that income is generated to support additional family members; and consideration for existing support orders when an additional child is born to the same parents.

This rule is authorized by ORC section 3125.25 and amplifies ORC sections 3119.02 and 3125.03.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.
- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed in order to comply with the federal office of child support enforcement (OCSE) requirement for states to begin using the most current income withholding format or face rejection of such withholdings from a payor.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-90.2</td>
<td>New hire directory of employees.</td>
<td>9/1/2005</td>
<td>3/1/2013</td>
</tr>
<tr>
<td>5101:12-50-10</td>
<td>Income withholding or income deduction.</td>
<td>1/1/2008</td>
<td>3/1/2013</td>
</tr>
<tr>
<td>5101:12-50-10.2</td>
<td>CSEA's responsibility for income withholding and income deduction.</td>
<td>11/1/2009</td>
<td>3/1/2013</td>
</tr>
<tr>
<td>5101:12-50-10.8</td>
<td>Withholding from unemployment compensation benefits initiated by a child support enforcement agency.</td>
<td>12/1/2006</td>
<td>3/1/2013</td>
</tr>
</tbody>
</table>
The rule has had the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012) updated to match the new form.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Date Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-19</td>
<td>Investigation of obligor's source of income or status of account.</td>
<td>1/1/2008 - 3/1/2013</td>
</tr>
<tr>
<td>5101:12-50-90</td>
<td>Additional authority to collect arrearages.</td>
<td>1/1/2008 - 3/1/2013</td>
</tr>
<tr>
<td>5101:12-55-03.1</td>
<td>Identification of default and notice to obligor of default and potential action.</td>
<td>4/15/2008 - 3/1/2013</td>
</tr>
<tr>
<td>5101:12-55-03.2</td>
<td>Default investigation.</td>
<td>4/15/2008 - 3/1/2013</td>
</tr>
</tbody>
</table>

This rule describes how a child support enforcement agency (CSEA) with administrative responsibility shall conduct an investigation of an obligor's employment and/or resources when the CSEA receives notification or becomes aware of a change in the obligor's source of income or status of accounts in a financial institution.

Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012) and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012).

Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012) and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012). Clarification added to paragraph (B)(5) indicating when a financial institution withdrawal directive is issued by a CSEA.

Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012). The revision date of the JFS 04049, "Notice to Obligor of Default and Potential Action" (rev.8/2010) has been updated.

Changes to the rule include updating the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012). The revision date of the JFS 04049, "Notice to Obligor of Default and Potential Action" (rev.8/2010) has been updated.
This rule describes when a final and enforceable determination of default exists. Changes to the rule include updating the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012). Clarification was added to paragraph (C) regarding required and appropriate enforcement action. The revision date of the JFS 04049, "Notice to Obligor of Default and Potential Action" (rev.8/2010) has been updated.

This rule describes the process that a child support enforcement agency (CSEA) shall follow to complete an administrative termination investigation, issuing findings and recommendations as a result of that investigation, and the process for impounding support. Changes to the rule include updating the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012).

OCS has developed the following form:

<table>
<thead>
<tr>
<th>Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04047</td>
<td>Order/notice to withhold income for child and spousal support.</td>
<td>12/2002</td>
<td>5/2012</td>
</tr>
</tbody>
</table>

This form has been revised to comply with the federal office of child support enforcement income withholding requirements. It is used by a child support enforcement agency (CSEA) to implement income withholding to collect current support and arrears from a payor.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.
A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed to amend the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-30-05</td>
<td>Administrative Subpoenas</td>
<td>7/15/2007</td>
<td>2/01/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the authority of the child support enforcement agency (CSEA) to issue administrative subpoenas. Changes from the existing rule include: revised paragraph (B) for clarity as the provision applies only to an obligor who fails to comply with an administrative subpoenas. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03 and 5101.37.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5011:12-30-10</td>
<td>Service of Process</td>
<td>7/15/2007</td>
<td>2/01/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the statutory steps a CSEA is required to take to ensure service of process is accomplished in accordance with &quot;Rules of Civil Procedure.&quot; Changes from the existing include: replaced the word &quot;if&quot; with &quot;when&quot; where appropriate; revised the effective date to the &quot;Rules of Civil Procedure;&quot; revised paragraph (B) where appropriate to allow service of process by commercial carriers pursuant to the recently revised Civil Procedure rule 4.1; and revised paragraph (D)(5) to comply with the provisions of the recently revised Civil Procedure rule 4.2. This rule is authorized by ORC section and 3125.25, and amplifies ORC sections 3125.03 and 3125.25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-12</td>
<td>Lump Sum Payments</td>
<td>8/15/2007</td>
<td>2/01/2013</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process used by the CSEA when notified that an obligor is eligible to receive a lump sum payment. Changes from the existing rule include: corrected the reference to the Ohio revised Code in paragraph (C), and corrected a typo in paragraph (D)(2). This rule is authorized by ORC section and 3125.25, and amplifies ORC sections 3121.03, 3121.037, 3121.0311, 3121.12, and 3125.03.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed no change to the rule listed below. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of this rule will remain the same as the existing rule pursuant to paragraph (E) of section 119.032 of the Revised Code.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-30</td>
<td>State Lottery Prize Award Intercept</td>
<td>8/15/2007</td>
</tr>
</tbody>
</table>
This rule describes the process used by a CSEA to issue an intercept directive to the Ohio Lottery Commission (OLC) to transmit an amount from the proceeds of a specified lottery prize award to the Office of Child Support (OCS), when the prize winner is an obligor who is subject to a final and enforceable determination of default.

This rule is authorized by ORC section and 3125.25, and amplifies ORC sections 3123.89 and 3170.071.

INSTRUCTIONS:

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INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 72 (Five Year Review Paternity Rules)

Child Support Program Manual Transmittal Letter (CSPMTL) No. 72

September 24, 2012

TO: All Child Support Program Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Five Year Review Paternity Rules

The Office of Child Support (OCS) has proposed the following rules with no changes. The rules have been reviewed in accordance with section 119.032 of the Ohio Revised Code (ORC), which requires the review of all state agency rules within a five-year period. The effective date of the rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the ORC:

<table>
<thead>
<tr>
<th>No Change Rule</th>
<th>Rule Title</th>
<th>Effective date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-10</td>
<td>Presumption of Paternity.</td>
<td>12/15/06</td>
</tr>
<tr>
<td></td>
<td>This rule describes when a man is presumed to be the father of a child.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies sections 3111.03, 3111.95 and 3125.03.</td>
<td></td>
</tr>
<tr>
<td>5101:12-40-20</td>
<td>Administrative Determination of the Existence or Non-Existence of a Father and Child Relationship.</td>
<td>12/15/06</td>
</tr>
<tr>
<td></td>
<td>This rule describes the administrative procedure to determine the existence or non-existence of a father and child relationship and the information that must be included in a request to determine a father and child relationship.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies sections 3111.38, 3111.40, 3125.03.</td>
<td></td>
</tr>
<tr>
<td>5101:12-40-25</td>
<td>Court Order for Genetic Testing.</td>
<td>12/15/06</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of the Child Support Enforcement Agency (CSEA) when a court order for genetic testing is received.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies section 3111.09.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.
- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 71 (Revisions to the JFS 05050, "Cash Medical Support Schedule" and Rule 5101:12-47-01.2)

Child Support Program Manual Transmittal Letter (CSPMTL) No. 71
August 27, 2012

TO: All Child Support Program Manual Holders
FROM: Michael B. Colbert, Director
SUBJECT: Revisions to the JFS 05050, "Cash Medical Support Schedule" and Rule 5101:12-47-01.2

The Office of Child Support (OCS) has proposed to **amend** the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule describes the requirements of the obligor to pay cash medical support when private health insurance that is accessible and reasonable in cost is not available to either parent or is not being provided in accordance with the support order. Changes from the existing rule include: in paragraph (D), revised the effective date of the JFS 05050, "Cash Medical Support Schedule."

This rule is authorized by ORC section 3119.51 and amplifies ORC sections 3119.30 and 3119.302.

OCS has proposed to **revise** the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 05050</td>
<td>Schedule of Cash Medical Support Obligations</td>
<td>2/2011</td>
<td>7/2012</td>
</tr>
</tbody>
</table>

The cash medical support schedule is used by all Ohio courts and child support enforcement agencies when calculating the amount of cash medical support to be paid pursuant to a child support order.

Changes from the previous version include: Modified the income ranges and per child expenditure amounts based on the most recent data published by the United States Department of Agriculture: "Expenditures on Children by Families 2010", Estimated annual expenditures on a child by husband-wife families, urban Midwest, 2010.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 70 (Confidentiality Rule Correction)
Child Support Program Manual Transmittal Letter (CSPMTL) No. 70

August 10, 2012

TO: All Child Support Program Manual Holders
FROM: Michael B. Colbert, Director
SUBJECT: Confidentiality Rule Correction

The Office of Child Support (OCS) has amended the following rule to correct an error that was identified after the rule's prior filing.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-20.1</td>
<td>Requests for information contained in a person's case record.</td>
<td>3/1/2012</td>
<td>9/1/2012</td>
</tr>
</tbody>
</table>

This rule describes how a child support enforcement agency (CSEA), the office of child support (OCS), or contractor shall disclose information contained in a person's case record upon the request of an individual or entity. Paragraph (B)(5)(c) contained more restrictive limitations than the required limitations found within the Code of Federal Regulations. Those limitations have been removed.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.
- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
TO: All Child Support Program Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Enforcement of Medical Support Rules - Five Year Rule Review

The Office of Child Support (OCS) has filed the rules listed below as "no change." The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective dates of these rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-45</td>
<td>Enforcing a court support order through the United States district courts</td>
<td>1/1/2007</td>
</tr>
<tr>
<td></td>
<td>The rule describes the process for a child support enforcement agency (CSEA) to follow if it has not received satisfactory enforcement of an Ohio court support order from another state and elects to submit the case to OCS for referral to the U.S. district court for enforcement.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.11.</td>
<td></td>
</tr>
<tr>
<td>5101:12-57-01</td>
<td>Enforcement of medical support provisions</td>
<td>3/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule outlines the responsibility of the CSEA to enforce a medical support provision that is contained in a child support order. The rule provides clarification that Medicaid does not satisfy the requirement of the health insurance obligor to provide medical support under a child support order.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.30, 3119.43, and 3119.44.</td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.1</td>
<td>Responsibility of employer</td>
<td>1/1/2007</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibility of the employer of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.36, 3119.362, and 3119.364.</td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.3</td>
<td>Selecting a health plan option</td>
<td>1/1/2007</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of the CSEA and the custodial parent in selecting a health plan option in which to enroll the child based on plan information received from the health plan administrator.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3119.51; and amplifies ORC section 3125.03.</td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.4</td>
<td>Administrative mistake of fact hearing regarding the national medical support notice</td>
<td>1/1/2007</td>
</tr>
<tr>
<td></td>
<td>This rule describes the reasons a health insurance obligor may request an administrative mistake of fact hearing, the time-frame and method of submitting the request, the hearing</td>
<td></td>
</tr>
</tbody>
</table>
process, and the health insurance obligor's right to object to the decision by filing with the court.
This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.38, 3119.39, and 3119.41.

5101:12-57-10.5 Court mistake of fact hearing regarding the national medical support notice
1/1/2007
This rule describes the court mistake of fact hearing process in accordance with ORC sections 3119.40 and 3119.41.
This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.40 and 3119.41.

5101:12-57-10.6 Terminating the national medical support notice
3/1/2009
This rule describes the three circumstances under which a CSEA may terminate the NMSN.
This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3125.03, and 3119.41.

5101:12-60-45 Continuation of support obligation beyond the child's eighteenth birthday
1/1/2007
This rule describes when the duty of support continues beyond the age of eighteen. The rule clarifies that the parental duty of support ends upon the child's eighteenth birthday except under three circumstances, describes the three circumstances, and identifies which two of the three circumstances require the parental duty of child support to not extend beyond the child's nineteenth birthday.
This rule is authorized by ORC section 3125.25; and amplifies ORC section 3119.86.

OCS has amended the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-56</td>
<td>Assigned medical support collections incentives</td>
<td>1/1/2007</td>
<td>5/01/2012</td>
</tr>
</tbody>
</table>

This rule describes the distribution of assigned medical support collections. Changes from the existing rule include: replace the date of the JFS 06613 to "6/09" to reflect the correct version.
This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03 and 3125.25.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-57-10</td>
<td>National medical support notice</td>
<td>1/1/2007</td>
<td>5/01/2012</td>
</tr>
</tbody>
</table>

This rule describes the content and purpose of the National Medical Support Notice (NMSN), requirements for issuing the NMSN, the JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" and the JFS 04036, "Notice of Medical Support Enforcement Activity," and the alternative action required by the CSEA when the health insurance obligor is an active member of the military. Changes from the existing rule include: replace the term "administration" with "administrator" in paragraph (B)(2).
This rule describes the responsibility of the health plan administrator of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377. Changes from the existing rule include: correct the rule reference in paragraph (D).

This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.37, and 3119.422.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-50</td>
<td>Judicial enforcement actions</td>
<td>12/01/2006</td>
<td>3/01/2012</td>
</tr>
</tbody>
</table>

This rule describes the required and discretionary judicial actions that the child support enforcement agency (CSEA) can take to enforce a child support order. Changes from the existing rule include: revised the language for clarity in paragraph (B), and corrected the reference in paragraph (C)(7) as the Ohio Administrative Code rule has been rescinded.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 1336.01 to 1336.11, 2117.06, 2705.031, 2919.21, 3123.182, 3123.19, 3123.14, 3123.15.

| 5101:12-50-55 | Extradition of obligors | 12/01/2006 | 3/01/2012 |

This rule describes the process of extraditing an obligor from another state to Ohio, and describes the process used by the governor of Ohio when a request is received from another state to extradite an obligor residing in Ohio. Changes from the existing rule include: corrected the reference to the Uniform Interstate Family Support Act (UIFSA) in paragraph (C).

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 2919.21, 3115.53, 3115.54.

| 5101:12-50-65 | Office of child support poster program | 12/01/2006 | 3/01/2012 |

This rule describes the requirements of the OCS poster program. Changes from the existing rule: replaced the term "food stamps" with "supplemental nutrition assistance program benefits (SNAP)" in paragraph (C)(1)(c).

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.95 to 3123.958.

OCS has made no change to the rules listed below. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective dates of these rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:
Withholding from unemployment compensation benefits initiated by a child support enforcement agency

This rule describes the requirements and process of deducting unemployment compensation benefits for child support cases. The process has not changed. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3121.07 and 4141.284.

Child support enforcement agency poster program

This rule describes the requirements of the CSEA poster program. The process has not changed. This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3123.96 to 3123.962.

OCS has rescinded the rule listed below. The rule has been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-58</td>
<td>Criminal enforcement of support orders using &quot;Project Save Our Children&quot; (PSOC)</td>
<td>12/01/2006</td>
<td>3/01/2012</td>
</tr>
</tbody>
</table>

This rule describes procedures that a CSEA may use to enforce support orders using "Project Save Our Children" (PSOC), which is a collaborative effort between federal agencies, ODJFS, and CSEAs. The rule has been rescinded and not replaced as it describes procedures that are no longer in effect.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
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- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.

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INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has amended the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-01</td>
<td>The support enforcement program</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule provides an introduction to the federal and Ohio statutes which govern the creation and performance of the child support enforcement program; the responsibilities of the child support enforcement agencies (CSEA) in Ohio; it lists the support enforcement program services that shall be provided to both IV-D and Non-IV-D cases for which a CSEA has administrative responsibility; a requirement for a CSEA to submit revisions to the procedural handbook to OCS within 30 days of a revision based on a program change. Changes from the existing rule include: replaced the term &quot;fiscal&quot; with &quot;grant&quot; in paragraph (G) and correct the rule reference in paragraph (H). This rule is authorized by ORC sections 3125.05 and 3125.25, and amplifies ORC sections 3125.02, 3125.03, 3125.05, 3125.10, 3125.11, 3125.12, 3125.24, and 5101.24.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-10</td>
<td>Support enforcement program services</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule provides definitions of a &quot;case&quot; and of a &quot;IV-D&quot; and &quot;Non-IV-D&quot; case; it also provides the federal and state definitions of a &quot;support order;&quot; it lists the support enforcement program services and clarifies the CSEA's responsibility to provide support enforcement program services to both IV-D and Non-IV-D cases. Changes from the existing rule include: made minor language changes in paragraph (A) for clarity. This rule is authorized by ORC sections 3125.25, and ammplies ORC sections 3105.21, 3109.05, 3111.13, 3113.04, 3113.07, 3119.65, and 3119.70.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-10.1</td>
<td>IV-D services</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes the services available only to IV-D cases. Changes from the existing rule include: in paragraph (D)(4), specified the type of federal administrative offset that may be collected by the U.S Department of Treasury. This rule is authorized by ORC section 3125.25, and ammplies ORC sections 3125.03 and 3125.36.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule describes the funds a CSEA receives from federal financial participation (FFP) as well as the non-federal share which a CSEA must provide. This rule states that the CSEA is responsible for administrative expenditures not allowable under the Title IV-D program. Changes from the existing rule include: deleted the provision in paragraph (A)(2)(b) as no longer applies; clarified the language in paragraph (A)(2)(c); and corrected the rule reference in paragraph (A)(3)(c).

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.19, 3125.21, and 3125.22.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-01</td>
<td>Request for services</td>
<td>6/15/2006</td>
</tr>
<tr>
<td></td>
<td>This rule specifies when a CSEA shall provide support enforcement program services and when it shall provide IV-D services. Changes from the existing rule include: added a provision to paragraph (A)(2) in order to be consistent with paragraph (D) of rule 5101:12-10-10.1 of the Administrative Code; and clarified the language in paragraphs (B) and (D).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03, 3125.05, 3125.06, 3125.10, 3125.11, 3125.27, and 3125.36.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-01.1</td>
<td>IV-D application and IV-D referral</td>
<td>6/15/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the sources from which a CSEA may receive a IV-D application or IV-D referral, and the CSEA's duty to approve or deny the application or referral within twenty days of receipt. Changes from the existing rule include: replaced the term &quot;bases&quot; with &quot;basis&quot; in paragraph (D)(9).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03, 3125.11, 3125.36, and 3125.37.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-02</td>
<td>Case intake</td>
<td>6/15/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process the CSEA must follow when it receives a IV-D application, IV-D referral, or an order from a court not accompanied by a IV-D application; and that the CSEA may but not required to conduct an interview with the applicant. Changes from the existing rule include: corrected the rule reference in paragraph (A)(6).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.11 and 3125.15.</td>
<td></td>
</tr>
</tbody>
</table>

OCS has made no change to the rules listed below. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective dates of these rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-72</td>
<td>Continuation of services</td>
<td>6/15/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the duties of a CSEA to continue to provide IV-D services to a case in which the child received Ohio Works First, Medicaid, or Title IV-E foster care benefits when those benefits have been terminated unless the case meets a termination of services criteria.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.03, and 3125.11.</td>
<td></td>
</tr>
</tbody>
</table>
This rule describes the responsibilities of a CSEA to administer support orders on a monthly basis, the calculation for converting non-monthly payments to a monthly basis, and how to compute a prorated obligation when the order requires payments to begin on a day other than the first of the month.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3121.28, 3121.51, 3121.52, 3121.53, and 3121.54.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- A no change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has **rescinded** the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25</td>
<td>License Suspension.</td>
<td>6/15/2008</td>
<td>5/1/2012</td>
</tr>
</tbody>
</table>

This rule described when a child support enforcement agency (CSEA) may, as an enforcement technique, submit an obligor to a licensing entity to suspend, refuse, or deny to renew a license.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-26</td>
<td>Suspension of License to Practice Law.</td>
<td>6/15/2008</td>
<td>5/1/2012</td>
</tr>
</tbody>
</table>

This rule described when a child support enforcement agency (CSEA) may, as an enforcement technique, refer an obligor who is licensed to practice law in the state of Ohio to the Ohio supreme court for suspension of a license to practice law.

OCS has **adopted** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25</td>
<td>License Suspension.</td>
<td>5/1/2012</td>
</tr>
</tbody>
</table>

This rule describes when a child support enforcement agency (CSEA) may, as an enforcement technique, submit an obligor to a licensing entity to suspend, refuse, or deny to renew a professional, driver's, or recreational license.

Changes from the rescinded rule include: an expanded list of case requirements which must be met before an obligor may be considered for license suspension, the requirement for a CSEA to utilize a specific pre-suspension notification form, and removal of reinstatement criteria which has been moved into new rule 5101:12-55-25.1. This rule replaces part of rescinded rule 5101:12-55-25.

This rule is authorized by ORC sections 3125.25 and 3123.63; and amplifies sections 3123.41 to 3123.50, 3123.53 to 3123.60, 3123.62, and 3123.63. Prior Effective Dates: 10/1/96, 1/1/98, 6/2/01, 10/14/01, 1/1/06, 6/15/2008.

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25.1</td>
<td>License Reinstatement.</td>
<td>5/1/2012</td>
</tr>
</tbody>
</table>

This new rule describes the process and required criteria a child support enforcement agency (CSEA) shall use to reinstate a professional, recreational, or driver's license that
This new rule describes the process and criterion a child support enforcement agency (CSEA) shall use to direct the registrar of motor vehicles to eliminate from the abstract maintained by the bureau of motor vehicles (BMV) any reference of a previous license suspension.

This rule is authorized by ORC sections 3125.25 and 3123.63; and amplifies section 3123.63.

This rule describes when a child support enforcement agency (CSEA) may, as an enforcement technique, refer an obligor who is licensed to practice law in the state of Ohio to the Ohio supreme court for suspension of a license to practice law.

Changes from the rescinded rule include: an expanded list of case requirements which must be met before an obligor may be considered for license suspension, and the requirement for a CSEA to utilize a specific pre-suspension notification form, and describes the process and criteria a child support enforcement agency (CSEA) shall use to reinstate a license that has been suspended.

This rule is authorized by ORC section 3125.25; and amplifies sections 3125.03 and 4705.021. Prior Effective Dates: 1/1/06, 6/15/08.

OCS has rescinded the following forms:

<table>
<thead>
<tr>
<th>Rescinded Form</th>
<th>Rescinded Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07229</td>
<td>Notice to Obligor: Proposed Action to Suspend Driver's License.</td>
<td>11/2005</td>
<td>5/1/2012</td>
</tr>
<tr>
<td>JFS 07232</td>
<td>Notice to Obligor: Proposed Action to Suspend Professional or Recreation License.</td>
<td>11/2005</td>
<td>5/1/2012</td>
</tr>
<tr>
<td>JFS 04039</td>
<td>Suspension Notification for a Professional, Motor Vehicle Operator, and/or Recreational License.</td>
<td>2/2006</td>
<td>5/1/2012</td>
</tr>
</tbody>
</table>

OCS has adopted the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04016</td>
<td>Notice to Expunge a Driver's Abstract.</td>
<td>3/1/2012</td>
</tr>
</tbody>
</table>

This form is used to notify the bureau of motor vehicles that a case specific reference to a previous license suspension on an obligors abstract should be expunged.
JFS 04024  Advance Notice to Suspend Professional, Recreational, and/or Driver's License.  3/1/2012
This notice informs an obligor of the potential for their professional, recreational, and/or drivers licenses to be suspended. The form includes information about the effect a suspension may have and steps the obligor may take to prevent such an action from occurring.

OCS has **revised** the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07230</td>
<td>Advance Notice to Suspend License to Practice Law.</td>
<td>11/2005</td>
<td>3/1/2012</td>
</tr>
</tbody>
</table>

This notice informs an obligor of the potential for their law license to be suspended. The form includes information about the effect a suspension may have and steps the obligor may take to prevent such an action from occurring.

**INSTRUCTIONS:**
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuels.
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The rules and forms in the CSPM can be accessed at:

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http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the rules as they contain new or modified requirements with which the CSEA must comply.
The Office of Child Support (OCS) has **rescinded** the following rules. The rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-15</td>
<td>Support enforcement tracking system.</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes the statewide automated data processing and information retrieval system known as the support enforcement tracking system.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-20</td>
<td>Information Handling: Scope and Definitions.</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for authorized access to, use, disclosure, and safeguarding of information contained in a person’s case record.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-20.1</td>
<td>Use of Information.</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for the use, protection, and dissemination of information that is collected and maintained by an agency in the performance of support enforcement program functions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-1-20.2</td>
<td>Safeguarding of Participant Information.</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes procedures an agency is required to follow in order to safeguard confidential information from participants in the support enforcement program received from the internal revenue service (IRS), Ohio department of taxation (ODT), the state parent locator service (SPLS), federal parent locator service (FPLS), and Ohio department of job and family services, office of unemployment compensation (UC). The safeguarding requirements of this rule apply to all paper, electronic, or imaged records.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-20-10</td>
<td>Location for parental kidnapping, child custody, and visitation purposes.</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
<tr>
<td></td>
<td>This rule describes the use of the federal parent locator service (FPLS) to locate an individual for parental kidnapping, child custody, or visitation purposes. This rule also describes the procedures a child support enforcement agency (CSEA) shall follow upon receipt of a request to use FPLS for this purpose.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has **adopted** the following rules:
<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-15 Support enforcement tracking system.</td>
<td>This rule describes the statewide automated data processing and information retrieval system known as the support enforcement tracking system (SETS). Changes from the rescinded rule include: responsibilities of an individual or entity with access to SETS, a more complete list of forms that must be completed by an individual or entity in order to obtain system access. This rule is authorized by ORC sections 3125.08 and 3125.25; and amplifies sections 3125.07, 3125.08, 3125.38, 3125.39 Prior Effective Dates: 1/1/98, 10/1/98, 7/15/02.</td>
</tr>
<tr>
<td>5101:12-1-20 Confidentiality of information.</td>
<td>This rule describes the requirements for authorized access to, use, disclosure, and safeguarding of information contained in a person's case record. Changes from the rescinded rule include: an expanded list of terms and definitions, how information requests from an individual or entity are made, and identified information that may be disclosed in order to carry out functions of the program. This rule is authorized by ORC sections 3125.08, 3125.25, and 3125.51; and amplifies sections 3125.03, 3125.08, 3125.49, 3125.50.</td>
</tr>
<tr>
<td>5101:12-1-20.1 Requests for information contained in a person's case record.</td>
<td>This rule describes the requirements for the use, protection, and disclosure of information that is collected and maintained by an agency dependent upon collection source and disclosure purpose. Changes from the rescinded rule include: differentiating between the sources of the information contained in SETS and its allowable uses to be in compliance with the updated federal regulations 45 CFR Parts 301, 302, 303, and 307. This rule is authorized by ORC sections 3125.08, 3125.25, and 3125.51; and amplifies sections 3125.03, 3125.08, 3125.24, and 3125.50.</td>
</tr>
<tr>
<td>5101:12-1-20.2 Safeguarding of information from the internal revenue service and safeguarding visit procedures.</td>
<td>This rule describes the procedures an agency is required to follow in order to safeguard information received from the internal revenue service (IRS). Changes from the rescinded rule include: the ability for agencies to conduct a self assessment, removal of safeguarding requirements for unemployment compensation requirements and the Ohio department of taxation. This rule is authorized by ORC sections 3125.08, 3125.25, and 3125.51; and amplifies sections 3125.03, 3125.08, 3125.43, and 3125.50.</td>
</tr>
<tr>
<td>5101:12-1-20.3 Safeguarding of information from the unemployment compensation program and Ohio department of taxation.</td>
<td>3/1/2012</td>
</tr>
</tbody>
</table>
This rule describes the procedures an agency is required to follow in order to safeguard information received from Unemployment Compensation (UC) and the Ohio department of taxation.

This rule replaces part of 5101:12-1-20.2.

This rule is authorized by ORC sections 3125.08, 3125.25, and 3125.51; and amplifies sections 3125.43, 3125.50, 4141.21, 4141.22, 4141.99, and 5747.18.

5101:12-20-10 Location for parental kidnapping, child custody, and visitation purposes. 3/1/2012

This rule describes the use of the federal parent locator service (FPLS) to locate an individual for parental kidnapping, child custody, or visitation purposes. This rule also describes the procedures a child support enforcement agency (CSEA) shall follow upon receipt of a request to use FPLS for this purpose.

Changes to the rescinded rule include: language changes for clarification; update the site to 45 C.F.R. 301.15, effective October 1, 2010; and additions to restrictions on disclosure.

This rule is authorized by ORC section 3125.25; and amplifies sections 3125.03, 3125.06, 3125.24.

OCS has amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-20-05.2</td>
<td>State parent locator service.</td>
<td>6/15/2006</td>
<td>3/1/2012</td>
</tr>
</tbody>
</table>

This rule describes the state parent locator service (SPLS) maintained by the Ohio department of job and family services.

The rule has been amended to update reference sites within the Administrative Code.

This rule is authorized by ORC section 3125.25; and amplifies section 3125.03.

OCS has filed the following rules with no changes. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective date of the rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>No Change Rule</th>
<th>Rule Title</th>
<th>Effective date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-20-05</td>
<td>Location of an individual for support enforcement program purposes.</td>
<td>6/15/2006</td>
</tr>
</tbody>
</table>

This rule describes the requirements that shall be followed by a child support enforcement agency (CSEA) for the location of an individual for the purpose of providing support enforcement program services and the location sources that are available for this purpose.

This rule is authorized by ORC section 3125.25; and amplifies sections 3125.03, 3125.06, 3125.08.
This rule describes the federal parent locator service (FPLS), a national location system operated by the federal office of child support enforcement to assist states in locating individuals for the purpose of providing support enforcement program services. FPLS is accessed through the support enforcement tracking system (SETS).

This rule is authorized by ORC section 3125.08, 3125.25; and amplifies sections 3125.03, 3125.08, 4141.22.

OCS has **adopted** the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is to be utilized as a reference guide to 5101:12-1-20 of the Administrative Code and its supplemental rules.</td>
<td></td>
</tr>
<tr>
<td>JFS 04001</td>
<td>Request for Case Information</td>
<td>11/2011</td>
</tr>
<tr>
<td></td>
<td>This form is used when an individual or entity is requesting information contained in a person's case record.</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

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**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the rules as they contain new or modified requirements with which the CSEA must comply.
TO: All Child Support Program Manual Holders
FROM: Michael B. Colbert, Director
SUBJECT: Revision to Rule 5101:12-30-25, "Role of the CSEA administrative officer"

The Office of Child Support (OCS) has amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-30-25</td>
<td>Role of the CSEA administrative officer</td>
<td>10/02/2006</td>
<td>01/01/2012</td>
</tr>
</tbody>
</table>

This rule describes the responsibility of the child support enforcement agency (CSEA) to employ an administrative officer for the purpose of conducting administrative hearings. The rule also lists the required criteria and qualifications of an administrative officer. Changes from the existing rule include: correct the rules reference in paragraph (A), and revise the language for clarity.

This rule is authorized by ORC sections 3111.53 and 3125.25 and amplifies ORC section 3111.53.

INSTRUCTIONS:

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INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) is rescinding the following rule:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-10</td>
<td>Financial institution data match program.</td>
<td>10/2/2006</td>
<td>12/1/2011</td>
</tr>
</tbody>
</table>

This rule describes the financial institution data match (FIDM) program, including FIDM definitions, account information access agreements, financial institution rights and responsibilities, and the FIDM procedures that the Child Support Enforcement Agency (CSEA) is required to follow.

This rule is being rescinded because more than 50% of this rule is being stricken and a comparable amount of new text is being added. Information from this rule regarding account information access agreements is contained in new rule 5101:12-1-90; FIDM definitions contained in new rule 5101:12-55-10; information regarding the CSEA investigation of an account, imposing an access restriction, and releasing an access restriction contained in new rule 5101:12-55-10.1; information regarding the administrative and court hearing process contained in new rule 5101:12-55-10.2; and information regarding issuing a withdrawal directive contained in new rule 5101:12-55-10.3.

OCS is adopting the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-90</td>
<td>Account information access agreement.</td>
<td>12/1/2011</td>
</tr>
</tbody>
</table>

This is a new rule that describes account information access agreements that are between OCS and financial institutions doing business in this state and financial institutions doing business in other states.

Changes from the rescinded rule include: revise the language and remove information regarding account information access agreements from the rescinded rule and add to this new rule.

This rule is authorized under ORC sections 3121.78 and 3125.25 and amplifies ORC sections 3121.74, 3121.76, 3121.77, 3121.99, 3123.25, and 3123.38.

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-10</td>
<td>Financial institution data match program.</td>
<td>12/1/2011</td>
</tr>
</tbody>
</table>

This is a new rule that describes the procedures that the CSEA is required to use when it elects to utilize the FIDM program to enforce a support order after a final and enforceable determination of default has been made against the obligor.

Changes from the rescinded rule include: revise the language and remove definitions for
"multistate financial institution," "multistate financial institution data match," "single state financial institution," and "single state financial institution data match"; add a definition for "FIDM report"; add a list of circumstances in paragraph (C) that the CSEA should take note of before imposing an access restriction on an account; and add a process in paragraph (D) for returning supplemental security income (SSI) funds to an obligor that were intercepted in error.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3121.01, 3121.74, 3123.24, and 3123.25.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-10.1</td>
<td>Investigation of an account, imposing an access restriction, and releasing an access restriction.</td>
<td>12/1/2011</td>
</tr>
<tr>
<td></td>
<td>This is a new rule that describes the procedures that the CSEA is required to follow when it investigates an account, imposes an access restriction, or releases an access restriction.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from the rescinded rule include: revise the language and re-format the information by topic for clarity; and add definitions for &quot;assisting state&quot; and &quot;requesting state.&quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3123.25, 3123.26, and 3123.27.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-10.2</td>
<td>Administrative and court hearing for ownership interest in an account.</td>
<td>12/1/2011</td>
</tr>
<tr>
<td></td>
<td>This is a new rule that describes the administrative hearing procedures that the CSEA is required to follow as well as the court process when the joint account owner requests an administrative or court hearing.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from the rescinded rule include: revise the language and re-format the information by topic for clarity; and add a definition for &quot;joint account owner.&quot;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3123.29, 3123.30, 3123.31, 3123.32, 3123.33, 3123.34, 3123.35, and 3123.36.</td>
<td></td>
</tr>
<tr>
<td>5101:12-55-10.3</td>
<td>Issuing a withdrawal directive.</td>
<td>12/1/2011</td>
</tr>
<tr>
<td></td>
<td>This is a new rule that describes the procedures that the CSEA is required to follow when it issues a withdrawal directive to a financial institution.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from the rescinded rule include: revise the language and re-format the rule for clarity.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3123.28, 3123.32, 3123.36, and 3123.37.</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-90</td>
<td>(A) and (C)(3)</td>
</tr>
<tr>
<td>5101:12-55-10</td>
<td>(B)(3) and (C)</td>
</tr>
<tr>
<td>5101:12-55-10.1</td>
<td>(C) and (D)(5)</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders
FROM: Michael B. Colbert, Director
SUBJECT: Revision to the New Hire Rule, "Employer responsibilities"

The Office of Child Support (OCS) has amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5011:12-10-90.1</td>
<td>Employer responsibilities</td>
<td>09/01/2005</td>
<td>12/01/2011</td>
</tr>
</tbody>
</table>

This rule describes the responsibilities of an employer to submit a new hire report to the Ohio Department of Job and Family Services. The rule also lists the required data and the process of submitting the data; and identifies an employer's liability for failing to submit a new hire report. Changes from the existing rule include: add language to paragraph (C) requiring the employer to submit new information about the employee date of services when first performed. This information is required to comply with the revised federal regulation, section 453A of the Social Security Act (effective 6/8/11).

This rule is authorized by ORC sections 3121.8911 and 3125.25 and amplifies ORC sections 3121.891, 3121.892, 3121.893, 3121.8910, and 3125.03.21 and 3125.25, and amplifies ORC sections 3121.441, 3123.12, and 3125.11.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 61 (Revision to the Termination of Services Rule)


October 21, 2011

TO: All Child Support Program Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Revision to the Termination of Services Rule

The Office of Child Support (OCS) has amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5011:12-10-70</td>
<td>Termination of Services</td>
<td>12/15/2009</td>
<td>11/01/2011</td>
</tr>
</tbody>
</table>

This rule describes the termination of services criteria and the process the child support Enforcement Agency (CSEA) uses to terminate IV-D services or support enforcement program services (SEPS). Changes from the existing rule include:

- Revise the language in paragraphs (B)(9) and D(8) for clarity;
- Add two (2) new criteria in paragraph (D) to comply with new federal requirements regarding the treatment of intergovernmental cases.

This rule is authorized by ORC sections 3123.121 and 3125.25, and amplifies ORC sections 3121.441, 3123.12, and 3125.11.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The federal office of child support has revised 45 CFR section 303.7, which governs the provision of services in interstate cases. The new regulations are effective January 03, 2011. As a result, the Office of Child Support (OCS) has rescinded the existing Ohio Administrative Code (OAC) interstate rules and replaced them with new OAC interstate rules to comply with the new federal regulations.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05</td>
<td>Scope of rule and definitions for interstate case processing</td>
<td>9/01/2005</td>
<td>11/01/2011</td>
</tr>
<tr>
<td></td>
<td>This is the principle interstate rule, which provides definitions of interstate terms. This rule is being rescinded and replaced with the same rule number but different title.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.1</td>
<td>Requirements for initiating and responding CSEAs in interstate cases</td>
<td>8/01/2008</td>
<td>11/01/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the specific requirements that the child support enforcement agency (CSEA) must comply with when processing an interstate case as an initiating or responding agency. This rule is being rescinded and replaced with two new rules. The requirements for initiating CSEA being moved to proposed rule 5101:12-70-05.3, and the requirements for responding CSEA being moved to proposed rule 5101:12-70-05.4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.2</td>
<td>Establishment of paternity in interstate cases</td>
<td>9/01/2005</td>
<td>11/01/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process and the responsibilities of each CSEA as an initiating or responding agency when establishing paternity for an interstate case. This rule is being rescinded and replaced with a different rule number and title. This rule is being replaced with proposed rule 5101:12-70-05.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.3</td>
<td>Establishment of support orders in interstate cases</td>
<td>9/01/2005</td>
<td>11/01/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process and responsibilities of each CSEA as an initiating or responding agency when establishing a support order for an interstate case. This rule is being rescinded and replaced with a different rule number and title. This rule is being replaced with proposed rule 5101:12-70-05.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.4</td>
<td>Determining the controlling order</td>
<td>9/01/2005</td>
<td>11/01/2011</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process of determining the controlling order before the CSEA can proceed with any enforcement actions for an interstate case. This rule is being rescinded and replaced with a different rule number and title. This rule is being replaced with proposed rule 5101:12-05.7.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule describes the process and techniques available to a CSEA as an initiating or responding agency to enforce an interstate case. This rule is being rescinded and replaced with a different rule number and title. This rule is being replaced with proposed rule 5101:12-70-05.8.

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05</td>
<td>Enforcement of support orders in interstate cases</td>
<td>9/01/2005</td>
</tr>
<tr>
<td>5101:12-70-05.6</td>
<td>Modification of controlling orders in interstate cases</td>
<td>9/01/2005</td>
</tr>
<tr>
<td>5101:12-70-10</td>
<td>Forms for interstate case processing</td>
<td>9/01/2005</td>
</tr>
<tr>
<td>5101:12-70-15</td>
<td>The role and responsibilities of the interstate central registry (ICR)</td>
<td>9/01/2005</td>
</tr>
<tr>
<td>5101:12-70-20</td>
<td>The child support enforcement network</td>
<td>9/01/2005</td>
</tr>
</tbody>
</table>

OCS has **adopted** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05</td>
<td>Scope and definitions for intergovernmental cases</td>
<td>11/01/2011</td>
</tr>
<tr>
<td>5101:12-70-05.1</td>
<td>CSEA general responsibilities</td>
<td>11/01/2011</td>
</tr>
</tbody>
</table>

This rule replaces rescinded rules 5101:12-70-05, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.01, 3125.03.
<table>
<thead>
<tr>
<th>5101:12-70-05.2</th>
<th>Responsibilities of Ohio interstate central registry 11/01/2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>This rule</strong> describes the responsibilities of Ohio's Central Registry when processing an interstate case. Changes from the rescinded rule include: change the rule number and title, and move paragraphs (F) and (G) of rescinded rule 5101:12-70-05.5 to this rule as the provisions apply only to the Central Registry.</td>
<td></td>
</tr>
<tr>
<td>This rule replaces rescinded rule 5101:12-70-15, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.21, 3115.37, and 3125.03.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-70-05.3</th>
<th>Requirements for initiating CSEA in intergovernmental cases 11/01/2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>This rule</strong> describes the specific responsibilities of an initiating CSEA. Changes from the rescinded rule include: move to this rule the provisions that apply only to the initiating CSEA from rescinded rule 5101:12-70-05.1, and add the new federal requirements.</td>
<td></td>
</tr>
<tr>
<td>This rule replaces part of rescinded rule 5101:12-70-05.1, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.15, 3115.16, and 3115.18.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-70-05.4</th>
<th>Requirements for responding CSEA in intergovernmental cases 11/01/2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>This rule</strong> describes the specific responsibilities of an initiating CSEA. Changes from the rescinded rule include: move to this rule the provisions that apply only to the responding CSEA from rescinded rule 5101:12-70-05.1, and add the new federal requirements.</td>
<td></td>
</tr>
<tr>
<td>This rule replaces part of rescinded rule 5101:12-70-05.1, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.15, 3115.16, and 3115.18.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-70-05.5</th>
<th>Establishment of paternity in intergovernmental cases 11/01/2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>This rule</strong> describes the process and the responsibilities of each CSEA as an initiating or responding agency when establishing paternity for an intergovernmental case. Changes from the rescinding rule include: minor language changes for clarity.</td>
<td></td>
</tr>
<tr>
<td>This rule replaces rescinded rule 5101:12-70-05.2, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.03, 3115.05, 3115.15, 3115.16, and 3125.03.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-70-05.6</th>
<th>Establishment of a child support order in intergovernmental cases 11/01/2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>This rule</strong> describes the process and responsibility of each CSEA as an initiating or responding agency when establishing a support order for an intergovernmental IV-D case. Changes from the rescinding rule include: minor language changes for clarity.</td>
<td></td>
</tr>
<tr>
<td>This rule replaces rescinded rule 5101:12-70-05.3, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.03, 3115.05, 3115.15, 3115.16, and 3125.03</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-70-05.7</th>
<th>Determination of the controlling order 11/01/2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>This rule</strong> describes the process of determining the controlling order before the CSEA can proceed with any enforcement actions for an interstate case. Changes from the rescinding rule include: add new federal requirements; delete language that is</td>
<td></td>
</tr>
</tbody>
</table>
This rule replaces rescinded rule 5101:12-70-05.5, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.08, 3115.15, 3115.16, 3115.18, 3115.39, 3115.40, and 3125.03.

### 5101:12-70-05.9
**Modification of a controlling order in an intergovernmental case**

11/01/2011

This rule describes the responsibility of each CSEA as an initiating or responding agency when modifying a controlling child support order in an intergovernmental case. Changes from the rescinded rule include: revise language for clarity, and clarify which state or CSEA in Ohio is responsible for modifying the controlling order under certain circumstances.

This rule replaces rescinded rule 5101:12-70-05.6, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.08, 3115.15, 3115.16, 3115.46, 3115.47, 3115.48, 3115.49, 3115.50, 3115.51, and 3125.03.

### 5101:12-70-05.10
**The child support enforcement network**

11/01/2011

This rules describes the responsibilities of each CSEA, and requires the use of the Child Support Enforcement Network (CSENet) when processing an interstate case. Changes from the rescinding rule include: delete language that is informational and change the rule number.

This rule replaces rescinded rule 5101:12-70-20, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.28, 3125.03, 3125.07, and 3125.08.

### 5101:12-70-05.11
**Forms for interstate case processing**

11/01/2011

This rule lists the UIFSA mandated forms that a CSEA must use when processing an interstate case. Changes from the rescinded rule include: delete language that is informational and change the rule number.

This rule replaces rescinded rule 5101:12-70-10, is authorized by ORC section 3125.25 and amplifies ORC sections 3115.39, 3115.42, and 3125.03.

### INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:


### INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply.
The Office of Child Support (OCS) has amended the following rules. The rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>This is the principle rule, which provides an introduction to the federal tax refund offset program and defines terms that are used in the supplemental rules. Changes from the existing rule: clarify the definition of injured spouse; in paragraph (B)(5), revise the rule reference and replace &quot;Interstate&quot; with &quot;Intergovernmental&quot; in order to be consistent with the new interstate regulations 45 CFR section 303.7. This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.1</td>
<td>Submission Criteria</td>
<td>5/15/2008</td>
<td>9/01/2011</td>
</tr>
<tr>
<td>This rule describes the criteria required for submittal to the federal tax refund offset program. Change from the existing rule: replace the term &quot;interstate&quot; with &quot;intergovernmental&quot; in order to be consistent with the new interstate regulations 45 CFR section 303.7. This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3125.03 and 3125.25.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.4</td>
<td>Rejected Submissions</td>
<td>7/01/2006</td>
<td>9/01/2011</td>
</tr>
<tr>
<td>This rule describes the procedure a child support enforcement agency (CSEA) is required to follow when a federal tax offset submission is rejected by the federal Office of Child Support Enforcement (OCSE). Change from the rescinded rule: replace the term &quot;administrative&quot; with &quot;administration&quot; in paragraph (C). This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>This rule describes the process for requesting and conducting an administrative tax offset review when an obligor has been submitted to the federal tax offset program. Change from the existing rule: replace the term &quot;interstate&quot; with &quot;intergovernmental&quot; in order to be consistent with the new interstate regulations 45 CFR section 303.7.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes the process used to offset a federal income tax refund. Changes from the existing rule: in paragraph (B), combine the unassigned arrears with the assigned arrears as second in the collection priority to be consistent with the new IRS guidelines; in paragraph (C), revise the federal tax offset process from biweekly to weekly to be consistent with the new IRS tax offset process, and clarify the type of reports issued by OCSE to states; and in paragraph (F), replace the term &quot;interstate&quot; with &quot;intergovernmental&quot; in order to be consistent with the new interstate regulations 45 CFR section 303.7.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.7</td>
<td>Service Fee</td>
<td>7/01/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the fees that are charged by the federal Financial Management Service for each federal tax offset processed. Change from the existing rule: revise the rule reference in paragraph (D).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the federal income tax refund offset collections reports that are provided to the child support enforcement agencies for appropriate action(s). Changes from the existing rule include: in paragraph (C), clarify the language, and correct the rule reference.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.10</td>
<td>Joint Refunds</td>
<td>7/01/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process in which federal tax refund offset collections from a joint tax returns are disbursed. Change from the existing rule: define the term &quot;receipt&quot; in paragraph (B).</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.10</td>
<td>Joint Refunds</td>
<td>7/01/2006</td>
</tr>
</tbody>
</table>

OCS has made no change to the rules listed below. The rules were reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The effective dates of these rules will remain the same as the existing rules pursuant to paragraph (E) of section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-30</td>
<td>Federal Offset Program</td>
<td>7/01/2006</td>
</tr>
<tr>
<td></td>
<td>This rule lists the programs that are part of the federal tax offset program.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized by ORC section 3125.25; and amplifies ORC sections 3125.03</td>
<td></td>
</tr>
</tbody>
</table>
The Federal Match Process and Pre-Offset Notice  
This rule describes the federal tax offset match process and the pre-offset notice procedure.  
This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.  

Adding, Updating, and Deleting Obligors from the Ohio Tax Offset File  
This rule describes the requirements for adding, updating, and deleting obligors from the federal tax offset file submittal by Ohio to OCSE.  
This rule is authorized by ORC sections 3123.81 and 3125.25; and amplifies ORC sections 3123.81, 3125.03, and 3125.25.

INSTRUCTIONS:  
When the CSPMTL is published, the CSPM will be updated as follows:  
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuels.  
- A no change rule will continue with the same effective date.  
The rules and forms in the CSPM can be accessed at:  
http://emanuals.odjfs.state.oh.us/emanuals.  

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:  
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) conducted a five-year review of the following rules, under section 119.032 of the Revised Code, and filed the following rules with no changes:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-20.1</td>
<td>Lien Levy and Execution</td>
<td>4/1/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process that a child support enforcement agency (CSEA) shall use when it decides to execute on a lien on personal or real property of an obligor that has been asserted by the CSEA in accordance with rule 5101:12-55-20 of the Administrative Code.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>There are no changes from the prior rule; the effective date will remain the same as the prior rule pursuant to paragraph E of section 119.032 of the Revised Code.</td>
<td></td>
</tr>
<tr>
<td>5101:12-80-07</td>
<td>Mandatory Electronic Disbursement</td>
<td>2/9/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirement that the Office of Child Support issue support payments by means of electronic disbursement to reduce the time required to deliver support payments to obligees.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>There are no changes from the prior rule; the effective date will remain the same as the prior rule pursuant to paragraph E of section 119.032 of the Revised Code.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- Two no change rules will continue with the same effective date.

The rules in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.
The Office of Child Support (OCS) has rescinded the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-54</td>
<td>Performance incentives for the Ohio child support enforcement program.</td>
<td>6/15/2006</td>
<td>4/14/2011</td>
</tr>
</tbody>
</table>

This rule describes the method for the calculation and distribution of incentive payments to Ohio and the child support enforcement agency (CSEA).

This rule was rescinded and replaced by a new rule with the same rule number but different title because more than 50% of this rule is was stricken and a comparable amount of new text was being added. Information from this rule regarding the federal incentive payment to Ohio and payment eligibility requirements is in the replacement rule. Language from this rule regarding Amended Substitute HB 66 was not needed and was not replaced.

| 5101:12-1-54.1 | Performance incentives to child support enforcement agencies. | 6/15/2006 | 4/14/2011 |

This rule describes how the federal incentive payment to Ohio is distributed among the CSEAs.

This rule was rescinded and replaced by a new rule with the same rule number but different title because more than 50% of this rule was stricken and a comparable amount of new text is being added. The definition for "Ohio incentive payment" and information from this rule regarding the CSEA's maximum incentive potential, calculation of a holdback, work improvement plan, baseline maintenance plan, category improvement plan, and ODJFS performance reporting is not needed and was not replaced. The definition for "performance year," the method for distribution of incentive payments, and the requirements for use of federal incentives was moved to new rule 5101:12-1-54.

OCS has adopted the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-54</td>
<td>Incentive payment.</td>
<td>4/14/2011</td>
</tr>
</tbody>
</table>

This is a new rule that describes the calculation and distribution of the Ohio incentive payment from the Federal Office of Child Support Enforcement (OCSE) to the State of Ohio, and the incentive payment from ODJFS to the
CSEA.
Changes from rescinded rules 5101:12-1-54 and 5101:12-1-54.1 include: add definitions for "federal fiscal year," "performance category," and "performance year;" revise the language regarding calculation of the Ohio incentive payment; add information regarding a new way of distributing the Ohio incentive payment; and add information from rule 5101:12-1-54.1 to this rule regarding the estimated amount of incentives and the requirements for use of federal incentives.
This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 5101.23.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-54.1</td>
<td>Incentive payment: performance-based measure.</td>
<td>4/14/2011</td>
</tr>
<tr>
<td></td>
<td>This is a new rule that describes the calculation of the CSEA incentive payment and corrective action plan.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from rescinded rules 5101:12-1-54 and 5101:12-1-54.1 include: add information regarding the calculation of the county's collections base percentage and the CSEA incentive payment; and add information regarding a corrective action plan.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 5101.23.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-54.2</td>
<td>Incentive payment: county self-assessment.</td>
<td>4/14/2011</td>
</tr>
<tr>
<td></td>
<td>This is a new rule that describes the process for the CSEA to receive 25% of the CSEA incentive payment by completing a county self-assessment. The rule includes a definition for &quot;self-assessment category,&quot; a description of the sampling methodology for the quality assurance (QA) sample, and timeframes and instructions for the CSEA to complete and submit the county self-assessment.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.03 and 5101.23.</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**
When the CSPMTL is published, the CSPM will be updated as follows:
- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:
- [http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals)

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
- [http://www.odjfs.state.oh.us/forms/inner.asp](http://www.odjfs.state.oh.us/forms/inner.asp)

or on the ODJFS Forms Central Internet page at:
- [http://www.odjfs.state.oh.us/forms/inter.asp](http://www.odjfs.state.oh.us/forms/inter.asp)

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA
should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-54</td>
<td>(B), (C), (D), and (E)</td>
</tr>
<tr>
<td>5101:12-1-54.</td>
<td>(A), (B), and (C)</td>
</tr>
<tr>
<td>5101:12-1-54.2</td>
<td>(A), (B), (C), (D), and (E)</td>
</tr>
</tbody>
</table>
CSPMTL 56 (Revisions of Case Records and Allocation Hierarchy for Support Collections Rules)

Child Support Program Manual Transmittal Letter No. 56

April 13, 2011

TO: All Child Support Program Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Revisions of Case Records and Allocation Hierarchy for Support Collections Rules

The Office of Child Support (OCS) has proposed to revise the following rules:

<table>
<thead>
<tr>
<th>Revised Rule</th>
<th>Revised Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-05</td>
<td>Case records</td>
<td>6/15/2006</td>
<td>5/01/2011</td>
</tr>
<tr>
<td>5101:12-80-10</td>
<td>Allocation hierarchy for support collections</td>
<td>10/01/2009</td>
<td>5/01/2011</td>
</tr>
</tbody>
</table>

This rule describes the requirement to maintain records for each child support case, and the type of records to be maintained. The rule is being reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

The rule is being revised to clarify that the child support enforcement agency (CSEA) may destroy non-essential case records when a case has been closed, support enforcement program services have been terminated, and the records retention period has expired with a balance remaining on the case. The rule also clarifies that certain case records must be maintained should the CSEA need to reopen the case in accordance with rule 5101:12-10-70 in order to collect the remaining balance. Finally, the rule provides a non-exclusive list of the records that the CSEA must maintain.

This rule is authorized by ORC section 3125.25, and amplifies ORC sections 3125.07 and 3125.11.

This rule is authorized by ORC sections 3119.51, 3121.71, 3125.25, and amplifies ORC sections 3119.27, 3119.30, 3121.07, 3121.43, 3121.51, 3121.56, 3121.58, 3123.821, 3125.03, 3125.05, 5101.59, and 5107.20.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- An amended rule will be inserted in the CSPM, and the previous version will be moved to the OAC Archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether it requires the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rule as it contains new or modified requirements with which the CSEA must comply.

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-05</td>
<td>(C) and (D)</td>
</tr>
<tr>
<td>5101:12-80-10</td>
<td>(C)</td>
</tr>
</tbody>
</table>
CSPMTL 55 (Revisions to the JFS 05050, "Cash Medical Support Schedule")


March 3, 2011

TO: All Child Support Program Manual Holders

FROM: Michael B. Colbert, Director

SUBJECT: Revisions to the JFS 05050, "Cash Medical Support Schedule"

The Office of Child Support (OCS) has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 05050</td>
<td>Cash Medical Support Schedule</td>
<td>11/2008</td>
<td>2/2011</td>
</tr>
</tbody>
</table>

The cash medical support schedule is used by all Ohio courts and child support enforcement agencies when calculating the amount of cash medical support to be paid pursuant to a child support order.

Changes from the previous version include: Modified the income ranges and per child expenditure amounts based on revised data published by the United States Department of Agriculture: "Expenditures on Children by Families 2009," Estimated annual expenditures on a child by husband-wife families, urban Midwest, 2009; and reformatted to be consistent with other forms developed by OCS.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A revised form will be replaced with the amended form.

Forms can be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should give particular care when reviewing the following rule as it contains new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-47-01.2</td>
<td>(D)</td>
</tr>
</tbody>
</table>
The Office of Child Support has made no changes to the following rules:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-90</td>
<td>New hire reporting program.</td>
<td>9/1/2005</td>
</tr>
<tr>
<td></td>
<td>This rule identifies the federal law that requires Ohio to administer a new hire reporting program. It contains definitions used in the rule and the supplemental rules, specifies that new hire reports are not public records, and notes that the Ohio Department of Job and Family Services may provide copies of new hire reports to the Bureau of Workers Compensation.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The text of the rule and the rule's effective date are unchanged; only the five-year review date has changed.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-90.1</td>
<td>Employer responsibilities.</td>
<td>9/1/2005</td>
</tr>
<tr>
<td></td>
<td>This rule states an employer's responsibility to submit a new hire report to the Ohio Department of Job and Family Services. It describes how an employer must submit a new hire report and identifies an employer's liability for failing to submit a new hire report.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The text of the rule and the rule's effective date are unchanged; only the five-year review date has changed.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-90.2</td>
<td>New hire directory of employees.</td>
<td>9/1/2005</td>
</tr>
<tr>
<td></td>
<td>This rule describes the actions ODJFS takes upon receiving a new hire report regarding an employee. It includes entering the information into the new hire directory, comparing the social security number of the employee with the social security numbers of obligors in the Support Enforcement Tracking System (SETS), and providing information from the new hire report to the national directory of new hire. The rule also states that ODJFS shall use information from the new hire report for support establishment and enforcement purposes, and for detecting fraud in ODJFS-administered programs.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The text of the rule and the rule's effective date are unchanged; only the five-year review date has changed.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-90.3</td>
<td>New hire directory of independent contractors.</td>
<td>9/1/2005</td>
</tr>
<tr>
<td></td>
<td>This rule describes the actions the Ohio Department of Job and Family Services (ODJFS) takes upon receiving a new hire report regarding a contractor, including entering the information into the new hire directory, and comparing the social security number of the contractor with the social security numbers of obligors in the Support Enforcement Tracking System (SETS). The rule also states that ODJFS shall use information from the new hire report for support establishment and enforcement purposes.</td>
<td></td>
</tr>
</tbody>
</table>
The text of the rule and the rule's effective date are unchanged; only the five-year review date has changed.

**INSTRUCTIONS:**
When the CSPMTL is published, the CSPM will be updated as follows:

- Four no-change rules will continue with the same effective date.

The rules in the CSPM can be accessed at [http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals).
In accordance with Ohio Revised Code (ORC) section 119.032, which requires the review of all Ohio Administrative Code (OAC) rules within a five-year period, the Office of Child Support (OCS) has reviewed the interstate rules listed below. The federal Office of Child Support Enforcement is currently revising 45 CFR section 303.7, which governs the provision of services in interstate Title IV-D cases, and the revisions are expected to be final after the rule review date. As a result, in the absence of the need for any substantive rule changes at this time, OCS will review these rules and make necessary revisions to reflect the new regulations when they are complete; in the interim, OCS filed the following rules without change:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05</td>
<td>Scope of rule and definitions for interstate case processing</td>
<td>9/01/2005</td>
</tr>
<tr>
<td></td>
<td>This is the principle interstate rule, which provides definitions of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>interstate terms.</td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.1</td>
<td>Requirements for initiating and responding CSEAs in interstate cases</td>
<td>8/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements that a child support enforcement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>agency (CSEA) must comply with when processing interstate Title IV-D</td>
<td></td>
</tr>
<tr>
<td></td>
<td>cases as an initiating or responding agency.</td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.2</td>
<td>Establishment of paternity in interstate cases</td>
<td>9/01/2005</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of each CSEA, and the</td>
<td></td>
</tr>
<tr>
<td></td>
<td>process each CSEA must follow, as an initiating or responding agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td>when establishing paternity for interstate Title IV-D cases.</td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.3</td>
<td>Establishment of support orders in interstate cases</td>
<td>9/01/2005</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of each CSEA, and the</td>
<td></td>
</tr>
<tr>
<td></td>
<td>process each CSEA must follow, as an initiating or responding agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td>when establishing support orders for interstate Title IV-D cases.</td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.4</td>
<td>Determining the controlling order</td>
<td>9/01/2005</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for determining controlling orders</td>
<td></td>
</tr>
<tr>
<td></td>
<td>before a CSEA can proceed with any enforcement actions for</td>
<td></td>
</tr>
<tr>
<td></td>
<td>interstate Title IV-D cases.</td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.5</td>
<td>Enforcement of support orders in interstate cases</td>
<td>9/01/2005</td>
</tr>
<tr>
<td></td>
<td>This rule describes the techniques available to a CSEA as an</td>
<td></td>
</tr>
<tr>
<td></td>
<td>initiating or responding agency to enforce interstate Title IV-D cases.</td>
<td></td>
</tr>
<tr>
<td>5101:12-70-05.6</td>
<td>Modification of controlling orders in interstate cases</td>
<td>9/01/2005</td>
</tr>
<tr>
<td></td>
<td>This rule describes the responsibilities of each CSEA as an initiating</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or responding agency when modifying controlling child support orders</td>
<td></td>
</tr>
</tbody>
</table>
### INSTRUCTIONS

When the CSPMTL is published, the CSPM will be updated as follows:

- Each no-change rule will continue with the same effective date.

The rules and forms in the CSPM can be accessed at:

[http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals).

### INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within 30 days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 52 (Income That May Be Withheld or Deducted)

Child Support Program Manual Transmittal Letter No. 52

December 21, 2010

TO: All Child Support Program Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: Income That May Be Withheld or Deducted

The Office of Child Support (OCS) has amended the following Ohio Administrative Code (OAC) rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-10.1</td>
<td>Income that may be withheld or deducted</td>
<td>1/1/2008</td>
<td>1/1/2011</td>
</tr>
</tbody>
</table>

This rule describes sources of income that are subject to withholding or deduction.

Changes from the prior rule include: The prohibition against withholding from Black Lung benefits has been removed; citations to the Code of Federal Regulations sections that relate to money paid by the federal government that are subject to garnishment have been added; and a slight verbiage change was made in paragraph (B)(1).

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- One amended rule will be inserted, and the previous version will be moved to the OAC Archive section of the eManuals.

The rules in the CSPM can be accessed at [http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals).

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within 30 days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-10.1</td>
<td>(B)(1)</td>
</tr>
</tbody>
</table>
CSPMTL 51 (Waiver or Compromise of Permanently Assigned Arrears)

Child Support Program Manual Transmittal Letter No. 51

September 24, 2010

TO: All Child Support Program Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: Waiver or Compromise of Permanently Assigned Arrears

The Office of Child Support (OCS) has adopted the following Ohio Administrative Code (OAC) rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-70</td>
<td>Waiver and compromise of assigned arrears.</td>
<td>10/1/2010</td>
</tr>
<tr>
<td></td>
<td>This rule contains definitions for terms specific to this rule and the supplemental rules; lists the limitations regarding a negotiation for a waiver or compromise; specifies that a child support enforcement agency (CSEA) may elect to implement a waiver or compromise of permanently assigned arrears program; and identifies when a CSEA is required to take action in a legal proceeding for the waiver or compromise of permanently assigned arrears if the CSEA is not already a party to the action.</td>
<td></td>
</tr>
<tr>
<td>5101:12-60-70.1</td>
<td>Negotiation for a waiver or compromise of permanently assigned arrears.</td>
<td>10/1/2010</td>
</tr>
<tr>
<td></td>
<td>This rule authorizes an obligor to submit a request to a CSEA for a waiver or compromise of permanently assigned arrears. It describes what actions a CSEA shall take when a negotiation for a waiver or compromise is pending, including completing the JFS 07717, &quot;Determination Regarding Negotiation for a Waiver or Compromise of Permanently Assigned Arrears&quot; (10/2010), and forwarding a completed JFS 07717 to the Office of Child Support (OCS) when the pending negotiation is for a waiver or compromise of permanently assigned arrears of $5,000 or more. It also requires the CSEA to notify an obligor in writing when an obligor's request for a waiver or compromise is denied.</td>
<td></td>
</tr>
<tr>
<td>5101:12-60-70.2</td>
<td>Agreed entry for a waiver or compromise of permanently assigned arrears.</td>
<td>10/1/2010</td>
</tr>
<tr>
<td></td>
<td>This rule requires the CSEA to use the JFS 07718, &quot;Administrative Agreed Entry for a Waiver or Compromise of Permanently Assigned Arrears&quot; (10/2010), for a waiver or compromise of permanently assigned arrears that accrued under an administrative child support order. It also lists language required in an agreed entry for a waiver or compromise of permanently assigned arrears that accrued under a court support order; specifies that when permanently assigned arrears are waived or reduced, the same amount of unreimbursed assistance must be reduced; requires the CSEA to maintain a written record of waivers and compromises; and requires the CSEA to provide the OCS a copy of the CSEA's written record, agreed entry or report regarding the CSEA's completed waivers and compromises upon OCS' request.</td>
<td></td>
</tr>
</tbody>
</table>

OCS has adopted the following forms:
When a CSEA elects to implement a waiver and compromise of permanently assigned arrears program, the CSEA must complete this form to determine what action to take regarding a pending negotiation for a waiver or compromise of permanently assigned arrears.

When the pending negotiation is for a waiver or compromise of permanently assigned arrears of $5,000 or more, the CSEA must forward the completed form to OCS and attach any relevant documents.

This form provides the CSEA and OCS with a comprehensive, time-effective way to review an obligor's employment, enforcement, family/social, financial and support order status, and to document how and why a CSEA made a determination or recommendation regarding a pending waiver or compromise.

This form serves as an administrative agreed entry for a waiver or compromise of permanently assigned arrears when the arrears accrued under an administrative child support order.

The form allows the CSEA to document the specific provisions of the waiver or compromise; includes a field for the CSEA to enter the dates it must review the obligor's payment compliance, when the agreement is for an installment plan compromise; states "The rights of the obligee shall not be prejudiced by the acceptance of the request to waive or compromise permanently assigned arrears"; provides written notification to the obligor that the obligor is still responsible for paying the full monthly support obligation amount owed on the support order and is still subject to all collection and enforcement techniques; and lists the three circumstances necessary for the obligor or CSEA to re-open matters addressed in the agreed entry.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- Three adopted rules will be inserted.
- Two adopted forms will be inserted.

The rules and forms in the CSPM can be accessed at http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central Innerweb page at http://www.odjfs.state.oh.us/forms/inner.asp or on the ODJFS Forms Central Internet page at http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within 30 days of the revision.

Paragraph (C)(2) of OAC rule 5101:12-60-70 requires the CSEA to document the agency's procedures for negotiation of waiver or compromise agreements if it elects to authorize the CSEA director or administrator to approve such agreements.
CSPMTL 50 (Federal Adjustment, State Payments and Recovery of Disbursed Tax Offset Collections Rule)

Child Support Program Manual Transmittal Letter No. 50

September 14, 2010

TO: All Child Support Program Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: Federal Adjustment, State Payments and Recovery of Disbursed Tax Offset Collections Rule

The Office of Child Support (OCS) has **rescinded** the following rule from the Ohio Administrative Code (OAC):

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-32.9</td>
<td>Federal adjustments, state payments, and recovery of disbursed collections</td>
<td>07/01/2006</td>
<td>10/01/2010</td>
</tr>
</tbody>
</table>

This rule describes the processes used to rectify an invalid federal tax offset. It is being rescinded and replaced by a new rule with the same rule number but different title because more than 50 percent of it has been rewritten.

OCS has **adopted** the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-32.9</td>
<td>Federal adjustments, state payments, and recovery of disbursed tax offset collections</td>
<td>10/01/2010</td>
</tr>
</tbody>
</table>

This rule describes the processes used to rectify an invalid federal tax offset. It replaces the above rule and incorporates the following changes:

- Language has been added for clarity,
- Paragraph (F) has been revised to give child support enforcement agencies the option to recover federal tax offset adjustments that were disbursed to obligees or obligors,
- Language was added giving child support enforcement agencies the option to recover funds from obligee, obligors or both.

This rule is authorized by Ohio Revised Code (ORC) sections 3123.81 and 3125.25; it amplifies ORC sections 3123.81, 3125.03, and 3125.25.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- The rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- The adopted rule will be inserted.
The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, each CSEA is required to revise its internal procedural handbook and submit the revision to the ODJFS Office of Child Support within 30 days of the revision. Each CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether it requires the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has revised the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>

In accordance with Ohio Revised Code section 3123.03, this form is issued to an obligor identified to be in default. The form notifies the obligor of the amount of arrears on the case and the potential actions the child support enforcement agency may take as a result of a final and enforceable determination of default.

The form has been modified to conform to the Office of Child Support design standard; to include language relating to an obligor in an active bankruptcy; to include citations to Ohio law; to make non-substantive text changes on page three; and to include information about evidence the obligor must submit when requesting a reduced arrears repayment amount. There is no change to existing processes.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at

http://www.odjfs.state.oh.us/forms/inter.asp
TO: All Child Support Program Manual Holders  
FROM: Douglas E. Lumpkin, Director  
SUBJECT: Scheduling and Conducting Genetic Tests and Administrative Paternity Orders - No Change  

The Office of Child Support (OCS) has proposed **no changes** to the rules identified below:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes the process a child support enforcement agency must follow when scheduling and conducting genetic tests during the administrative paternity establishment process.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>There are no changes from the prior rule. The effective date remains the same as the prior rule pursuant to paragraph E of section 119.032 of the Ohio Revised Code.</td>
<td></td>
</tr>
<tr>
<td>5101:12-40-20.2</td>
<td>Administrative Paternity Orders</td>
<td>12/15/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for issuing an administrative support order, the contents of an administrative support order, and a party's right to object to an administrative paternity order.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>There are no changes from the prior rule. The effective date remains the same as the prior rule pursuant to paragraph E of section 119.032 of the Ohio Revised Code.</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**  
When the CSPMTL is published, the CSPM will be updated as follows:  
- A no-change rule will continue with the same effective date.  

The rule in the CSPM can be accessed at  
[http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals).
The Office of Child Support (OCS) has rescinded the following rules. The rules have been reviewed in accordance with Section 119.032 of the Ohio Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-25</td>
<td>Case record retention and destruction</td>
<td>6/15/2006</td>
<td>7/1/2010</td>
</tr>
<tr>
<td></td>
<td>This rule describes the retention and destruction of case records. The rule contains</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>similar provisions found in rule 5101:12-10-35. Therefore, the rule is being rescinded.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It is being replaced by a new rule with the same rule number but a different title, in</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>order to combine the provisions from this rule and the provisions from rule 5101:12-</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10-35.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-35</td>
<td>Retention of fiscal and statistical administrative records</td>
<td>01/01/2005</td>
<td>7/1/2010</td>
</tr>
<tr>
<td></td>
<td>This rule describes the retention and destruction of fiscal records that relate to the</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>child support program. The rule contains similar provisions found in rule 5101:12-1-25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Therefore, the rule is being rescinded. It is being replaced by a new rule with a different number and title, in order to combine the provisions from this rule and the provisions from rule 5101:12-1-25.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-40.2</td>
<td>JFS 04234 &quot;Child Support Enforcement Annual FTE Report&quot;</td>
<td>02/01/2005</td>
<td>7/1/2010</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirement to submit the JFS 04234 to OCS. The rule is being rescinded and replaced by a new rule with a different rule number and title. The provisions in paragraph (A) were moved to the proposed new rule 5101:12-1-51. The provisions in paragraphs (B) and (C) are instructions for completing the JFS 04234. Therefore, paragraphs B and C have been removed as they are contained in the JFS 04234-I.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-40.3</td>
<td>Penalty for failure to meet reporting requirements</td>
<td>01/01/2006</td>
<td>7/1/2010</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for submitting the JFS 02750, JFS 02712 and the JFS 04234. It also describes the potential penalty for failure to submit these forms to OCS and the Office of Fiscal and Monitoring Services. The rule is being rescinded and replaced by a new rule with a different rule number and title. The provisions of paragraphs (A) and (B) are contained in rule 5101:9-7-02.1 of the Ohio Administrative Code (OAC), and the provisions of paragraph (C) are being moved to proposed new rule 5101:12-1-51 of the Administrative Code.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-85</td>
<td>Consumer reporting agency inquiry</td>
<td>01/01/2005</td>
<td>7/1/2010</td>
</tr>
</tbody>
</table>
This rule describes the process OCS used to follow when it received requests for information from a consumer reporting agency about an obligor. The rule is being rescinded and not being replaced because the Support Enforcement Tracking System (SETS) now transmits this information electronically, so no action on the part of the child support enforcement agencies is required.

OCS has **adopted** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-25</td>
<td>Record retention, disposal and destruction of fiscal, statistical and administrative records</td>
<td>7/1/2010</td>
</tr>
</tbody>
</table>

This rule describes the retention, disposal and destruction of all records that relate to the child support program. It replaces rescinded rules 5101:12-1-25 and 5101:12-10-35, is authorized by ORC section 3125.25, and amplifies ORC sections 9.01, 149.38, and 3125.25. This rule includes revised language for clarity and new language regarding when the retention period should begin.

| 5101:12-1-51 | Mandatory CSEA fiscal reports | 7/1/2010 |

This rule describes the requirements for submitting the JFS 04234 to OCS, and the JFS 02750 and JFS 02712 to the Office of Fiscal and Monitoring Services. This rule replaces rescinded rules 5101:12-10-40.2 and 5101:12-10-40.3, is authorized by ORC sections 3125.25, and amplifies ORC sections 3125.03 and 3125.25. Informational language that is repeated in the instructions of the JFS 04234-I has been deleted, and provisions from paragraph (B) of rescinded rule 5101:12-10-40.3 added. In addition, the rule has been renumbered as a principle rule and moved to Chapter 5101:12-1 of the Administrative Code.

OCS has **revised** the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>

A child support enforcement agency (CSEA) may use this form in a "Child-Only Medicaid-Only" (COMO) case to notify a custodial parent/caretaker of the CSEA’s intent to proceed to terminate services. The form explains what action a custodial parent/caretaker must take now if the custodial parent/caretaker wants the CSEA to continue to provide services, and what action a custodial parent/caretaker must take in the future if a custodial parent/caretaker does not want services now but does want them in the future.

The previous version of the JFS 01947 could be used by a custodial parent/caretaker in a Child Only Medicaid Only (COMO) case to request the termination of services on his or her IV-D case.

Based on guidance issued by the Office of Child Support Enforcement in Action Transmittal 2008-08, a custodial parent/caretaker may not request termination of services in a COMO case. Therefore, OCS revised the JFS 01947 to remove that...
Changes from the prior form include: adding reference to the Ohio Administrative Code rule that requires the CSEA to pursue establishment of a support order; no longer distinguishing between Medicaid that began before 10/1/1996 and Medicaid that began on or after 10/1/1996 because the distinction is not needed; changing the number of days after the form is issued before the CSEA will initiate termination of services to 60 days, as this is the required time period when services must be terminated when the agency is unable to contact the custodial parent/caretaker; explaining whether the IV-D case will be closed (i.e., when there is not a support order or assigned arrears) or changed to a non-IV-D case (i.e., when there is a support order or assigned arrears).

This form has been posted to Forms Central and is available in Word fill-in.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within 30 days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply.

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-25</td>
<td>(B) and (C)</td>
</tr>
<tr>
<td>5101:12-1-51</td>
<td>(B) and (C)</td>
</tr>
</tbody>
</table>
CSPMTL 46 (Requirement to Cooperate with the Child Support Enforcement Agency and Termination of Services)

Child Support Program Manual Transmittal Letter No. 46

December 18, 2009

TO: All Child Support Program Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: Requirement to Cooperate with the Child Support Enforcement Agency and Termination of Services

In Action Transmittal 2008-08, the federal Office of Child Support Enforcement (OCSE) noted that when the child in a child support case receives Medicaid but the custodial parent/caretaker does not receive Medicaid, "[b]ecause there is an assignment of the child's rights to medical support as a condition of the child's receipt of Medicaid, a IV-D agency may not close the case at the request of the custodial parent or caretaker in such cases." Based on this guidance, the Office of Child Support (OCS) made the following changes to Ohio Administrative Code (OAC) rules.

OCS amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-31</td>
<td>Requirement to cooperate with the child support enforcement agency.</td>
<td>12/1/2008</td>
<td>12/15/2009</td>
</tr>
</tbody>
</table>

This rule describes the requirements for an applicant/recipient of Ohio Works First (OWF), applicant/recipient of Medicaid, and the Title IV-E agency that has custody of a child receiving Title IV-E Foster Care Maintenance benefits, to cooperate with the child support enforcement agency (CSEA) to establish paternity and establish, modify, and enforce a child support order.

Changes from the prior rule include: removing the sentence "Cooperation with the CSEA is a condition of eligibility for the OWF and Medicaid programs" in paragraph (A) because cooperation exemptions are described in paragraphs (C) and (D) and because paragraph (F) identifies the actions the CSEA shall take when the caretaker/custodial parent does not cooperate; updating an incorporation by reference; correcting an incorporation by reference date; and clarifying cooperation exceptions for a custodial parent/caretaker of a child who receives Medicaid benefits when the custodial parent/caretaker does not receive Medicaid benefits.

OCS rescinded the following rule:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-70</td>
<td>Termination of services.</td>
<td>5/15/2008</td>
<td>12/15/2009</td>
</tr>
</tbody>
</table>

This rule describes the termination of services criteria and the process a child support enforcement agency uses to determine when to propose: terminating IV-D services in a case but continuing to provide non-IV-D services or terminating all services and closing the case.
This rule is rescinded and replaced by a new rule with the same rule number and title because more than 50 percent of the text in this rule was stricken and a comparable amount of new text was added.

OCS adopted the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-70</td>
<td>Termination of services.</td>
<td>12/15/2009</td>
</tr>
</tbody>
</table>

This rule describes the termination of services criteria and the process a child support enforcement agency uses to determine when to propose terminating IV-D services in a case but continuing to provide non-IV-D services, or terminating all services and closing the case.

Changes from the prior rule include: revising definitions for "non-public assistance case" and "public assistance case" to reference rule 5101:12-10-31; using the term "caretaker" to apply to a custodial parent, caretaker, or caretaker agency because this is how the term is used in OAC Rule 5101:12-10-31; changing the term "will" to "shall" for consistency with other rules in Chapter 5101:12; revising paragraph (D)(1) because the "duty of support" only pertains to paragraph (D)(1)(b); revising paragraph (D)(3)(e) because a caretaker (i.e., non-parent that has physical custody of the child) should be interviewed in this circumstance; adding "or a Title IV-E, non-FCM case" to paragraph (D)(7) to include locate-only requests received from protective children services agencies in accordance with 45 CFR 302.35; revising paragraph (D)(8) to remove a custodial parent/caretaker in a "child-only/Medicaid-only" case as a recipient eligible to request termination of services and to add an initiating state in an interstate case as a recipient eligible to request case closure; and revising paragraphs (D)(9) and (D)(11) to allow for case closure under these circumstances regardless of support order status or arrears status.

INSTRUCTIONS:

When the CSPMTL is published, the Child Support Program Manual (CSPM) will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC archive section of the eManuals.
- An adopted rule will be inserted in the CSPM section of the eManuals.
- An amended rule will be inserted in the CSPM section of the eManuals and the previous version will be moved to the OAC archive section of the eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC Rule 5101:12-1-01 states that whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to
OCS within 30 days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-31</td>
<td>(D)(1)</td>
</tr>
<tr>
<td>5101:12-10-70</td>
<td>(D)(1), (D)(3), (D)(7), (D)(8), (D)(9), (D)(11), (D)(12)</td>
</tr>
</tbody>
</table>
The Office of Child Support (OCS) has amended the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

This rule describes the parental duty of support and when a child support enforcement agency (CSEA) must establish an administrative child support order or file an action to establish a court child support order.

The rule has been modified to remove the requirement that a CSEA file a court action to establish a child support order when the parents of the child are still married and a court has not identified a residential parent or custodian.

This rule is authorized under ORC section 3125.25; it amplifies ORC sections 3103.03, 3103.031, 3111.03, 3111.13, 3111.24, 3111.25, 3111.49, 3111.78, 3111.821, 3111.95, 3119.61, 3125.03, 3125.36.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- The amended rule will be inserted, and the previous versions will be moved to the Ohio Administrative Code archive section of the eManuals.

The rule in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within 30 days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-05</td>
<td>(E)</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders
FROM: Douglas E. Lumpkin, Director
SUBJECT: Issuance of the JFS 04048

The Office of Child Support (OCS) has **amended** the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-10.2</td>
<td>CSEA's responsibility for income withholding and income deduction.</td>
<td>1/1/2008</td>
<td>11/1/2009</td>
</tr>
</tbody>
</table>

This rule describes the actions a CSEA must take once it has determined that an obligor is receiving income from a payor or has funds on deposit in a financial institution.

The rule has been modified to remove the requirement to issue a JFS 04048 "Addendum Withholding Notice to Parties to a Support Order" to the obligee. The JFS 04048 and a copy of the JFS 04047 will continue to be issued to the obligor each time a JFS 04047 is issued.

OCS has **revised** the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04048</td>
<td>Addendum Withholding Notice to Parties to a Support Order</td>
<td>2/2002</td>
<td>11/2009</td>
</tr>
</tbody>
</table>

This form is issued to the obligor and describes reporting requirements described in section 3121.036 of the Revised Code.

All references to reporting requirements for the child support obligee have been removed and the form has been revised for clarity and to meet current OCS design standards.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- Amended rules will be inserted and the previous versions will be moved to the OAC Archive section of the eManuals.
- Revised forms will be replaced with the amended forms.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-10.2</td>
<td>(C)</td>
</tr>
</tbody>
</table>
September 25, 2009

TO: All Child Support Program Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: Allocation Hierarchies and Prorating Collections; PRWORA Assignment, Limited Assignment, and Distribution

The Office of Child Support (OCS) has adopted changes to rules in Chapter 5101:12-80 of the Ohio Administrative Code in order to comply with new federal and state laws.

Federal law: The Deficit Reduction Act of 2005 requires support assigned under a Temporary Assistance to Needy Families (TANF) benefit period on or after October 1, 2009 to be limited to the amount of support owed during the period that TANF benefits are received. (In Ohio, TANF benefits are administered through the Ohio Works First program.) However, any support assigned on or after October 1, 1997 and before October 1, 2009 continues to follow the assignment requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

State law: Amended Substitute House Bill 119 of the 127th General Assembly requires all child support orders issued or modified in Ohio to include a cash medical support obligation.

In accordance with these requirements, OCS has rescinded the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-10</td>
<td>Allocation hierarchy for collections.</td>
<td>6/15/2006</td>
<td>10/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes the standard allocation hierarchy for support collections.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule has been rescinded and replaced by a new rule with the same rule number but different title because more than 50% of the text was stricken and a comparable amount of new text was added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the allocation hierarchy for federal income tax refund offset collections.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule has been rescinded and replaced by a new rule with the same rule number but different title because more than 50% of the text was stricken and a comparable amount of new text was added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-10.2</td>
<td>Prorating collections.</td>
<td>6/15/2006</td>
<td>10/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes how to prorate a support collection when the Office of Child Support (OCS) or a child support enforcement agency (CSEA) receives a collection, the obligor has more than one support order, and there are no instructions included with the collection or remitter instructions cannot be obtained for apportioning the payment between the support orders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule has been rescinded and replaced by a new rule with the same rule number but different title because more than 50% of the text was stricken and a comparable amount of new text was added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-14</td>
<td>Assigned support collections.</td>
<td>6/15/2006</td>
<td>10/1/2009</td>
</tr>
</tbody>
</table>
This rule describes how support is assigned when a child or family receives Title IV-A Ohio Works First (OWF) or Title IV-E foster care maintenance (FCM) benefits, including converting (known as "sweeping") unassigned arrears into conditionally assigned arrears when the benefits start and stop, and ensuring that the amount of assigned support retained by the state does not exceed the unreimbursed assistance amount. The rule follows the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) regarding an OWF assignment and also includes definitions.

This rule has been rescinded and replaced by a new rule with the same rule number but different title. Definitions contained in this rule for "assignment" and "support" are not needed in the rule and have not been replaced; the definition for "futures" is now contained in rule 5101:12-80-10 and the remaining definitions are now contained in rule 5101:12-80-14. Information from this rule regarding an OWF assignment is now contained in paragraph (D) of rule 5101:12-80-14. Information from this rule regarding an FCM assignment is now contained in rule 5101:12-80-14.2.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
</table>

This rule describes how assigned support is distributed in a current Title IV-A Ohio Works First (OWF) or Title IV-E Foster Care Maintenance (FCM) assistance case and in a former OWF or FCM assistance case.

This rule has been rescinded and replaced by a new rule with the same rule number but different title. Information from this rule regarding an OWF case is now contained in rule 5101:12-80-14.1. Information from this rule regarding an FCM case is now contained in rule 5101:12-80-14.2.

OCS has adopted the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-10</td>
<td>Allocation hierarchy for support collections.</td>
<td>10/1/2009</td>
</tr>
</tbody>
</table>

This rule describes the standard allocation hierarchy for support collections. Because a case may have pre-existing unassigned, unassigned conditionally assigned, or unassigned during assistance arrears when a limited assignment benefit period starts, and these arrears do not "sweep" under limited assignment, a current assistance case may now have both assigned and unassigned arrears. Therefore, unassigned, unassigned conditionally assigned, and unassigned during assistance arrears are included in this rule in the hierarchy for a current assistance case.

Cash medical support obligations are also included in the hierarchy. In addition, in response to multiple policy inquiries received, the five different types of monetary medical support obligations are individually identified:

Cash medical support, i.e. an on-going, monthly obligation issued by a court or child support enforcement agency (CSEA), for which a child is the subject, to be paid by the obligor when private health insurance coverage for the child is not provided as ordered or not available;

On-going medical support, i.e. an on-going, monthly obligation issued by a court, for which a child or obligee is the subject;

Reimbursement for birth costs ordered to be paid to the Ohio Department of Job and Family Services (ODJFS), i.e. a judgment of an amount certain, issued by the court, to
reimburse ODJFS for birth costs covered by Medicaid;
Reimbursement for medical expenses other than birth costs ordered to be paid to ODJFS, i.e. a judgment of an amount certain, issued by the court, to reimburse ODJFS for a specific medical expense other than birth costs (e.g., surgery) covered by Medicaid; and
Reimbursement for medical expenses ordered to be paid to an individual other than ODJFS, i.e. a judgment of an amount certain, issued by the court, to reimburse the obligee for specific a medical expense (e.g., birth costs, the child's braces).

Additional changes from rescinded rule 5101:12-80-10 include: identifying in paragraph (A) what obligations shall not be satisfied when the collection is from unemployment compensation or a state income tax refund offset; removing the word "unpaid" from the definition of accrue because it is redundant; including "debt" in the definition of "arrears"; specifying what obligations are assigned pursuant to what benefit is received in the definition of "assigned arrears"; adding the provision that the assignment must have been entered into before October 1, 2009 to the definition of "conditionally assigned arrears" because conditionally assigned arrears will no longer be created under limited assignment; removing "provision of living quarters, school related expenses, clothing or miscellaneous allowance" from the definition of "current obligation" because these obligations are not specifically identified in the Ohio Revised Code (ORC) and exist in the support enforcement tracking system as sub-orders because of a business need; adding the definition of "debt" and "futures"; adding the definition of "determination", but also maintaining the term "ordered payment" because the Ohio Title IV-D community is familiar with that term; adding the definition of "past care support", as described in ORC section 3111.13; using the term "public assistance" only regarding OWF or Aid to Families with Dependent Children benefits; removing the definition of "support order" because it is not needed; adding distinction in the definition of "unassigned pre-assistance arrears" for Title IV-E foster care maintenance (FCM) cases because these arrears are not created in an FCM waiver case; clarifying that a collection will allocate to interest on unassigned arrears before allocating to interest on assigned arrears; and adding that any remaining funds shall be issued to the obligor when the collection is from unemployment compensation.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-10.1</td>
<td>Allocation hierarchy for federal income tax refund offset collections.</td>
<td>10/1/2009</td>
</tr>
<tr>
<td>5101:12-80-10.2</td>
<td>Prorating support collections.</td>
<td>10/1/2009</td>
</tr>
</tbody>
</table>

This rule describes how to prorate a support collection when the Office of Child Support (OCS) or a child support enforcement agency (CSEA) receives a collection, the obligor has more than one support order, and there are no instructions included with the collection or remitter instructions cannot be obtained for apportioning the payment between the support orders.

Changes from rescinded rule 5101:12-80-10.2 include: replacing the term "eligible" with "qualified" because "eligible" is primarily associated with arrears that were submitted for
A federal income tax refund offset collection; adding the definition "monthly obligation" for the purposes of proration; adding an additional case scenario in paragraph (C) per the request of the OCS Payment Analysis and Account Reconciliation Section; specifying that prorated collections are subject to the allocation hierarchies; clarifying the language regarding the proration calculations; and adding additional language in paragraph (E) to specify that when the prorated collection is from a federal income tax refund offset collection, the collection shall first be applied to eligible assigned arrears and then to eligible unassigned arrears.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-14</td>
<td>Limited assignment, PRWORA assignment, and distribution of assigned support collections.</td>
<td>10/1/2009</td>
</tr>
</tbody>
</table>

This rule describes the provisions of limited assignment and Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) assignment and provides related definitions. This rule and its supplemental rules do not apply to medical support.

Changes from rescinded rule 5101:12-80-14 include: clarifying that the rule and its supplemental rules do not apply to medical support; adding definitions for "assignment period", "limited assignment", and "PRWORA assignment"; adding the provisions of limited assignment; distinguishing when a Title IV-A Ohio Works First (OWF) public assistance benefit period is subject to limited assignment and when it is subject to PRWORA assignment; and specifying that limited assignment and PRWORA assignment are only applicable to an OWF assignment and are not applicable to a Title IV-E Foster Care Maintenance or Medicaid assignment.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-14.1</td>
<td>Distribution of assigned support in a Title IV-D public assistance case.</td>
<td>10/1/2009</td>
</tr>
</tbody>
</table>

This rule describes distribution in a Title IV-D public assistance (i.e. OWF) case.

Changes from rescinded rule 5101:12-80-14.1 include: moving definitions to rule 5101:12-80-14; and moving language regarding FCM cases to rule 5101:12-80-14.2.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-14.2</td>
<td>Assignment and distribution in a Title IV-D/Title IV-E foster care maintenance case.</td>
<td>10/1/2009</td>
</tr>
</tbody>
</table>

This rule describes the provisions of assignment and distribution in a Title IV-D/Title IV-E foster care maintenance (FCM) case.

Changes from rescinded rule 5101:12-80-14.1 include: adding definitions for "FCM non-waiver case", "FCM waiver case", "grant amount", "actual IV-E grant amount", and "average IV-E grant amount"; and clarifying that all child support is assigned and retained by the state during the FCM assignment period for an FCM waiver case.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-10.2</td>
<td>E</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders

FROM: Douglas E. Lumpkin, Director

SUBJECT: Passport Denial and Reinstatement Rule

The Office of Child Support (OCS) has proposed to **rescind** the following rule:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-34</td>
<td>Passport denial</td>
<td>07/01/2006</td>
<td>9/01/2009</td>
</tr>
</tbody>
</table>

This rule describes the passport denial and the reinstatement process. This rule is being proposed for rescission and replaced by a new rule with the same rule number but different title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

OCS has proposed to **adopt** the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-34</td>
<td>Passport denial and reinstatement</td>
<td>9/01/2009</td>
</tr>
</tbody>
</table>

This rule describes the passport denial and the reinstatement process. Changes from the rescinded rule include: clarify when the child support enforcement agency (CSEA) may request the reinstatement of an obligor's denied passport, and clarify the time frame and the process to request the reinstatement of a passport of an obligor.

This rule replaces rule 5101:12-50-34, is authorized by ORC section 3125.25 and amplifies ORC section 3125.03.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rule contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has **rescinded** the following rules. The rules have been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-05</td>
<td>Support order establishment process.</td>
<td>9/1/2005</td>
<td>4/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes when the parental duty of support is established and when a child support enforcement agency (CSEA) must establish an administrative child support order or file an action to establish a court child support order. This rule is being proposed for rescission and replaced by a new rule with the same rule number but different title because more than 50% of this rule has been stricken and a comparable amount of new text has been added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-45-05.1</td>
<td>Scheduling the administrative support hearing.</td>
<td>09/01/2005</td>
<td>4/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process the CSEA must follow when scheduling an administrative child support hearing. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent has been stricken.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-45-05.2</td>
<td>Conducting the administrative support hearing.</td>
<td>09/01/2005</td>
<td>4/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process for conducting an administrative child support hearing. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent has been stricken.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-45-05.3</td>
<td>Administrative support order.</td>
<td>09/01/2005</td>
<td>4/1/2009</td>
</tr>
<tr>
<td></td>
<td>This rule describes when an administrative child support order may terminate, methods of registering the administrative child support order, and the timeframes for objecting to the administrative child support order. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent has been stricken.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-45-05.4</td>
<td>Objecting to the administrative support</td>
<td>9/1/2005</td>
<td>4/1/2009</td>
</tr>
</tbody>
</table>
This rule describes the process for requesting and establishing and administrative child support order.

The rule is being rescinded and not being replaced as the information regarding objecting to an administrative child support order has been incorporated into proposed rule 5101:12-45-05.3.

OCS has **adopted** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-05</td>
<td>Support order establishment.</td>
<td>4/1/2009</td>
</tr>
</tbody>
</table>

This rule describes the parental duty of support and when a CSEA must establish an administrative child support order or file an action to establish a court child support order.

Changes from the rescinded rule include: re-organized the rule to clarify the CSEA's responsibility for establishing an administrative child support order or filing a court action and the timelines for establishing a support order; removed unnecessary references to ORC sections; and replaced ORC citations with OAC citations. There are no changes to the existing process.

This rule replaces rule 5101:12-45-05; is authorized under ORC section 3125.25; and amplifies ORC sections 3103.03, 3103.031, 3111.03, 3111.13, 3111.24, 3111.25, 3111.49, 3111.78, 3111.821, 3111.95, 3119.61, 3125.03, 3125.36.

| 5101:12-45-05.1 | Scheduling the administrative support hearing. | 4/1/2009 |

This rule describes the process the CSEA must follow when scheduling an administrative child support hearing.

Changes from the rescinded rule include: revised the language for clarity; removed unnecessary references to ORC sections; and replaced ORC citations with OAC citations. There are no changes to the existing process.

This rule replaces rule 5101:12-45-05.1; is authorized under ORC section 3125.25, and amplifies ORC sections 3111.80, 3125.03.

| 5101:12-45-05.2 | Conducting the administrative support hearing. | 4/1/2009 |

This rule describes the process for conducting an administrative child support hearing, including the issuance of the JFS 07719, "Administrative Order for Child Support and Health Care", (Rev. 8/2008).

Changes from the rescinded rule include: revised the language and re-formatted the rule for clarity; removed unnecessary references to ORC sections; and replaced ORC citations with OAC citations. There are no changes to the existing process.

This rule replaces rule 5101:12-45-05.2; is authorized under ORC section 3125.25, and amplifies ORC sections 3111.03, 3111.82,
This rule describes when the administrative child support order may terminate, methods of registering the administrative child support order, and the timeframes for objecting to the administrative child support order.

Changes from the rescinded rule include: revised the language and re-formatted the rule for clarity; removed unnecessary references to ORC sections; and replaced ORC citations with OAC citations. There are no changes to the existing process.

This rule replaces rule 5101:12-45-05.3 and rule 5101:12-45-05.4; is authorized under ORC section 3125.25, and amplifies ORC sections 2151.231, 3111.81, 3111.83, 3111.831, 3111.832, 3111.84, 3119.86, 3121.24, 3121.27, 3121.28, 3121.29, 3121.30, 3125.03.

OCS has proposed **no change** to the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-20</td>
<td>Liens against real and personal property</td>
<td>6/15/2006</td>
</tr>
</tbody>
</table>

This rule describes the procedures that a CSEA shall use when the CSEA decides to assert a lien on real or personal property that is owned by an obligor who has been determined to be in default under a support order.

There are no changes to the existing process. This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3123.66, 3123.67, 3123.70, 3123.73, 3123.74, 3123.77, 3123.78, 3125.03.

OCS has proposed to **adopt** the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07782-S</td>
<td>Notice of Administrative Hearing to Establish a Support Order</td>
<td>6/2001</td>
</tr>
</tbody>
</table>

The English version of the JFS-07782 was translated to Spanish for the purpose of accommodating individuals who are non-English speaking.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
In response to new federal and state laws, the Office of Child Support (OCS) has amended or created Ohio Administrative Code (OAC) rules pertaining to the medical support provisions of child support orders. OAC rules pertaining to the Administrative Review and Adjustment process are also impacted by the new medical support provisions. These rules have been updated in accordance with Section 119.032 of the Ohio Revised Code (ORC), which requires the review of all state agency rules within a five-year period.

OCS has rescinded the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-47-01</td>
<td>Provision for medical support.</td>
<td>01/01/2007</td>
<td>3/01/2009</td>
</tr>
<tr>
<td>5101:12-60-05</td>
<td>Administrative review and adjustment process.</td>
<td>09/01/2005</td>
<td>3/01/2009</td>
</tr>
<tr>
<td>5101:12-60-05.1</td>
<td>Initiation of an administrative review.</td>
<td>09/01/2005</td>
<td>3/01/2009</td>
</tr>
<tr>
<td>5101:12-60-05.3</td>
<td>The administrative review.</td>
<td>09/01/2005</td>
<td>3/01/2009</td>
</tr>
<tr>
<td>5101:12-60-05.4</td>
<td>Calculation and recommendation of a revised support order.</td>
<td>09/01/2005</td>
<td>3/01/2009</td>
</tr>
</tbody>
</table>

This rule describes the provision for medical support required in a child support order. This rule has been rescinded and replaced by new rules 5101:12-47-01 and 12-47-01.1 because more than fifty percent of this rule was stricken and replaced with new text.

This rule describes the administrative review and adjustment process. This rule has been rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule was stricken and replaced with new text.

This rule describes the criteria to initiate an administrative review. This rule has been rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule was stricken and replaced with new text.

This rule identifies when the child support enforcement agency (CSEA) is required to conduct an administrative review and the CSEA's responsibilities during the administrative review. This rule has been rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule was stricken and replaced with new text.

This rule describes the CSEA's responsibilities in calculating child support and recommending an adjusted child support order. This rule has been...
OCS has **adopted** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-47-01</td>
<td>Medical support provisions.</td>
<td>3/01/2009</td>
</tr>
</tbody>
</table>

This rule describes the specific medical support provisions required in all Ohio court child support orders and administrative child support orders. This rule replaces part of rescinded rule 5101:12-47-01.

Changes from the rescinded rule include: adding two definitions for "reasonable cost," for child support orders issued or modified before July 21, 2008 and for child support orders issued or modified on or after July 21, 2008; removing the definition of "health insurance coverage"; adding definitions for "accessible," "cash medical support," "federal poverty level for an individual," and "primary care services"; removing the reference in "reasonable cost" to employment-related health insurance; and further redefining "reasonable cost."

This rule is authorized under ORC section 3119.51 and amplifies ORC sections 3119.29, 3119.30, 3119.31, and 3119.32.

| 5101:12-47-01.1 | Medical support provisions for health insurance and uncovered expenses. | 3/01/2009 |

This rule describes the requirements for the CSEA, upon issuing or modifying a child support order, to order one or both of the parties to provide private health insurance coverage for the child that is accessible and reasonable in cost or, when such coverage is not available to either party, to order both parties to immediately inform the CSEA when such coverage becomes available. This rule replaces part of rescinded rule 5101:12-47-01.

Changes from the rescinded rule include: requiring parties inform the CSEA when private health insurance coverage becomes available, regardless of whether the order is a court child support order or an administrative child support order; adding language regarding the requirement to include a
provision in the child support order for the shared responsibility for uncovered health care expenses; and authorizing the CSEA to issue a variation to the private health insurance standard for reasonable cost and/or accessibility under certain circumstances.

This rule is authorized under ORC section 3119.51 and amplifies ORC sections 3119.30, 3119.31, and 3119.32.

<table>
<thead>
<tr>
<th>5101:12-47-01.2</th>
<th>Medical support provision for cash medical support.</th>
<th>3/01/2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule describes the requirements of the obligor to pay cash medical support when private health insurance that is accessible and reasonable in cost is not available to either parent or is not being provided in accordance with the support order.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This rule is authorized under ORC section 3119.51 and amplifies ORC section 3119.30.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-57-01.1</th>
<th>Enforcement of order to report private health insurance.</th>
<th>3/01/2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule describes the responsibilities of the CSEA when: private health insurance that is accessible and reasonable in cost was not available to either party at the time that the order was issued or modified but is now available; and/or when a health insurance obligor's coverage lapsed but new coverage is now available.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This rule is authorized under ORC section 3119.51 and amplifies ORC section 3119.30.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-57-01.2</th>
<th>Enforcement of cash medical support obligation.</th>
<th>3/01/2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule describes the responsibilities of the CSEA to enforce a cash medical support obligation when a health insurance obligor was named at the time that the order was issued or modified and the health insurance obligor is no longer providing health insurance coverage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This rule is authorized under ORC section 3119.51 and amplifies ORC section 3119.30.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-57-08</th>
<th>Medical support mistake of fact hearing process.</th>
<th>3/01/2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule describes the parties' rights to a medical support mistake of fact hearing regarding whether or not private health insurance that is accessible and reasonable in cost is available to either party, in response to the CSEA's determination that the health insurance obligor is or is not able to provide private health insurance coverage for the child.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This rule is authorized under ORC section 3119.51 and amplifies ORC section 3119.30.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-60-05</th>
<th>Administrative review and adjustment process.</th>
<th>3/01/2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule describes the administrative review and adjustment process. It replaces rescinded rule 5101:12-60-05.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Changes from the rescinded rule include: modifying the definition of &quot;adjustment&quot; to include the adjustment of a cash medical support obligation; modifying the definition of &quot;date of the most recent support order&quot; to clarify that it is the effective date of the last child support order; removing the</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
definition of "assigned case" because it is defined in another rule; clarifying that the administrative review and adjustment process applies to IV-D and Non IV-D child support cases with current child support orders; adding a definition of "guidelines"; modifying definitions of some terms to incorporate the requirement to review cash medical support provisions contained in a child support order; clarifying what the CSEA is required to review and what the CSEA is not permitted to review; authorizing the CSEA to recommend an amended ordered payment on arrears amount to correlate with a recommended amended support obligation amount; and removing the language that describes information that must be contained in every administrative child support order because that information is contained in the JFS 07719 "Administrative Order for Child Support and Medical Support."

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.

5101:12-60-05.1 Initiation of an administrative review. 3/01/2009

This rule describes the criteria to initiate an administrative review. It replaces rescinded rule 5101:12-60-05.1.

Changes from the rescinded rule include: revising the language for clarity; authorizing the CSEA to initiate an administrative review on a "pre-cash medical support" child support order when a party has available health insurance coverage in order to name a health insurance obligor; and adding two new circumstances when it is less than 36 months from the date of the most recent support order and a party may request an administrative review.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.

5101:12-60-05.3 The administrative review. 3/01/2009

This rule describes the responsibilities of the CSEA when conducting the administrative review. It replaces rule 5101:12-60-05.3.

Changes from the rescinded rule include: adding that the obligor's military power of attorney may represent the obligor; specifying that the CSEA shall schedule the administrative review hearing for a date that is at least forty-five days in the future; and rephrasing other time-frame requirements so that they are easier to understand.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.

5101:12-60-05.4 Calculation and recommendation of a revised order for child and medical support. 3/01/2009

This rule describes the CSEA's responsibilities in calculating the support obligations included in a child support order and recommending an adjusted child support order. It replaces rescinded rule 5101:12-60-05.4.

Changes from the rescinded rule include: revising the language for clarity; requiring the CSEA to use the JFS 07606 "Administrative Review Notification" and JFS 07724 "Administrative Adjustment Recommendation"; adding the cash medical support obligation as part of the calculation and recommendation; and removing the language that describes information that must be contained in every administrative order because that information is
This rule describes the hearing rights of both parties. It replaces rule 5101:12-60-05.5.

Changes from the rescinded rule include requiring the CSEA to use the JFS 07724.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.

This rule describes the administrative adjustment hearing process. It replaces rule 5101:12-60-05.6.

Changes from the rescinded rule include: revising the language for clarity; requiring the CSEA to use the JFS 01856 "Denial of Request to Reschedule Administrative Review and Adjustment Hearing," the JFS 07606, the JFS 07633 "Rescheduling Administrative Adjustment Hearing Notice," the JFS 07724, the JFS 07728 "Notice of Request for Administrative Adjustment Hearing," and the JFS 07770 "Administrative Adjustment Hearing Notice"; and clarifying that when the CSEA approves a request by either party to postpone the administrative adjustment hearing date, the CSEA is required to issue the JFS 07633 within 15 days of the original hearing date.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3119.60, 3119.61, 3119.63, and 3125.03.

OCS has amended the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amended Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-10</td>
<td>Calculation of the support obligations.</td>
<td>09/01/2005</td>
<td>3/01/2009</td>
</tr>
</tbody>
</table>

This rule describes the process the CSEA uses to calculate the support obligations contained in a child support order.

Changes include: adding references to the cash medical support obligation; specifying that when the combined gross income of the parties is greater than $150,000, the cash medical support obligation shall still be calculated in accordance with rule 5101:12-47-01.2; changing references from "health insurance" to "private health insurance"; changing the word "interested" to "interest" in paragraph (C)(2); making some grammatical changes to enhance clarity; and rearranging information in paragraph (E) so that the information is easier to comprehend.

| 5101:12-57-01 | Enforcement of medical support provisions. | 01/01/2007 | 3/01/2009 |

This rule describes the CSEA's requirements to enforce the medical support provisions of a child support order.
Changes include: clarifying that fully subsidized Medicaid does not satisfy the requirement of a health insurance obligor to provide private health insurance coverage for a child; removing the language regarding ORC section 3119.44 because it is not needed in the rule; and removing a federal incorporation by reference.

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
<th>DATE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-57-10.6</td>
<td>Terminating the national medical support notice.</td>
<td>01/01/2007</td>
<td>3/01/2009</td>
</tr>
</tbody>
</table>

This rule describes the circumstances when the CSEA may terminate the National Medical Support Notice (NMSN).

Changes include adding that the NMSN shall be terminated when the CSEA has determined through a medical support mistake of fact hearing that the coverage is not accessible and/or reasonable in cost.

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
<th>DATE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-05.2</td>
<td>Initiation of temporary adjustment for certain military members.</td>
<td>09/01/2005</td>
<td>3/01/2009</td>
</tr>
</tbody>
</table>

This rule describes the process for certain military members called to active duty to request an administrative review.

Changes include clarifying that the administrative review and adjustment process applies to child support orders (and not to spousal support orders).

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-10</td>
<td>(A), (E)</td>
</tr>
<tr>
<td>5101:12-47-01</td>
<td>Entire rule</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>5101:12-47-01.1</td>
<td>Entire rule</td>
</tr>
<tr>
<td>5101:12-47-01.2</td>
<td>Entire rule</td>
</tr>
<tr>
<td>5101:12-57-01</td>
<td>(C)</td>
</tr>
<tr>
<td>5101:12-57-01.1</td>
<td>Entire rule</td>
</tr>
<tr>
<td>5101:12-57-01.2</td>
<td>Entire rule</td>
</tr>
<tr>
<td>5101:12-57-08</td>
<td>Entire rule</td>
</tr>
<tr>
<td>5101:12-57-10.6</td>
<td>(C)</td>
</tr>
<tr>
<td>5101:12-60-05</td>
<td>(B)(1), (B)(3), (B)(8), (E), (G)</td>
</tr>
<tr>
<td>5101:12-60-05.1</td>
<td>(A), (C), (E)(10), (E)(11), (E)(12)</td>
</tr>
<tr>
<td>5101:12-60-05.2</td>
<td>N/A</td>
</tr>
<tr>
<td>5101:12-60-05.3</td>
<td>(E)(2)</td>
</tr>
<tr>
<td>5101:12-60-05.4</td>
<td>Entire rule</td>
</tr>
<tr>
<td>5101:12-60-05.5</td>
<td>Entire rule</td>
</tr>
<tr>
<td>5101:12-60-05.6</td>
<td>(G)</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders  
FROM: Douglas E. Lumpkin, Director  
SUBJECT: IV-D Contract Rules, Federal Financial Participation Rules, and IV-D Contract Forms

The Office of Child Support (OCS) has rescinded the following rules. The rules have been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-45</td>
<td>IV-D county contracts: scope, contract types, and definitions.</td>
<td>2/16/2006</td>
<td>2/15/2009</td>
</tr>
<tr>
<td>5101:12-10-45.1</td>
<td>IV-D county contracts; allowable costs and sources of the non-federal share.</td>
<td>2/16/2006</td>
<td>2/15/2009</td>
</tr>
<tr>
<td>5101:12-10-45.2</td>
<td>IV-D county contracts: contract requirements.</td>
<td>2/16/2006</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This rule describes the procedures that govern IV-D contracts, the types of IV-D contracts that a Child Support Enforcement Agency (CSEA) may enter into with a governmental or non-governmental contractor, and IV-D contract definitions.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information regarding IV-D contract definitions and types of IV-D contracts is contained in new rule 5101:12-1-80.

This rule describes allowable costs and expenditures for which Federal Financial Participation (FFP) reimbursement is available.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information regarding FFP reimbursement is repetitive information that is described in rules 5101:12-1-60 and 5101:12-1-60.1. The information in paragraph (C)(1) regarding IV-D contracts for service of process and in paragraph (C)(18) regarding hearings has been moved to amended rules 5101:12-1-60 and 5101:12-1-60.1. The information in paragraphs (D) and (E) regarding IV-D contracts for service of process and clerk of court duties has been moved to new rule 5101:12-1-80. The description of sources of the non-federal share in paragraph (G)(1) is repetitive information that is described in rule 5101:12-1-50. The information in paragraph (G) regarding the CSEA’s contribution of the non-federal share has been moved to paragraph (B)(4)(b) of new rule 5101:12-1-80.1.

This rule describes the IV-D contract terms, procurement requirements, IV-D contract documents that must be submitted to OCS, the optional purchase of Non-CSEA initiated court hearings, IV-D contract signatures, performance standards, and IV-D contract amendments.
This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information regarding Non-CSEA initiated court hearings is contained in paragraph (E) of new rule 5101:12-1-80. The procurement information in paragraphs (A)(2) to (A)(5) is repetitive information that is described in ORC sections 307.86 to 307.92, the rules in Chapter 5101:9-4 within the Fiscal Administrative Procedure Manual (FAPM), and 45 CFR Part 92. Therefore, the procurement information relevant to IV-D contracts has been reorganized in paragraph (G) of new rule 5101:12-1-80. Paragraph (G) describes when a CSEA is required to use the competitive sealed bid process versus the competitive sealed proposal process. The information in paragraphs (A)(1), (E), (F), and (G) regarding the IV-D contract period, IV-D contract signatures, performance standards, and a IV-D contract amendment has been moved to new rule 5101:12-1-80.1. The information in paragraphs (B) and (C) regarding IV-D contract documents that must be submitted to OCS is contained in new rule 5101:12-1-80.2.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
<th>Repealed Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-45.3</td>
<td>IV-D county contracts; billable units and payment for contract services</td>
<td>2/16/2006</td>
<td>2/15/2009</td>
</tr>
<tr>
<td>5101:12-10-45.4</td>
<td>IV-D county contracts; CSEA contract submission requirements</td>
<td>12/02/2004</td>
<td>2/15/2009</td>
</tr>
<tr>
<td>5101:12-10-45.5</td>
<td>IV-D county contracts; office of child support approval and contract monitoring requirements</td>
<td>12/02/2004</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This rule describes a billable unit of service (or unit of service), the unit rate, time study requirements, time sheet requirements, and payments for IV-D contract services.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information regarding the unit of service and unit rate as well as the information in paragraph (B)(2)(b) regarding the total IV-D contract cost has been moved to paragraphs (B)(2) and (B)(4) of new rule 5101:12-1-80.1. The information in paragraph (A)(4)(d) regarding the purchase of Non-CSEA initiated activities with a mixed court docket has been modified and is contained in paragraph (A) of new rule 5101:12-1-80.3. The description in paragraph (A)(5)(c) of the contents of the JFS 02015, "IV-D Contract Time Study" is not needed and will not be replaced. The language in paragraph (A)(6)(b) regarding an alternate form used in place of the JFS 07036 has been modified and is contained in paragraph (B)(2) of new rule 5101:12-1-80.3. The information in paragraphs (A)(4), (A)(5), (A)(6), and (B) regarding the time study, time sheet, and invoicing has been moved to new rule 5101:12-1-80.3 and the definition for "program" is contained in paragraph (B)(4) of new rule 5101:12-1-80.1.

The information in paragraphs (A)(1), (E), (F), and (G) regarding the IV-D contract period, IV-D contract signatures, performance standards, and a IV-D contract amendment has been moved to new rule 5101:12-1-80.1. The information in paragraphs (B) and (C) regarding IV-D contract documents that must be submitted to OCS is contained in new rule 5101:12-1-80.2.

The information regarding Non-CSEA initiated court hearings is contained in paragraph (E) of new rule 5101:12-1-80. The procurement information in paragraphs (A)(2) to (A)(5) is repetitive information that is described in ORC sections 307.86 to 307.92, the rules in Chapter 5101:9-4 within the Fiscal Administrative Procedure Manual (FAPM), and 45 CFR Part 92. Therefore, the procurement information relevant to IV-D contracts has been reorganized in paragraph (G) of new rule 5101:12-1-80. Paragraph (G) describes when a CSEA is required to use the competitive sealed bid process versus the competitive sealed proposal process. The information in paragraphs (A)(1), (E), (F), and (G) regarding the IV-D contract period, IV-D contract signatures, performance standards, and a IV-D contract amendment has been moved to new rule 5101:12-1-80.1. The information in paragraphs (B) and (C) regarding IV-D contract documents that must be submitted to OCS is contained in new rule 5101:12-1-80.2.
This rule describes the process for OCS review, approval, and monitoring of a IV-D contract.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information regarding the OCS review and acceptance of a IV-D contract has been moved to paragraph (C) of new rule 5101:12-1-80.2 and the information regarding the OCS monitoring process is contained in paragraph (E)(2) of new rule 5101:12-1-80.3.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-45.6</td>
<td>IV-D county contracts; CSEA contract monitoring and evaluation requirements.</td>
<td>12/02/2004 2/15/2009</td>
</tr>
</tbody>
</table>

This rule describes the IV-D contract monitoring and evaluation activities that the CSEA must perform.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information in paragraph (A) regarding the responsibility of the CSEA in completing the IV-D contract and associated forms has been moved to paragraph (A) of new rule 5101:12-1-80.1 and the information regarding CSEA monitoring activities is contained in paragraph (E) of new rule 5101:12-1-80.3. The information regarding the annual IV-D contract evaluation is contained in paragraph (F) of new rule 5101:12-1-80.3. The description in paragraph (B) of the contents of the JFS 02151, "IV-D Contract Evaluation" is not needed and will not be replaced.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-45.7</td>
<td>IV-D county contracts; record retention requirements.</td>
<td>12/02/2004 2/15/2009</td>
</tr>
</tbody>
</table>

This rule describes the record retention requirements for the CSEA with regard to a IV-D contract.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information in paragraphs (A) to (D) is now contained in paragraphs (A) to (E) of new rule 5101:12-1-80.4.

OCS has adopted the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80</td>
<td>IV-D contracts: overview.</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This is a new rule that describes the process by which a CSEA enters into a IV-D contract with a governmental entity or a private entity, IV-D contract terms and definitions, types of IV-D contracts, requirements that are specific to a IV-D contract with a court for magistrate services, limitations that are specific to a IV-D contract with a prosecutor or private attorney, and the requirements for the competitive sealed bid and proposal process.

Changes from rescinded rules 5101:12-10-45, 5101:12-10-45.1, and 5101:12-10-45.2 include: revised the language and re-formatted the rule for clarity; added definitions for "contractor," "IV-D case," "IV-D contract," "IV-D contract documents," "IV-D services," "law enforcement official," and "total.
IV-D contract cost;" created a reference to rule 5101:12-1-50 in paragraph (B)(11) that replaces the list of sources of the non-federal share in paragraph (G)(1) of rule 5101:12-10-45.1; added a description of a IV-D contract for probation officer services to the types of IV-D contracts; removed most of the procurement information that is repetitive of the ORC, FAPM, and 45 CFR Part 92 from rule 5101:12-10-45.2; and added a description in paragraph (G) of when a CSEA is required to use the competitive sealed bid process versus the competitive sealed proposal process.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.13, 3125.14, 3125.141, and 3125.17.

<table>
<thead>
<tr>
<th>Rule No.</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80.1</td>
<td>Completing the IV-D contract.</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This is a new rule that describes the responsibility of the CSEA with regard to completing the IV-D contract documents, IV-D contract signatures, amending the IV-D contract, and modifying the IV-D contract.

Changes from rescinded rules 5101:12-10-45.1, 5101:12-10-45.2, 5101:12-10-45.3, 5101:12-10-45.4, and 5101:12-10-45.6 include: revised the language and re-formatted the rule for clarity; aligned paragraph (B) with the JFS 07018, "IV-D Contract" so the rule now reflects the order in which the IV-D contract is completed; added definitions for "dedicated unit" and "non-dedicated unit" as they relate to the determination of the unit rate; and added a description for IV-D contract amendments and modifications that aligns with IV-D contract term #8 in the JFS 07018.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.13, 3125.14, and 3125.17.

<table>
<thead>
<tr>
<th>Rule No.</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80.2</td>
<td>IV-D contract submission requirements and acceptance process.</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This is a new rule that describes the process for a CSEA to submit the IV-D contract or IV-D contract amendment and IV-D contract documents to OCS, timeframe for submission, and OCS review and acceptance of a IV-D contract or IV-D contract amendment.

Changes from rescinded rules 5101:12-10-45.2, 5101:12-10-45.4, and 5101:12-10-45.5 include: revised the language and re-formatted the rule for clarity; and added a description in paragraph (A)(1) of the specific circumstances in which modifications, deletions, or strike outs are permitted on any IV-D contract document. There are no changes to the IV-D contract submission process, timeframes for submission, and the OCS IV-D contract review and acceptance process.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.12, 3125.13, 3125.14, and 3125.17.

<table>
<thead>
<tr>
<th>Rule No.</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-80.3</td>
<td>IV-D contract time and exception reporting, invoicing, monitoring, and evaluation.</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This is a new rule that describes the time study requirement, time sheet and exception reporting process, invoicing process, CSEA IV-D contract monitoring process, OCS monitoring process, and the completion of the JFS 02151, "IV-D Contract Evaluation."

Changes from rescinded rules 5101:12-10-45.3, 5101:12-10-45.5, and
5101:12-10-45.6 include: revised the language and re-formatted the rule for clarity; modified the language regarding the time study in rule 5101:12-10-45.3 to give the CSEA the option to purchase Non-CSEA initiated activities in a IV-D contract with a court for magistrate services when the unit of service is a court order or court hearing and the court docket is mixed; added language regarding time sheet and exception reporting; added language describing four new JFS forms that will be used to replace the JFS 07036, "IV-D Contract Time Sheet;" created a shortened process for dedicated principal staff to document time spent on IV-D contract activities by completing the JFS 01730, "Dedicated Principal Staff Exception Report;" added a section that describes invoicing options, including the option for the CSEA to reconcile actual expenses to budgeted expenses on a quarterly basis; and specified that the CSEA must complete and submit to OCS the JFS 07034 in the electronic spreadsheet format that is posted to the ODJFS Innerweb (the JFS 07034 will be posted to the JFS Forms Central Innerweb page in Microsoft Excel© format).

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.12, 3125.13, 3125.14, and 3125.17.

5101:12-1-80.4 IV-D contract record retention.  2/15/2009

This is a new rule that describes the types of IV-D contract documentation that, at a minimum, the CSEA should retain as well as the time periods for IV-D contract record retention.

Changes from rescinded rule 5101:12-10-45.7 include: revised the language and re-formatted the rule for clarity; and added language in paragraph (B)(5) that aligns with the requirement in paragraph (D)(3) of new rule 5101:12-1-80.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3125.12, 3125.13, 3125.14, and 3125.17.

OCS has amended the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-60</td>
<td>Expenditures eligible for federal financial participation reimbursement.</td>
<td>9/01/2007</td>
<td>2/15/2009</td>
</tr>
</tbody>
</table>

This rule describes the support enforcement program services and IV-D services for which a CSEA may request FFP reimbursement.

Changes from the prior rule include: changed the reference to the OMB Circular A-87 from the OMB website to the Code of Federal Regulations (CFR); removed the definition for "law enforcement official" due to the term no longer being used in the rule; removed references to "cooperative agreement" due to the term not being used in the IV-D contract rules; corrected the rule references for the IV-D contract rules; added paragraphs (C)(3)(d) and (C)(3)(e), which were removed from paragraph (D) of rule 5101:12-10-45.1; removed language regarding a IV-D contract for probation officer services, as that information is contained in new rule 5101:12-1-80.
Expenditures ineligible for federal financial participation reimbursement.  

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-60.1</td>
<td>This rule describes the expenditures for which a CSEA shall not request FFP reimbursement. Changes from the prior rule include: removed the reference to &quot;cooperative agreement&quot; due to the term not being used in the IV-D contract rules; corrected the rule reference for the IV-D contract rules; added the converse of paragraphs (C)(3)(d) and (C)(3)(e) from rule 5101:12-1-60 to paragraph (B)(4)(f) and (B)(4)(g); added references to the terms &quot;allowable cost&quot; and &quot;reasonable cost,&quot; which are defined in new rule 5101:12-1-80; added paragraph (B)(4)(j), which was removed from paragraph (C)(18) of rule 5101:12-10-45.1; and struck paragraph (B)(10) and replaced the language with revised 45 CFR 304.23(g).</td>
<td>9/01/2007 2/15/2009</td>
</tr>
</tbody>
</table>

**OCS has rescedned** the following forms:

<table>
<thead>
<tr>
<th>Rescinded Form</th>
<th>Rescinded Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
</table>

This form is used by each individual who performs IV-D contract activities to record his or her daily time spent on activities that are reimbursable and not reimbursable under the IV-D contract.

This form is being rescinded and replaced by the following new JFS forms: JFS 01728, 01729, 01730, and 01731.

<table>
<thead>
<tr>
<th>Rescinded Form</th>
<th>Rescinded Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07036-I</td>
<td>Instructions for Completing the JFS 07036, &quot;IV-D Contract Time Sheet&quot;</td>
<td>2/2006</td>
<td>2/2009</td>
</tr>
</tbody>
</table>

This form is the instructions for the JFS 07036-I.

This form is being rescinded and replaced by the following new JFS forms: JFS 01728-I, 01729-I, 01730-I, and 01731-I.

**OCS has revised** the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>

This form is used as a checklist and cover letter for the CSEA to submit to OCS with a IV-D contract or IV-D contract amendment.

Changes from the prior form include: changed the font; revised the language; re-formatted the ODJFS address; and updated the IV-D contract form titles.

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>
This form must be completed by the governmental contractor and is used to calculate the IV-D multiplier and identify the average length of time needed to produce a court order or to conduct a court hearing.

Changes from the prior form include: changed the font; simplified the wording at the top of the form; changed the language in the headers of columns F, G, and H; added "Non-CSEA initiated activity" language to column G, to capture the option the CSEA has in new rule 5101:12-1-80.3 to purchase Non-CSEA initiated activities in a IV-D contract with a court for magistrate services when the unit of service is a court order or court hearing and the court docket is mixed; and revised the totals section on the last page.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date</th>
<th>Final Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is the instructions for the JFS 02015. Changes from the prior form include: changed the font; and revised the language and re-formatted the form for clarity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form is used by the CSEA to evaluate the performance of the contractor. Changes from the prior form include: changed the font; removed references to the IV-D contract rules; added a certification statement that corresponds with paragraph (C)(2)(c) of new rule 5101:12-1-80.3; and revised the language and re-formatted the form for clarity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JFS 07015</td>
<td>Certification of Compliance with Competitive Sealed Bid Requirements</td>
<td>11/2004</td>
<td>2/2009</td>
</tr>
<tr>
<td></td>
<td>This form is used by the CSEA to certify that the CSEA is in compliance with applicable state and federal laws regarding competitive sealed bid requirements or indicate that the CSEA, if administered by a CDJFS, has elected to use the competitive sealed proposal process. Changes from the prior form include: changed the font; removed outdated references; and revised the language in the form to correspond with paragraph (G) of new rule 5101:12-1-80.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form is an information security agreement that describes the contractor's safeguarding and confidentiality requirements and how the contractor may use information. Changes from the prior form include: changed the font; simplified the instructions at the top of the form; corrected capitalization errors; and revised the signature and date section.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form is the official IV-D Contract that the CSEA and governmental or private contractor must complete, sign, and date in order to establish the terms and conditions of a IV-D contract.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Changes from the prior form include: updated the language in the first four paragraphs; removed references to FFP reimbursement from the beginning paragraphs; re-numbered the IV-D contract terms for a more logical flow; grouped all IV-D contract terms that require the CSEA or contractor to insert information into the first seven IV-D contract terms; removed individual references to sections of 45 CFR Part 303 in previous IV-D contract term #9 and replaced with a broader reference to the IV-D program requirements contained in 45 CFR Part 303 in new IV-D contract term #6; added language in new IV-D contract term #8 that makes a distinction between IV-D contract amendments and modifications; combined previous IV-D contract terms #11-12 into one recordkeeping section in new IV-D contract term #12; grouped all IV-D contract terms that apply only to private contractors together in new IV-D contract terms #14-16; updated the information in new IV-D contract terms #19, 20, 22, and 24; and revised the signature and date section.

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>This form is the required form that records the budget for a IV-D contract between a CSEA and a governmental contractor. Changes from the prior form include: limited text to one font; re-formatted pages to print in portrait view rather than landscape; simplified the text in headings or made headings more descriptive; maintained consistency in language choice with that of the IV-D contract rules; corrected rounding errors; added columns to enter prorate amounts; added &quot;notes&quot; section to certain tabs; changed the spreadsheet calculation in Tab 10 to the chargeable amount of depreciation (straight line depreciation method); added pop up instructions to several enterable cells; re-formatted the page on Tab 13 so, depending on the use of the IV-D multiplier, the applicable worksheet displays; and re-formatted the form for clarity.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is completed by the governmental contractor and submitted to the CSEA in order for the CSEA to authorize payment to the contractor. Changes from the prior form include: changed the font; numbered the lines containing the text &quot;Total Staff Costs,&quot; &quot;Total Operations Costs,&quot; and &quot;Total Equipment Costs&quot; for ease in following the instructions; moved some of the instructional text to the instructions; maintained consistency in language choice with that of the IV-D contract rules; reduced the amount of columns under the &quot;coding&quot; section; and revised the signature section.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is the instructions for the JFS 07034. Changes from the prior form include: changed the font; and revised the language and re-formatted the form for clarity.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This form is completed by the contractor and submitted to the CSEA in addition to the JFS 07034 in order for the CSEA to authorize payment to the contractor.

Changes from the prior form include: changed the font; made minor changes to the text at the top of the form; corrected form title for the JFS 07034; and updated the language in the certification statement.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is the instructions for the JFS 07035. Changes from the prior form include: changed the font; and revised the language and re-formatted the form for clarity.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is used by the CSEA and contractor to describe the terms of the IV-D contract that the CSEA and contractor have agreed to amend. The JFS 07037 is submitted to OCS for review and acceptance. Changes from the prior form include: updated the language in the first three paragraphs; created a checklist format so the CSEA can clearly designate the IV-D contract terms to amend; re-numbered the IV-D contract terms for a more logical flow; included all IV-D contract terms that require the CSEA or contractor to insert information, as these are the amendable IV-D contract terms; matched the wording and format to the JFS 07018; and revised the signature and date section.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has adopted the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01728</td>
<td>Daily Time Sheet for Non-Dedicated Principal Staff</td>
<td>2/2009</td>
</tr>
<tr>
<td>This is a new form to be used by the governmental contractor with non-dedicated principal staff to record the daily time spent on both activities that are reimbursable and not reimbursable under the IV-D contract when the unit of service for the IV-D contract is defined as an hour.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| JFS 01728-I  | Instructions for JFS 01728, Daily Time Sheet for Non-Dedicated Principal Staff | 2/2009 |
| This is a new form serving as the instructions for the JFS 01728. |

<p>| JFS 01729    | Monthly Time Sheet Summary for Non-Dedicated Principal Staff | 2/2009 |
| This is a new form to be used by the governmental contractor with non-dedicated principal staff to record the monthly time spent on both activities that are reimbursable and not reimbursable under the IV-D contract when the unit of service for the IV-D contract is defined as an hour. The JFS 01729 is intended to summarize how each principal staff spends his or her time on a monthly basis and can be completed by any person in the |</p>
<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01729-I</td>
<td>Instructions for JFS 01729, Monthly Time Sheet Summary for Non-Dedicated Principal Staff</td>
<td>2/2009</td>
</tr>
<tr>
<td>JFS 01730</td>
<td>Dedicated Principal Staff Exception Report</td>
<td>2/2009</td>
</tr>
<tr>
<td>JFS 01730-I</td>
<td>Instructions for JFS 01730, Dedicated Principal Staff Exception Report</td>
<td>2/2009</td>
</tr>
<tr>
<td>JFS 01731</td>
<td>Monthly Time Summary for Governmental Contractor</td>
<td>2/2009</td>
</tr>
<tr>
<td>JFS 01731-I</td>
<td>Instructions for JFS 01731, Monthly Time Summary for Governmental Contractor</td>
<td>2/2009</td>
</tr>
<tr>
<td>JFS 07018-I</td>
<td>Instructions for JFS 07018, IV-D Contract</td>
<td>2/2009</td>
</tr>
<tr>
<td>JFS 07020-I</td>
<td>Instructions for JFS 07020, Governmental Contractor IV-D Contract Budget</td>
<td>2/2009</td>
</tr>
</tbody>
</table>

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A rescinded form will be removed.
- A revised form will be replaced with the amended form.
- An adopted form will be inserted.
The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:
http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-60</td>
<td>(C)(3)</td>
</tr>
<tr>
<td>5101:12-1-60.1</td>
<td>(B)(4) and (B)(10)</td>
</tr>
<tr>
<td>5101:12-1-80</td>
<td>(B)(6), (B)(7), (B)(8), (B)(9), (B)(10), (D)(3), (D)(7), (D)(8), and (G)</td>
</tr>
<tr>
<td>5101:12-1-80.1</td>
<td>(B)(2)(b), (B)(4)(a), (D), and (E)</td>
</tr>
<tr>
<td>5101:12-1-80.2</td>
<td>(A)(1), and (C)(3)(b)</td>
</tr>
<tr>
<td>5101:12-1-80.3</td>
<td>(A)(2), (A)(3), (B), (C)(1), and (C)(2)</td>
</tr>
<tr>
<td>5101:12-1-80.4</td>
<td>(B)(5) and (B)(6)</td>
</tr>
</tbody>
</table>
**CSPMTL 38**

**Child Support Program Manual Transmittal Letter No. 38**

February 9, 2009

**TO:** All Child Support Program Manual Holders  
**FROM:** Douglas E. Lumpkin, Director  
**SUBJECT:** Revised Forms from the Office of Child Support:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>

The JFS 01849 is completed by either party to a child support order to request an administrative review of the support order.

The language on the 8/2008 version of the form implied that a party may request an administrative review to add an additional child to an existing administrative child support order via the administrative review and adjustment process. The language is modified to clarify that a party may request an administrative review to combine two or more existing administrative child support orders that include the same obligor and obligee.


The JFS 07049 is issued to both parties to a child support order to advise the parties of their right to request an administrative review of the support order not less than once every three years.

The language on the 4/2008 version of the form implied that a party may request an administrative review to add an additional child to an existing administrative child support order via the administrative review and adjustment process. The language is modified to clarify that a party may request an administrative review to combine two or more existing administrative child support orders that include the same obligor and obligee.


The JFS 07525 is issued to both parties of a court child support order or administrative child support order when either party timely requests an administrative termination hearing.

The language on the 11/2008 version of the JFS 07525 indicated that the form is...
only used for hearings regarding administrative child support orders. The language is modified to accurately reflect that the form is used for hearings regarding either court child support orders or administrative child support orders.

Please note that the 11/2008 version of the form is cited in the rule (Ohio Administrative Code rule 5101:12-60-05.2). However, the 2/2009 version should be used effective immediately.

<table>
<thead>
<tr>
<th>OMB 0970-0222</th>
<th>National Medical Support Notice (NMSN)</th>
<th>Exp. 2/2008</th>
<th>Exp. 3/2011</th>
</tr>
</thead>
</table>

The NMSN is issued to a health insurance obligor's employer and, when applicable, health plan administrator, regarding the employee's obligation to provide private health insurance coverage for the child(ren) subject to the child support order, and the requirement of the employer and health plan administrator to enroll the child(ren) in available coverage. The form identifies when the employer is not required to enroll the child(ren) in coverage and provides employer instructions for when such coverage is not available.

The federal Office of Child Support Enforcement (OCSE) recently issued the National Medical Support Notice, OMB control number: 0970-0222, Expiration 3/31/2011. In accordance with Ohio Revised Code section 3119.291, the Ohio version varies slightly from the OCSE version in that the Ohio version contains information specific to Ohio law.

Changes to the form include: there is a new statement that notifies the employer that information contained within the notice regarding the custodial parent and child(ren) is confidential and shall not be shared with the non-custodial parent; there is clarifying language that any organization or labor union that provides group health care benefits to employees shall be considered a health plan administrator; there is a new optional employer response in Part A ("The employee named in this notice has never been employed by this employer"); there is an added emphasis that the employer is required to return Part A of the notice to the CSEA under all circumstances and may be liable under State law for failure to return the notice and/or to comply with the terms of the notice; there is new language that when the employer is already withholding income in accordance with a monetary child support obligation, the employer must withhold for the child support obligation and the medical support obligation (e.g., the health insurance premium) in accordance with State law; the term "noncustodial parent" has been changed to "employee" to accommodate situations when the custodial parent is the health insurance obligor; the employer representative category is mandatory and there is an added mandatory health plan administrator representative section.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- revised form will be replaced with the amended form.

The forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp
TO: All Child Support Program Manual Holders  
FROM: Helen E. Jones-Kelley, Director  
SUBJECT: Rules regarding the assignment of support, cooperating with the CSEA, and unreimbursed assistance.

The Office of Child Support (OCS) has proposed to **rescind** the following rules, which were reviewed as a result of the five-year review requirement in ORC section 119.032, which requires each rule to be reviewed every five years:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-31.1</td>
<td>OWF or IV-E assistance group: cooperation requirements.</td>
<td>2/1/2005</td>
<td>12/1/2008</td>
</tr>
</tbody>
</table>

This rule describes the requirement for a caretaker who is a member of a child's Ohio Works First (OWF) or IV-E assistance group to cooperate with the Child Support Enforcement Agency (CSEA). This rule also describes the actions that define cooperation from a caretaker.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information from this rule is contained in new rule 5101:12-10-31.

| 5101:12-10-31.2 | Medicaid assistance group: automatic assignment and cooperation requirements. | 2/1/2005 | 12/1/2008 |

This rule describes the assignment of medical support when an individual is a recipient of Medicaid. This rule also describes the requirement for the caretaker to cooperate with the CSEA and the actions that define cooperation from a caretaker.

This rule is being rescinded because more than 50% of this rule has been stricken and a comparable amount of new text has been added. The information from this rule is contained in new rules 5101:12-10-30 and 5101:12-10-31.

| 5101:12-10-80.1 | CRIS-E/SETS automated interface. | 2/1/2005 | 12/1/2008 |

This rule describes the automated interface between the Client Registry Information System- Enhanced (CRIS-E) and the Support Enforcement Tracking System (SETS) and makes reference to a CRIS-E referral.

The rule is being rescinded and not replaced as it is informational in nature and does not amplify or clarify the CSEA's responsibility under a federal or state statute or regulation.

| 5101:12-57-20 | Medical support payment. | 1/1/2007 | 12/1/2008 |

This rule describes medical expense judgments and the obligation for a CSEA to enforce and collect such judgments.

This rule is being rescinded and not replaced as the information from this rule regarding the CSEA's obligation to enforce a support order, including a medical
expense judgment, is already contained in Chapters 5101:12-50 and 5101:12-55 of the CSPM and the information from this rule regarding allocating a medical expense judgment is already contained in rule 5101:12-80-10.

OCS has proposed to adopt the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-30</td>
<td>Assignment of support.</td>
<td>12/1/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes when support is assigned to ODJFS due to the receipt of OWF, medical assistance, or Title IV-E foster care maintenance (FCM) benefits. Changes from rescinded rule 5101:12-10-31.2 include: added a paragraph of definitions; added information about the assignment of child support or spousal support when an obligee or a child receives OWF benefits; clarified information about the assignment of medical support when an obligee or child receives medical assistance benefits; and added information about assignment of child support when the IV-E agency is the obligee and the child receives FCM benefits. This rule replaces rule 5101:12-10-31.2, which is being rescinded as a result of the five year review requirement; is authorized under ORC section 3125.25; and amplifies ORC sections 5101.59 and 5107.20.</td>
<td></td>
</tr>
<tr>
<td>5101:12-10-31</td>
<td>Requirement to cooperate with the child support enforcement agency.</td>
<td>12/1/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes when an applicant or recipient of OWF, Medicaid, or FCM benefits must cooperate with the CSEA in establishing paternity or in establishing, modifying, or enforcing a support order. Changes from rescinded rules 5101:12-10-31.1 and 5101:12-10-31.2 include: provided definitions of more terms used in the rule; clarified information about the requirement to cooperate with the CSEA for a caretaker who is a member of the OWF assistance group of a child who receives OWF benefits and a caretaker of a child who receives Medicaid benefits; added information about the cooperation between the CSEA and a Title IV-E agency that has custody of a child who receives FCM benefits; and added a paragraph regarding the CSEA notifying the County Department of Job and Family Services concerning cooperation. This rule replaces rules 5101:12-10-31.1 and 5101:12-10-31.2, which are being rescinded as a result of the five year review requirement; is authorized under ORC sections 3125.25 and 5101.591; and amplifies ORC sections 5101.59 and 5107.22.</td>
<td></td>
</tr>
<tr>
<td>5101:12-80-09</td>
<td>Unreimbursed assistance.</td>
<td>12/1/2008</td>
</tr>
<tr>
<td></td>
<td>This is a new rule that describes when OWF or FCM benefits are included in the unreimbursed assistance (URA); provides definitions of terms used when calculating the URA; and states that the IV-D program may only recover the amount of URA that does not exceed the assigned support obligation. This rule is authorized under ORC section 3125.25 and amplifies ORC section 3125.03.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.

An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-30</td>
<td>(B), (C), (D), and (G)</td>
</tr>
<tr>
<td>5101:12-10-31</td>
<td>(B), (C), (D), (E), and (F)</td>
</tr>
<tr>
<td>5101:12-80-09</td>
<td>(C) and (D)</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders  
FROM: Helen E. Jones-Kelley, Director  
SUBJECT: Termination of Child Support Rules and Forms, Unclaimed Funds Rule

The Office of Child Support (OCS) has proposed to rescind the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
</table>

This rule describes the requirements of Ohio Revised Code (ORC) section 3123.88 for OCS to report unclaimed funds from child support collections to the Ohio Department of Commerce. The statute and the rule do not require any action from the child support enforcement agency (CSEA).

This rule is being proposed for rescission because the rule is being moved to OAC Chapter 5101:12-80. The rescinded rule will be replaced with new Ohio Administrative Code (OAC) rule 5101:12-80-25.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-50</td>
<td>Termination of support.</td>
<td>1/1/2006</td>
<td>11/15/2008</td>
</tr>
</tbody>
</table>

This rule describes the administrative process used by a CSEA when a child support order should be terminated.

This rule is being proposed for rescission because more than 50% of this rule is being stricken and a comparable amount of new text is being added. The rescinded rule will be replaced by new OAC rules 5101:12-60-50 to 5101:12-60-50.2. Information from this rule regarding the administrative termination investigation, the resulting findings and recommendations, and impounding child support payments will be contained in new OAC rule 5101:12-60-50.1. Information from this rule regarding the parties right to administrative and court hearings, the process for conducting an administrative hearing, administrative termination orders, and disbursement of impounded funds will be contained in new OAC rule 5101:12-60-50.2.

OCS has proposed to adopt the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-50</td>
<td>Administrative termination of a child support order.</td>
<td>11/15/2008</td>
</tr>
</tbody>
</table>
Changes from the rescinded rule include: clarify that the CSEA may only administratively terminate a child support order when a valid administrative termination reason exists; state that the CSEA may elect to have a party to the child support order file an action with the appropriate court or assist the party with filing an action with the appropriate court when the party is requesting termination but a required or optional administrative termination reason does not exist; describe what is meant by a "valid administrative termination reason"; delete the list of forms used in the administrative termination process; enhance the definition of "child support order" to include medical support provisions; add a definition of "overpaid child support"; add four reasons that the CSEA is required to administratively terminate a child support order; add a reason that the CSEA may elect to administratively terminate a child support order; specify that the CSEA shall issue a JFS 07521 to the parties' last known addresses when there is not a valid administrative termination reason; and move information regarding the investigation and the findings and recommendations to new OAC rule 5101:12-60-50.1 and information regarding the administrative termination hearing, court hearing, administrative termination order, and disbursing impounded funds to new OAC rule 5101:12-60-50.2.

This rule replaces part of OAC rule 5101:12-60-50, is authorized under ORC section 3119.94, and amplifies ORC sections 3119.87 and 3119.88.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-50.1</td>
<td>Administrative termination investigation, findings and recommendations, and impounding support.</td>
<td>11/15/2008</td>
</tr>
</tbody>
</table>

This rule describes the administrative termination investigation that the CSEA is required to conduct when notified that a required administrative termination reason exists to terminate the child support order or that the CSEA may elect to conduct when notified that an optional administrative termination reason exists to terminate the child support order, the findings and recommendations that the CSEA must issue when dealing with an administrative child support order or court child support order, and process for impounding amounts paid pursuant to the child support order (i.e., child and cash medical support).

Changes from the rescinded rule include: clarify what initiates the administrative termination review; clarify that an administrative termination review may be initiated prior to the date the child is expected to graduate from high school; clarify that, when the CSEA determines that a valid administrative termination reason does not exist, the CSEA is to issue the JFS 07521 to the parties at their last known addresses; clarify that the CSEA is to determine whether there has been an overpayment; separate the findings and recommendations into a section for administrative child support orders and a section for court child support orders; in the findings and recommendations for administrative child support orders, require the use of the JFS 07522, which includes the same findings and recommendations that are to be used in court child support orders; require the use of the JFS 07523 to impound support payments; clarify that, when all support obligations will be terminated and the Ohio Department of Job and Family Services (ODJFS) has received an overpayment, then the CSEA must recommend that the overpaid amount must be disbursed in accordance with OAC rules 5101:12-80-10 to 5101:12-80-10.2; remove the requirement for the CSEA to use the JFS forms for issuing the findings and recommendations in a court child support order so that the CSEA may develop its own form that complies with its court's formatting requirements; specify what must be included in the findings and recommendations for a court child support order; and add that the CSEA may include an additional finding and recommendation that the obligee repay the obligor any overpayment.

This rule replaces part of OAC rule 5101:12-60-50, is authorized under ORC section 3119.94, and amplifies ORC sections 3119.87 and 3119.88.
This rule describes the parties' right to an administrative termination hearing, the administrative termination hearing process, the parties' right to a court hearing, the administrative termination order, and the disbursement of impounded funds.

Changes from the rescinded rule include: provide greater clarification of the administrative termination hearing process; add that the CSEA must issue its decision within fifteen days of the conclusion of the administrative termination hearing; clarify that the obligor and obligee may bring a representative to the administrative termination hearing but that the CSEA may exclude any individual who is determined not to have a valid interest in the proceedings; require the CSEA to use the JFS 07526 for the administrative termination hearing decision in administrative child support order but require the CSEA to create its own form for use in court child support orders; add when the CSEA may deny a request for an administrative termination hearing and the form to be used when denying the request; clarify the parties' right to file an action for a court hearing; amplify when the CSEA will issue an administrative order or prepare a court order to terminate the child support obligation; and describe when the CSEA will disburse impounded funds.

This rule replaces part of OAC rule 5101:12-60-50; is authorized under ORC section 3119.94; and amplifies ORC sections 3119.91, 3119.92, and 3119.93.

This rule describes the requirements of ORC section 3123.88 for OCS to report unclaimed funds from child support collections to the Ohio Department of Commerce. The statute and the rule do not require any action from the CSEA.

There are no changes to this rule other than changing the rule number and correcting minor grammatical and Legislative Services Commission formatting errors.

This rule replaces OAC rule 5101:12-10-65; is authorized under ORC section 3125.25; and amplifies ORC sections 169.03 and 3125.03.

OCS has proposed to rescind the following forms:

<table>
<thead>
<tr>
<th>Rescinded Form</th>
<th>Rescinded Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This form is issued to terminate an administrative child support order when neither party objects to the JFS 07620.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form is issued to terminate an administrative child support order when neither party objects to the JFS 07617.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form is issued to terminate a court child support order when neither party objects to</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### JFS 07516 Termination Order 10/2002 11/2008
This form is issued to terminate a court child support order when neither party objects to the JFS 07617.

This form is issued at the conclusion of the administrative termination investigation when the CSEA determines that child support should continue.

This form is issued at the conclusion of the administrative termination investigation when the CSEA determines that child support should terminate.

This form is issued to impound child support payments in an administrative child support order.

This form is issued by a court to impound child support payments in a court child support order.

### JFS 07619 Notice of Administrative Termination Hearing 7/2002 11/2008
This form is issued to schedule an administrative termination hearing when one of the parties to the child support order objects to the JFS 07615 or JFS 07617.

This form is issued at the conclusion of the administrative termination hearing to inform the parties of the CSEA's decision to terminate the child support order and advise them of their right to a court hearing.

### JFS 07622 Administrative Termination Hearing Decision - Continuation of Support 11/2002 11/2008
This form is issued at the conclusion of the administrative termination hearing to inform the parties of the CSEA's decision to not terminate the child support order and advise them of their right to a court hearing.

OCS has proposed to **adopt** the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07521</td>
<td>Notice to Continue Support</td>
<td>11/2008</td>
</tr>
</tbody>
</table>

This form is used to notify the parties that the child support order will not be terminated administratively and, if they disagree with this determination, they may file an action with
<table>
<thead>
<tr>
<th>JFS 07522</th>
<th>Findings and Recommendations to Terminate the Administrative Child Support Order</th>
<th>11/2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is issued to the parties at the conclusion of the administrative termination investigation to notify the parties that the administrative child support order should terminate and of the CSEA's findings and recommendations. This form replaces the JFS 07617 when dealing with administrative child support orders.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07523</th>
<th>Administrative Order to Impound Support</th>
<th>11/2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is issued to the parties when the CSEA has determined that there is a valid administrative termination reason and the continued disbursement of support payments would result in or add to an overpayment. This form replaces the JFS 07618-A.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07524</th>
<th>Denial of Administrative Termination Hearing Request</th>
<th>11/2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is issued when the CSEA denies a request for an administrative termination hearing because the request was not received timely, was not from one of the parties of the child support order or their representative, or the request was not related to the findings and recommendations contained on the JFS 07522.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07525</th>
<th>Notice of Administrative Termination Hearing</th>
<th>11/2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is issued when the CSEA has accepted a request for an administrative termination hearing to notify the parties of the date, time, and place of the administrative termination hearing. This form replaces the JFS 07619.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07526</th>
<th>Administrative Termination Hearing Decision</th>
<th>11/2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is issued at the conclusion of the administrative hearing to notify the parties of the CSEA's decision and of their right to file an action for a court hearing if they disagree with the CSEA's decision. This form replaces the JFS 07620.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>JFS 07527</th>
<th>Administrative Order to Terminate the Administrative Child Support Order</th>
<th>11/2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is issued to terminate the administrative child support order when neither party has objected to the JFS 07522 or, if one of them objected to the JFS 07522, then when neither party objected to the JFS 07526. This form replaces the JFS 07514.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the child support program manual (CSPM) will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of eManuals.
- An adopted rule will be inserted in the CSPM section of eManuals.
- A rescinded form will be removed from the CSPM section of eManuals.
- An adopted form will be inserted in the CSPM section of eManuals.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:

http://www.odjfs.state.oh.us/forms/inner.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements that the CSEA must comply with:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-60-50</td>
<td>(D), (E), (F)</td>
</tr>
<tr>
<td>5101:12-60-50.1</td>
<td>(A), (B), (C), (D)</td>
</tr>
<tr>
<td>5101:12-60-50.2</td>
<td>(A), (B), (C)</td>
</tr>
</tbody>
</table>
Child Support Program Manual Transmittal Letter No. 35

October 22, 2008

TO: All Child Support Program Manual Holders

FROM: Helen E. Jones-Kelley, Director

SUBJECT: Statewide Contract for Location and Collection Services and JFS 08079-S.

The Office of Child Support (OCS) has proposed to **rescind** the following rule:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-87</td>
<td>Statewide contract for location and collection services</td>
<td>7/15/2007</td>
<td>11/01/2008</td>
</tr>
</tbody>
</table>

This rule describes the responsibilities of the Child Support Enforcement Agency (CSEA), Ohio Department of Job and Family Services (ODJFS), and the statewide contractor that provides location and collection services to CSEAs.

The statewide contract for location and collection services between ODJFS and GC Services expired on June 30, 2008. Therefore, this rule is being rescinded and not replaced.

OCS has proposed to **adopt** the following form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 08079-S</td>
<td>Acknowledgment of Paternity Affidavit (Spanish version)</td>
<td>8/2008</td>
</tr>
</tbody>
</table>

The English version of the JFS 08079 was translated to Spanish for the purpose of accommodating individuals who are non-English speaking and assist these individuals in understanding the content of the brochure.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- Adopted form will be inserted.

Form can also be accessed on the ODJFS Forms Central web page at:

http://www.odjfs.state.oh.us/forms/inner.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision.
CSPMTL 34
Child Support Program Manual Transmittal Letter No. 34

September 4, 2008

TO: All Child Support Program Manual Holders

FROM: Helen E. Jones-Kelley, Director

SUBJECT: Cash Medical Support Forms

OCS has proposed to **revise** the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07719</td>
<td>Administrative Order for Child Support and Medical Support</td>
<td>10/2007</td>
<td>8/2008</td>
</tr>
</tbody>
</table>

The JFS 07719 is the administrative child support order.

Changes from the prior version include: updated to include the required medical support provisions (i.e., when private health insurance is available to a party at the time that the order is issued or modified, the party shall be ordered to provide the coverage; when the coverage lapses or when the coverage is not available to either party at the time that the order is issued or modified, the obligor shall be ordered to pay cash medical support); added that the obligor could pay by personal check or traveler's check; included necessary citations to the ORC; added language regarding the duty of support and reasons for termination; and ensured that terminology is consistent throughout the form.


This form is used by the CSEA to inform the obligor and obligee of the results of an administrative review.

Changes from the prior form include: added the obligations for child support when private health insurance is provided and when it is not; added the cash medical support obligation; and added the new medical support provisions.

OCS has proposed to **adopt** the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04031</td>
<td>Notice Regarding Cash Medical Support Order</td>
<td>8/2008</td>
</tr>
</tbody>
</table>

This form is only applicable for child support orders that are issued and/or modified in accordance with ORC section 3119.30 as amended by House Bill 119.

The CSEA will issue this form to both parties to notify the parties that the cash medical support obligation shall cease and the health insurance obligor shall provide private health insurance coverage for the child in accordance with the order.

The form describes the obligor's and obligee's mistake of fact rights to contest whether private health insurance is available or whether the private health insurance is accessible and reasonable in cost. The last page of the form is the mistake of fact hearing request.
<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04032</td>
<td>Notice to Provide Cash Medical Support</td>
<td>8/2008</td>
</tr>
<tr>
<td>JFS 04033</td>
<td>Notice to Provide Private Health Insurance</td>
<td>8/2008</td>
</tr>
<tr>
<td>JFS 07053</td>
<td>Notice of Medical Support Mistake of Fact Hearing</td>
<td>8/2008</td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A revised form will be replaced with the amended form.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:

- [http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals)
- [http://www.odjfs.state.oh.us/forms/inner.asp](http://www.odjfs.state.oh.us/forms/inner.asp)

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:

- [http://www.odjfs.state.oh.us/forms/inner.asp](http://www.odjfs.state.oh.us/forms/inner.asp)

or on the ODJFS Forms Central Internet page at:
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
OCS has proposed to **revise** the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01849</td>
<td>Request for an Administrative Review of the Support Order</td>
<td>07/2005</td>
<td>08/2008</td>
</tr>
</tbody>
</table>

This form can be completed by either the obligor or obligee to request an administrative review of the child support order, which includes medical support provisions. Changes from the existing form include: referenced all the administrative review and adjustment rules in the introductory paragraph; clarified the language in the third paragraph; changed the language in box 8 to make it clearer to the user; added "private" to the words "health insurance" in paragraphs 9 and 10 to comply with changes to Ohio Revised Code (ORC) section 3119.30; added additional reasons for requesting an administrative review in less than 36 months in boxes 11 (private health insurance is not reasonable in cost or accessible) and 12 (the obligor requests the cash medical support order be terminated because his/her annual gross income is now less than 150% of the poverty level for an individual); and modified the first paragraph after the numbered paragraphs because the ORC does not restrict the administrative review and adjustment process to IV-D cases.

| JFS 07606    | Administrative Adjustment Review Notification          | 12/2001                     | 08/2008                    |

The Child Support Enforcement Agency (CSEA) issues this form to the obligor and obligee when the CSEA has scheduled the administrative review. Changes include: moved the address line to the left; moved the data fields so that they are more logically placed; included references to cash medical support and private health insurance, where appropriate; clarified other language for ease of understanding; and requested more information to assist the CSEA in conducting the review.

The 12/2001 version of this form is automatically issued as a notice in the support enforcement tracking system (SETS). Until the 8/2008 version of this form is updated in SETS, the CSEAs should continue to use the 12/2001 version issued in SETS, and may also issue the 08/2008 version manually via ODJFS Forms Central.


This form is used when the CSEA calculates the child support and cash medical support obligations for a sole residential parent or shared parenting order, in accordance with the Ohio Child Support Guidelines. The form was changed to comply with ORC section 3119.022 as amended by Amended Substitute House Bill 119 of the 127th General Assembly (House Bill 119).

Please note: the phrase "plus any processing charge" has been added to line 31 (the cash medical support obligation) because ORC section 3119.27, independent of the worksheet, requires the CSEA to impose the processing charge, and in order to avoid
any confusion, as line 29 (the monthly child support obligation) includes the phrase "plus any processing charge."

When the CSEA is calculating the child support obligation for a child support order that is subject to ORC section 3119.022 as it existed prior to implementation of House Bill 119, the CSEA shall use the 12/2001 version of the JFS 07768.

|-----------|----------------------------------------------------------------------------------|--------|--------|

This form is used when the CSEA calculates the child support and cash medical support obligations for a split parental rights order, in accordance with the Ohio Child Support Guidelines. The form was changed to comply with ORC section 3119.023 as amended by House Bill 119.

Please note: the phrase "plus any processing charge" has been added to line 29 (the cash medical support obligation) because ORC section 3119.27, independent of the worksheet, requires the CSEA to impose the processing charge, and in order to avoid any confusion, as line 27 (the monthly child support obligation) includes the phrase "plus any processing charge."

In addition, in line 26 the language refers to "line 24g" but in ORC section 3119.023 as amended by HB 119, in line 26 the language refers to "line 24h." The amount in line 24g is the cash medical support obligation and the amount in line 24h is the sum of the cash medical support obligation plus the child support obligation. When the amount from line 24h is used to calculate line 26, the obligor is charged twice for cash medical support. OCS requested a legislative fix on this and it was included in House Bill 562, which was signed by Governor Strickland on June 24, 2008 with an effective date of September 23, 2008. The legislation changed "24h" to "24g" in line 26 of ORC section 3119.023.

When the CSEA is calculating the child support obligation for a child support order that is subject to ORC section 3119.023 as it existed prior to implementation of House Bill 119, the CSEA shall use the 12/2001 version of the JFS 07769.

OCS has proposed to adopt the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07058</td>
<td>Medical Support Mistake of Fact Hearing Decision</td>
<td>08/2008</td>
</tr>
</tbody>
</table>

The CSEA shall issue this form to the obligor and obligee after conducting the medical support mistake of fact hearing, in accordance with proposed Ohio Administrative Code rule 5101:12-57-08 (note: This rule was proposed in Clearance package 6166 and has a tentative effective date of 12/1/2008). The form contains the findings and recommendations from the mistake of fact hearing.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A revised form will be replaced with the amended form.
- An adopted form will be inserted.

The forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.
Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
http://www.odjfs.state.oh.us/forms/inner.asp
TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director
SUBJECT: Administrative Responsibility and Revision of JFS 07699.

The Office of Child Support (OCS) has proposed to **rescind** the following rule. The rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-30.1</td>
<td>Administrative Responsibility</td>
<td>01/01/2006</td>
<td>9/01/2008</td>
</tr>
</tbody>
</table>

This rule describes the criteria when a CSEA has administrative responsibility for a case. This rule is being rescinded and replaced by a new rule number but with the same title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

OCS has proposed to **adopt** the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-03</td>
<td>Administrative Responsibility</td>
<td>9/01/2008</td>
</tr>
</tbody>
</table>

This rule describes the criteria when a CSEA has administrative responsibility for a case. Changes from the rescinded rule include: significant revision of the language for clarity; change the rule number to 5101:12-10-03 so that the rule is located in the appropriate chapter of the Ohio Administrative Code.

This rule replaces rule 5101:12-10-30.1, which is being rescinded as a result of the five year review requirement; is authorized under ORC section 3125.25; and amplifies ORC sections 3125.03.

OCS has proposed to **revise** the following form:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>

This form is issued to the CP/CTR and NCP when the CSEA opens a new support enforcement program case. The form provides brief descriptions of support enforcement program services as well as answers to a number of frequently asked questions about the child support program.

Changes from the prior version include: A typographical error was corrected on page one; a reference to an obligor's option to pay by MasterCard was removed from page two; and language regarding an individual's right to not be discriminated against was added to page three.
INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rule and revised JFS form contained in this CSPMTL to determine whether it requires the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed to rescind the following rules. The rules have been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-15</td>
<td>Grandparents’ request for child support for grandchild.</td>
<td>09/01/2005</td>
<td>08/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the establishment of an administrative child support order for a child born to parents who are minors and unmarried when a grandparent of that child requests child support for that child.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-15</td>
<td>Reporting an obligor to a consumer reporting agency.</td>
<td>09/01/2005</td>
<td>08/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process of reporting an obligor to a credit reporting agency when the obligor is determined to be in default.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule is being rescinded and not being replaced since SETS submits the obligor electronically to a CRA and no additional action is required by the CSEA. You may obtain a copy of the rule from the child support program manual (CSPM).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to adopt the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-45-15</td>
<td>Grandparents’ request for child support for grandchild.</td>
<td>08/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the establishment of an administrative child support order for a child born to parents who are minors and unmarried when a grandparent of that child requests child support for that child.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from the rescinded rule include: revise the language and re-format the rule for clarity; remove unnecessary references to ORC sections; replace ORC citations with OAC citations. There are no changes to the existing process.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule replaces rule 5101:12-45-15, which is being rescinded as a result of the five year review requirement; is authorized under ORC section 3125.25; and amplifies ORC</td>
<td></td>
</tr>
</tbody>
</table>
OCS has proposed to **amend** the following rule. The rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-70-05.1</td>
<td>Requirements for initiating and responding CSEAs in interstate cases.</td>
<td>01/01/2006</td>
<td>08/01/2008</td>
</tr>
</tbody>
</table>

This rule describes the processing requirements of responding or initiating CSEA’s in interstate cases. Changes include: amend the language for clarity; remove unnecessary OAC citations; clarify that the CSEA will only conduct genetic testing when the petition is to establish paternity and there is no final and enforceable determination of paternity. There are no changes to the existing process.

This rule is authorized under ORC section 3125.25 and amplifies ORC sections 3115.15, 3115.16, and 3115.18.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
CSPMTL 30
Child Support Program Manual Transmittal Letter No. 30
June 27, 2008

TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director

The Office of Child Support (OCS) has proposed to **rescind** the following rules. The rules have been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes the state income tax offset program and provides definitions of certain terms used in this rule and its supplemental rules. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-20.1</td>
<td>Pre-offset notice and right to review.</td>
<td>12/17/2004</td>
<td>7/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the state income tax offset administrative review process and the debtor's rights to a tax offset review to contest the submittal. This rule is being rescinded and replaced by a new rule with the same rule number but different title because more than fifty percent is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the criteria for submitting a debtor who owes overdue child support to state income tax offset. This rule is being rescinded and replaced by a new rule with the same rule number but different title because more than fifty percent is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule describes the criteria for submitting a debtor who owes overpaid child support to state income tax offset. This rule is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **adopt** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-20</td>
<td>State income tax refund offset program.</td>
<td>7/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the state income tax offset program and provides definitions of</td>
<td></td>
</tr>
</tbody>
</table>
certain terms used in this rule and its supplemental rules. Changes from the rescinded rule include: revise the language for clarity; remove an unnecessary definition of "offset"; add a definition of "state tax offset"; remove reference to state tax offset information being confidential as this information is included in rule 5101:12-1-20.2 of the Administrative Code; and move information regarding another state's request for an obligor be submitted for state income tax refund to rule 5101:12-50-20.2 of the Administrative Code.

This rule replaces rule 5101:12-50-20, which is being rescinded as a result of the five year review requirement; is authorized under ORC sections 3123.823 and 3125.25; and amplifies ORC sections 3123.82, 3123.821, 3123.822, and 3123.823.

<table>
<thead>
<tr>
<th>Rule Reference</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-20.1</td>
<td>Pre-offset notice and tax refund offset review.</td>
<td>7/15/2008</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-20.2</td>
<td>Overdue child support.</td>
<td>7/15/2008</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-20.3</td>
<td>Overpaid child support.</td>
<td>7/15/2008</td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **amend** the following rule:
Amendment

5101:12-50-32.5 Administrative offset review of federal tax refund offset program submittals.

7/01/2006 7/15/2008

This rule describes the rights of the obligor to request an administrative offset review when submitted to the federal tax refund offset.

This rule is being amended to reflect the changes made to JFS 01850, "Notice of Scheduled Tax Refund Offset Review" and to JFS 07544, "Administrative Review for Income Tax Refund Offset Review Results". There are no other changes to this rule.

OCS has proposed to revise the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>

This form is being revised to state that the debtor must notify the CSEA at least 3 business days before the scheduled tax refund offset review, when he/she cannot attend the hearing on the date or time scheduled. Also, revised the format of the form.


This form is being revised to clarify the language and to change the format.


This form is being revised to clarify the language and to change the format.


This form is being revised to clarify the language and to change the format.


This form is utilized to reinstate a license when the obligor is no longer in default. The form has been reformatted to meet the requirements set by ODJFS Forms Central; also, deleted unnecessary language.

OCS has proposed to rescind the following form:

<table>
<thead>
<tr>
<th>Rescinded Form</th>
<th>Rescinded Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
</table>

This form is used to forward to Ohio Department of Job and Family Services (ODJFS) collections received by a child support enforcement agency (CSEA) for reimbursement of birth costs or other medical expenses or for payments on a medical support order.
that are not entered in SETS.
This form is being rescinded because the CSEA is required to enter these collections in SETS, pursuant to OAC rule 5101:12-1-15. SETS uses the QFR011 to report these collections.

INSTRUCTIONS:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A revised form will be replaced with the amended form.
- A rescinded form will be removed.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rule(s) as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-20.3</td>
<td>B and D</td>
</tr>
</tbody>
</table>
The Office of Child Support (OCS) has proposed to **rescind** the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25</td>
<td>License suspension.</td>
<td>01/01/2006</td>
<td>06/15/2008</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This rule describes the types of licenses that are subject to suspension, refusal, or denial to renew; the requirements and process by which the license can be suspended, refused, or denied renewal; and the process to reinstate the license. This rule is being proposed for rescission and replaced by a new rule because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added. The new rule will have the same rule number and title.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-26</td>
<td>Suspension of license to practice law.</td>
<td>01/01/2006</td>
<td>06/15/2008</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This rule describes the requirements and process to suspend a license to practice law in Ohio and the process to reinstate the license. This rule is being proposed for rescission and replaced by a new rule because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added. The new rule will have the same rule number and title.

OCS has proposed to **adopt** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25</td>
<td>License suspension.</td>
<td>06/15/2008</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This rule describes the types of licenses that are subject to suspension, refusal, or denial to renew; the requirements and process by which the license can be suspended, refused, or denied renewal; and the process to reinstate the license. Changes from the rescinded rule include: deleted references to actions completed by the licensing entity; clarified that the CSEA may not suspend a recreational license until the Department of Natural Resources has implemented a computer system; in paragraph (D) clarified that the CSEA may use the JFS 07229, JFS 07232, or create its own notice; added language in paragraph (F) regarding reinstating the license via the JFS 04038 when it has been suspended by mistake; and added new paragraph (G) to require the CSEA to have written procedures of the license suspension process and to maintain a copy if it creates the form referenced.
This rule replaces rule 5101:12-55-25, is authorized by ORC sections 3123.63 and 3125.25, and amplifies ORC sections 3123.41 to 3123.62.

5101:12-55-26 Suspension of license to practice law. 06/15/2008

This rule describes the requirements and process to suspend a license to practice law in Ohio and the process to reinstate the license. Changes from the rescinded rule include: deleted references to actions completed by the Supreme Court; added provisions to reinstate the license when it has been suspended by mistake or when the obligor is no longer in default; and added a new paragraph (E) to require the CSEA to have written procedures of the license suspension process and to maintain a copy if it creates the form referenced in paragraph (B).

This rule replaces rule 5101:12-55-26, is authorized by ORC sections 3123.63 and 3125.25, and amplifies ORC sections 3123.41 to 3123.50 and 4705.021.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- An amended form will be inserted.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:
http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Paragraph(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-25</td>
<td>(F) and (G)</td>
</tr>
<tr>
<td>5101:12-55-26</td>
<td>(D) and (E)</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director
SUBJECT: Removal of Non-Policy Related Documents from the Forms Section of the CSPM

The Office of Child Support (OCS) will remove a number of documents from the Forms Section of the Child Support Program Manual. None of these documents are official JFS forms, although a few of them have been replaced by official JFS forms, and so do not have a JFS number. Most of these documents were not dated.

<table>
<thead>
<tr>
<th>Removed Document Title</th>
<th>Effective Date of Removal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information Security Agreement</td>
<td>June 2008</td>
</tr>
<tr>
<td>Case Referral/Initiation Procedures - Northern District of Ohio</td>
<td>June 2008</td>
</tr>
<tr>
<td>Case Referral/Initiation Procedures - Southern District of Ohio</td>
<td>June 2008</td>
</tr>
<tr>
<td>Locate Request Form</td>
<td>June 2008</td>
</tr>
<tr>
<td>CSEA Administrative Order - Establishment of Paternity</td>
<td>June 2008</td>
</tr>
<tr>
<td>CSEA Administrative Order - Nonexistence of Parent-Child Relationship</td>
<td>June 2008</td>
</tr>
</tbody>
</table>

This document is used when submitting a case for enforcement using Project Save Our Children (PSOC).
The document will be relocated to the Program Areas/Enforcement/Criminal Enforcement/PSOC section of the OCS InnerWeb in the near future.

This document is used to refer a case to the Northern District for federal prosecution.
The document will be relocated to the Program Areas/Enforcement/Criminal Enforcement/PSOC section of the OCS InnerWeb in the near future.

This document is used to refer a case to the Southern District for federal prosecution.
The document will be relocated to the Program Areas/Enforcement/Criminal Enforcement/PSOC section of the OCS InnerWeb in the near future.

This document is used when submitting a case for location services using Project Save Our Children (PSOC).
The document will be relocated to the Program Areas/Enforcement/Criminal Enforcement/PSOC section of the OCS InnerWeb in the near future.

This document is an early, unnumbered version of the JFS 07774 (CSEA Administrative Order - Establishment of Paternity).
This document is being removed because it has been replaced by the JFS 07774, which is available in Forms Section of the CSPM.

This document is an early, unnumbered version of the JFS 07771 (CSEA Administrative
Order Non-Existence of Child-Parent Relationship.
This document is being removed because it has been replaced by the JFS 07771, which is available in the Forms Section of the CSPM.

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CSEA Administrative Order - Paternity Finding Inconclusive</strong></td>
<td>June 2008</td>
</tr>
<tr>
<td>This document is an early, unnumbered version of the JFS 07773 (CSEA Administrative Order Paternity Finding Inconclusive). This document is being removed because it has been replaced by the JFS 07773, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td><strong>Administrative Order for the Payment of Child Support</strong></td>
<td>June 2008</td>
</tr>
<tr>
<td>This document is an early, unnumbered version of the JFS 07719 (Administrative Order for Child Support and Health Care). This document is being removed because it has been replaced by the JFS 07719, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td><strong>County Coordinator's Instructions for Administering Child Support Random Moment Sample (CS-RMS)</strong></td>
<td>June 2008</td>
</tr>
<tr>
<td>This document provides instructions to the child support RMS coordinator. This document is being removed because it will soon be available in the Fiscal Administrative Procedure Manual (FAPM).</td>
<td></td>
</tr>
<tr>
<td><strong>Sample ODHS 2790 Child Support Enforcement Administration -- Quarterly Advance</strong></td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was a sample of the ODHS 2790, Child Support Enforcement Administration Quarterly Advance. This document is being removed because the Office of Fiscal Services has assumed responsibility for this information.</td>
<td></td>
</tr>
<tr>
<td><strong>Sample Child Support Enforcement Administration -- Reconciliation</strong></td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was a sample of the CSEA reconciliation report. This document is being removed because the Office of Fiscal Services has assumed responsibility for this information.</td>
<td></td>
</tr>
<tr>
<td><strong>Guidelines for Segregating Cash Handling and Accounting Functions</strong></td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used to describe how the CSEA is to segregate cash handling and accounting functions. This document is being removed and not replaced because the information is outdated. Updated material is contained in OAC rule 5101:12-80-05.1 and from the Office of Fiscal Services.</td>
<td></td>
</tr>
<tr>
<td><strong>IRS Offset Monthly Collection/Adjustment Report</strong></td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used to inform the CSEA of IRS refund offsets. This document is being removed and not replaced because SETS provides the CSEA with the necessary information regarding IRS refund offsets.</td>
<td></td>
</tr>
</tbody>
</table>
UIFSA Forms Matrix | June 2008
---|---
This document was used to instruct CSEAs which interstate forms to use when requesting a specific service. This document is being removed and not replaced because the information is available in OAC rule 5101:12-70-10 in the CSPM.

| Child Support Enforcement Transmittal #1 - Initial Request and Instructions for Child Support Enforcement Transmittal #1 - Initial Request | June 2008 |
---|---|
These forms were used when sending a request for support enforcement services to another state and to provide instructions for completing the form. The Transmittal #1 is being removed and not replaced because it is available in SETS. The instructions will be added to the Program Areas/Interstate/Interstate Resource section of the OCS InnerWeb in the near future.

| Child Support Enforcement Transmittal #2 - Subsequent Actions and Instructions for Child Support Enforcement Transmittal #2 - Subsequent Actions | June 2008 |
---|---|
These forms are used to report subsequent actions taken on an interstate case and provide instructions for completing the form. The Transmittal #2 is being removed and not replaced because it is available in SETS. The instructions will be added to the Program Areas/Interstate/Interstate Resource section of the OCS InnerWeb in the near future.

| Child Support Enforcement Transmittal #3 - Request for Assistance/Discovery and Instructions for Child Support Transmittal #3 - Request For Assistance/Discovery | June 2008 |
---|---|
These forms were used when requesting assistance or discovery from another state or country and to provide instructions for completing the form. The Transmittal #3 is being removed and not replaced because it is available in SETS. The instructions will be added to the Program Areas/Interstate/Interstate Resource section of the OCS InnerWeb in the near future.

| General Testimony and Instructions for General Testimony | June 2008 |
---|---|
These documents were used to provide general testimony in support of an interstate action and instructions for completing the document. The General Testimony is being removed and not replaced because it is available in SETS. The instructions will be added to the Program Areas/Interstate/Interstate Resource section of the OCS InnerWeb in the near future.

| Notice of Determination of Controlling Order and Instructions for Notice of Determination of Controlling Order | June 2008 |
---|---|
These forms were used to notify another state or country that a controlling order had been determined and to provide instructions for completing the form. The Notice is being removed and not replaced because it is available in SETS. The instructions will be added to the Program Areas/Interstate/Interstate Resource section of
the OCS InnerWeb in the near future.

**Uniform Support Petition and Instructions for Uniform Support Petition**  | June 2008
---|---
These forms were used to petition another state or country to take action on a case and provide instructions for completing the form. The Petition is being removed and not replaced because it is available in SETS. The instructions will be added to the Program Areas/Interstate/Interstate Resource section of the OCS InnerWeb in the near future.

**Registration Statement**  | June 2008
---|---
This form was used to provide information for registering a foreign support order. The Registration Statement is being removed and not replaced because the form is available in SETS.

**Locate Data Sheet and Instructions for Locate Data Sheet**  | June 2008
---|---
These forms were used to provide information to another state or country in support of a request to locate an alleged father or non-custodial parent and instructions for completing the form. The Locate Data Sheet is being removed and not replaced because it is available in SETS. The instructions will be added to the Program Areas/Interstate/Interstate Resource section of the OCS InnerWeb in the near future.

**Affidavit in Support of Establishing Paternity and Instructions for Affidavit in Support of Establishing Paternity**  | June 2008
---|---
These forms were used to provide information when asking another state or country to establish paternity and instructions for completing the form. The Affidavit is being removed and not replaced because the form is available in SETS.

**Foreign Countries Ohio has Established Reciprocity with**  | June 2008
---|---
This document was used to list the foreign countries with whom Ohio has reciprocity. This document is being removed and placed in the Program Areas/Interstate/Interstate Resource section of the OCS InnerWeb in the near future.

**Model: Motion for Judgment**  | June 2008
---|---
This document was used to provide a sample document from which the CSEA could develop a motion for judgment. This document is being removed and not replaced because the CSEA's legal advisor will develop the motion for judgment.

**Prosecutive Guidelines - Child Support Enforcement**  | June 2008
---|---
This document was used to provide CSEAs with guidelines when the CSEA in the Northern district was considering referring a case for federal prosecution. This document is being removed because it is available in the Program Areas/Enforcement/Criminal Enforcement/PSOC in the section headed PSOC Screening Criteria.
<table>
<thead>
<tr>
<th>Document Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Attorney Office Child Support Referral for Prosecution</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was a sample of a referral for federal prosecution.</td>
<td></td>
</tr>
<tr>
<td>This document is being removed because and not replaced because it is out-of-date.</td>
<td></td>
</tr>
<tr>
<td>Letter to Former ADC Recipient</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used to notify a former ADC recipient that s/he could request her/his case be closed.</td>
<td></td>
</tr>
<tr>
<td>This document is being removed and not replaced because it has been replaced by the JFS 01974, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td>Follow-Up Letter</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used in NPA cases to establish that the CSEA had lost contact with the recipient of services.</td>
<td></td>
</tr>
<tr>
<td>This document is being removed and not replaced because the document was replaced by the JFS 01947, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td>Notice to Applicant / Participant of Determination of Good Cause for Refusing to Cooperate in Securing Child Support</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used to notify a IV-D recipient that his/her good cause request has been approved.</td>
<td></td>
</tr>
<tr>
<td>This document is being removed and not replaced because the document was replaced by the JFS 04009, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td>Child Support Self-Assessment Cover Sheet, Case Closure- Question 1, Additional Closure Criteria for Non-PA Cases Only, Establishment Reference (Question 2), Enforcement Reference (Question 3), Disbursement of Collections, Medical Support- Question 5, Review and Adjustment - Question 6, Interstate Reference - Question 7, Expedited Process Reference (Question 8), Self-Assessment Tabulation Sheet, Ohio's Self Assessment Review Instructions, and Tally Sheet and Final Questions</td>
<td>June 2008</td>
</tr>
<tr>
<td>These documents were used by the CSEA during its self-assessment and to provide instructions for using the documents.</td>
<td></td>
</tr>
<tr>
<td>These documents are being removed because the information is out-of-date.</td>
<td></td>
</tr>
<tr>
<td>CSEA File Format</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used to describe a recommended format for case files.</td>
<td></td>
</tr>
<tr>
<td>This document is being removed and not replaced because the CSEA may choose the format for its case files.</td>
<td></td>
</tr>
<tr>
<td>Address Information Request</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used to request address information from a post office.</td>
<td></td>
</tr>
<tr>
<td>This document is being removed and not replaced because the document was replaced by the JFS 07707, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td>Document Title</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Model Subpoena</td>
<td>June 2008</td>
</tr>
<tr>
<td>Address for Worldwide Locator Services (for member’s military addresses)</td>
<td>June 2008</td>
</tr>
<tr>
<td>Request for Home Address</td>
<td>June 2008</td>
</tr>
<tr>
<td>Ohio Child Support Guidelines</td>
<td>June 2008</td>
</tr>
<tr>
<td>Best Practices in Paternity Establishment</td>
<td>June 2008</td>
</tr>
<tr>
<td>Service Statistics</td>
<td>June 2008</td>
</tr>
<tr>
<td>Model Instructions for Service</td>
<td>June 2008</td>
</tr>
<tr>
<td>Model Addendum to Court Child Support Order</td>
<td>June 2008</td>
</tr>
<tr>
<td>Title</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Model Addendum to Administrative Child Support Order</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used as a model for an addendum to an administrative child support order. This document is being removed because it has been replaced by the JFS 07781, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td>Notice of Administrative Hearing to Establish a Support Order</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used as a model for scheduling an administrative child support hearing. This document is being removed because it has been replaced by the JFS 07782, which is available in the Forms Section of the CSPM.</td>
<td></td>
</tr>
<tr>
<td>Addresses of the Branches of the Armed Services and Federal Agencies</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document provided CSEAs with addresses of military offices to whom the CSEA could request an involuntary allotment or garnishment. This document is being removed because both the process and the information are out-of-date.</td>
<td></td>
</tr>
<tr>
<td>Model IRS Information Request</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used to request OCS obtain taxpayer information from the IRS. This document is being removed because Ohio no longer obtains taxpayer information from the IRS using this procedure.</td>
<td></td>
</tr>
<tr>
<td>Application for the Collection of Delinquent Child Support Payments by the Internal Revenue Service and Instructions to State IV-D Agencies for Preparation of Applications</td>
<td>June 2008</td>
</tr>
<tr>
<td>This application was submitted to OCS who would forward it to the IRS to collect delinquent child support. These documents are being removed because Ohio no longer submits requests to collect delinquent child support to the IRS.</td>
<td></td>
</tr>
<tr>
<td>Certification for the Federal Offset Program and State Income Tax Refund Offset Program</td>
<td>June 2008</td>
</tr>
<tr>
<td>This document was used by the CSEA to certify that the CSEA's IRS and ODT tax refund offset list complied with federal requirements. This document is being removed because CSEAs no longer need to certify the IRS and ODT tax refund offset list.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- The indicated document will be removed.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:

http://www.odjfs.state.oh.us/forms/inter.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.

This CSPMTL does not contain any new or amended requirements.
TO: All Child Support Program Manual Holders  
FROM: Helen E. Jones-Kelley, Director  
SUBJECT: JFS 07713 and 07049  
The Office of Child Support (OCS) has proposed to adopt the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07049</td>
<td>Notice of Right to Request Administrative Review of Child and Medical Support Order</td>
<td>4/2008</td>
</tr>
</tbody>
</table>

In accordance with Title 45 Part 303.8(b)(6) of the Code of Federal Regulations, parties to a child support order must be advised of their right to request an administrative review of the support order not less than once every 3 years. In order to comply with this federal regulation, OCS has developed the JFS 07049, "Notice of Right to Request Administrative Review of Child and Medical Support Order." SETS will be modified to issue the JFS 07049, instead of the JFS 07012, "Explanation of State Hearing Procedures" (Rev. 10/2001), to notify the obligor and obligee of their right to request an administrative review.

Note: The form had been in clearance control number (CCN) 5887 from 11/27/06 to 12/11/06 but was numbered JFS 07050 at that time. The form had also been in clearance for the second time from 12/20/07 to 1/17/08 (CCN 6166) but none of the proposed changes from that CCN were incorporated into the 4/2008 version.


This is a new form that was developed by OCS in response to the recommendation by the federal Office of Child Support Enforcement to share information with the IV-B and IV-E agencies about the parents of a child.

The IV-B or IV-E agency will be submitting a request to locate a parent of a child to assist the agency with the placement of a child in foster care or removing a child from foster care to a permanent home. After the Child Support Enforcement Agency (CSEA) completes the locate request, the information is returned to the IV-B or IV-E agency.

This form will be available in a fill-in version in Word on the JFS Forms Central InnerWeb website.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
An adopted form will be inserted.
The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.
Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (l)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted JFS forms contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed to **rescind** the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-25.2</td>
<td>Family violence indicator (FVI).</td>
<td>02/01/2005</td>
<td>5/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the requirements for OCS to identify and maintain information that indicates whether a SETS participant is subject to family violence, send the information to the federal case registry, and protect that information against unauthorized access. This rule is being proposed for rescission and replaced by rule 5101:12-10-20 so that the rule will be located immediately after a related rule in the Ohio Administrative Code.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-25.3</td>
<td>Request for override of family violence indicator restriction.</td>
<td>02/01/2005</td>
<td>5/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes when a court may issue a one-time override of the family violence indicator when certain requirements are met. This rule is being proposed for rescission and replaced by rule 5101:12-10-20.1 so that the rule will be located immediately after a related rule in the Ohio Administrative Code.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-40.1</td>
<td>Program income.</td>
<td>01/01/2005</td>
<td>5/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes what is considered IV-D program income and that IV-D program income must be reported by the child support enforcement agency (CSEA) on the JFS 02750, &quot;Child Support Administrative Fund Monthly Financial Statement.&quot; This rule is being proposed for rescission and replaced by rule 5101:12-1-53 so that the rule will be located in the appropriate chapter of the Ohio Administrative Code.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **amend** the following rules:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-70</td>
<td>Termination of services.</td>
<td>6/15/2006</td>
<td>5/15/2008</td>
</tr>
<tr>
<td></td>
<td>This rule describes the termination of services criteria and the process the CSEA uses to terminate IV-D services or support enforcement program services (SEPS). The revisions were based on recommendations made by a work group of CSEAs and the Ohio CSEA Directors Association that was established by OCS.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Changes to the rule include: revised definitions for a non-public assistance and public assistance case to mirror Medicaid cooperation requirements; removed language throughout paragraph (D) that specifies the case type in which the termination of services criteria could or could not be used, leaving only the case type exceptions; added language in paragraph (D)(9) that permits termination of services when a permanent good cause waiver is granted by the CSEA; added language in paragraph (D)(11) that permits termination of services when a case is a child-only, Medicaid-only case and meets other criteria; and added new paragraph (G) that permits termination of SEPS in a Non-IV-D case with an existing arrears balance under certain conditions.

This rule is authorized by ORC section 3125.25 and amplifies 45 CFR 303.11 and ORC section 3125.11.

### 5101:12-50-32.1 Submission criteria.

This rule describes the criteria used to submit an obligor for federal income tax refund offset. Changes from the existing rule include: paragraph (C)(3)(b)(iii) was modified to permit the submission of an obligor who owes unassigned arrears, regardless of the age of the child; deleted sub-paragraphs in (D) that discussed interstate cases as that information is contained in the interstate rules. There were no other substantive changes made to the rule.

This rule replaces existing rule 5101:12-50-32.1 which is being amended in response to the Deficit Reduction Act of 2005. This rule is authorized under ORC section 3125.25 and 3123.81 amplifies ORC section 3123.81.

OCS has proposed to **adopt** the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-53</td>
<td>Program income.</td>
<td>5/15/2008</td>
</tr>
</tbody>
</table>

This rule describes what is considered IV-D program income and that IV-D program income must be reported by the CSEA on the JFS 02750, "Child Support Administrative Fund Monthly Financial Statement." Changes from the rescinded rule include: changed the rule number from 5101:12-10-40.1 so that it would be located in the appropriate chapter of the CSPM; added the revision date of the JFS 02750 in paragraph (C); and changed "non-OWF" to "IV-D" in paragraph (D)(4).

This rule replaces rule 5101:12-10-40.1, is authorized by ORC section 3125.25, and amplifies ORC sections 3121.71 and 3125.03 and sections 304.50 and 305.32 of Title 45 of the Code of the Federal Regulations.

| 5101:12-10-20 | Family violence indicator. | 5/15/2008 |

This rule describes the requirements for OCS to identify and maintain information that indicates whether a SETS participant is subject to family violence, send the information to the federal case registry, and protect that information against unauthorized access. Changes from the rescinded rule include: changing the rule number to 5101:12-10-20 so that the rule is located in the appropriate chapter of the CSPM and added language that reflects new rule 5101:12-10-32. There is no change to the existing process.

This rule amplifies federal requirements contained in the Personal Responsibility and Work Opportunity Reconciliation Act.
This rule describes when a court may issue a one-time override of the family violence indicator when certain requirements are met. Changes from the rescinded rule include changing the rule number to 5101:12-10-20.1 so that the rule is located in the appropriate chapter of the CSPM. There is no change to the existing process.

This rule amplifies federal requirements contained in the Personal Responsibility and Work Opportunity Reconciliation Act.

OCS has proposed to **amend** the following forms:

<table>
<thead>
<tr>
<th>Amended Form</th>
<th>Amended Form Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In accordance with Ohio Administrative Code (OAC) rule 5101:12-1-20.2, OCS is required to conduct periodic Federal Tax Information (FTI) safeguarding visits with each CSEA. The CSEA is required to complete the JFS 07013 prior to the safeguarding visit. Changes from the prior form include: The length of the form was reduced from 13 to 3 pages; insertable fields were added, which will enable the CSEA to complete the form more efficiently prior to an FTI safeguarding visit; form was re-formatted for clarity and to streamline the FTI safeguarding visit; and references to the new JFS 07019, &quot;Federal Tax Information Item Tracking Log,&quot; have been added, due to a new FTI tracking requirement imposed by the Internal Revenue Services (IRS).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>In accordance with OAC rule 5101:12-1-20.2, every employee of an agency that has access to FTI is required to sign and submit the JFS 07014 in order to certify that the employee understands the requirements related to safeguarding FTI. Changes from the prior form include: The addition of insertable fields at the top of the first page and a field for &quot;SETS User ID.&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form is used to request information from an employer regarding an individual who works for that employer. The form was revised for clarity and to provide greater flexibility so that the form can be used to obtain information regarding either the non-custodial parent or the custodial parent.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form has been modified to include a new field (business e-mail address) in Section A1, added a new field to capture the name of the agency or office of other staff in Section A2, and modified a field in Section D1 so that it also referred to an other agency as well as an other state office.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **adopt** the following forms:

<table>
<thead>
<tr>
<th>Adopted</th>
<th>Adopted Form Title</th>
<th>Effective</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The JFS 07019 is a new form that was developed by OCS in response to new requirements from the IRS for states to track the path of printed FTI from generation through destruction. The CSEA is required to utilize the JFS 07019 to track FTI and provide appropriate documentation to OCS in accordance with paragraph (F)(3) of OAC rule 5101:12-1-20.2 and the revised JFS 07013. OCS will conduct a review of the JFS 07019 during the periodic FTI safeguarding visits described in rule 5101:12-1-20.2.

The form was created to provide the CSEA with instructions for completing the JFS 07019.

OCS has proposed to **rescind** the following CSEIIM:

<table>
<thead>
<tr>
<th>Rescinded CSEIIM</th>
<th>Rescinded CSEIIM Title</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>43</td>
<td>Assignment and Distribution of CRIS-E Benefit Types</td>
<td>4/15/2008</td>
</tr>
</tbody>
</table>

This CSEIIM describes the assignment and distribution of CRIS-E benefit types and references a chart that addresses which public assistance benefits are reimbursable. The chart has been updated by the Office of Family Stability (OFS) within ODJFS. OCS is rescinding CSEIIM 43 and moving the chart from the CSPM to the "Reference Center Information" area of the OCS InnerWeb, which will make the chart easily accessible to CSEAs. The other information contained in the body of the CSEIIM can be found in the Cash Assistance Manual.

**INSTRUCTIONS:**

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- An amended form will be inserted.
- An adopted form will be inserted.
- A rescinded CSEIIM will be removed.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:
http://www.odjfs.state.oh.us/forms/inner.asp

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to
OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.
The Office of Child Support (OCS) has proposed to rescind the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03</td>
<td>Default.</td>
<td>09/01/05</td>
<td>4/15/08</td>
</tr>
<tr>
<td></td>
<td>This rule describes the optional enforcement techniques that a CSEA may use when there is a final and enforceable determination of default and provides definitions of terms used in this rule and supplemental rules. This rule is being proposed for rescission and replaced in part by a new rule with the same rule number and title and in part by new rule 5101:12-55-03.4 because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.1</td>
<td>Identification of default and notice to obligor of default and potential action.</td>
<td>09/01/05</td>
<td>4/15/08</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process by which an obligor is identified by SETS as meeting the default criteria and the CSEA's resulting actions. This rule is being proposed for rescission and replaced in part by a new rule with the same rule number and title and in part by new rule 5101:12-55-03.3 because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added. Some information contained in paragraph (A) regarding the obligor's right to request an administrative mistake of fact hearing has been moved to proposed rule 5101:12-55-03.3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.2</td>
<td>Default investigation.</td>
<td>09/01/05</td>
<td>4/15/08</td>
</tr>
<tr>
<td></td>
<td>This rule describes the investigation the CSEA must complete when an obligor has been identified as meeting the default criteria. This rule is being proposed for rescission and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-55-03.3</td>
<td>Administrative mistake of fact hearing.</td>
<td>09/01/05</td>
<td>4/15/08</td>
</tr>
<tr>
<td></td>
<td>This rule describes when the obligor may request an administrative mistake of fact hearing to contest the JFS 04049 (default notice) and the administrative mistake of fact hearing process. This rule is being proposed for rescission and replaced in part by a new rule with the same rule number but different title because more than fifty percent of this rule is being added.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
being stricken and a comparable amount of new text is being added. Moved the information about when a JFS 04049 becomes final and enforceable to rule 5101:12-55-03.4.

<table>
<thead>
<tr>
<th>Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03.4</td>
<td>Enforcement actions based on a final and enforceable determination of default.</td>
<td>09/01/05 4/15/08</td>
</tr>
</tbody>
</table>

This rule describes the enforcement actions a CSEA may undertake when there has been a final and enforceable determination of default.

This rule is being proposed for rescission and replaced by a new rule with the same rule number but different title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

OCS has proposed to adopt the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03</td>
<td>Default.</td>
<td>4/15/08</td>
</tr>
</tbody>
</table>

This rule defines terms used in chapter 5101:12-55 of the Administrative Code.

Changes from the existing rule include: deleted the paragraph that described enforcement techniques; clarified in paragraph (B) that the definitions were to be used throughout the rules in chapter 5101:12-55; deleted the definition of support order as that term is defined in OAC rule 5101:12-1-10. There were no other substantive changes to the rule.

This rule replaces part of existing rule 5101:12-55-03, which is being rescinded as a result of the five year review requirement, is authorized under ORC section 3125.25, and amplifies ORC sections 3121.01 and 3123.01.

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03.1</td>
<td>Identification of default and notice to obligor of default and potential action.</td>
<td>4/15/08</td>
</tr>
</tbody>
</table>

This rule explains that the support enforcement tracking system (SETS) identifies an obligor who appears to meet the default criteria; describes the process by which a payment on arrears is created, if one does not exist when an income withholding notice is issued; and that a JFS 04049 (default notice) is issued to the obligor.

Changes from the existing rule include: removed unnecessary text that did not provide clarification or was repetitive; moved information in the rule so that the information is easier to find; amplified information regarding when an arrears payment is created by SETS during the default process; included information regarding the JFS 07083 (Notice to Obligor Regarding Default and 20% Payment on Arrears) that is issued when an arrears payment is created; corrected the cite to ORC section 3123.022; and moved information regarding when and how the obligor requests an administrative mistake of fact hearing to rule 5101:12-55-03.3. There were no other substantive changes to the rule.

This rule replaces part of existing rule 5101:12-55-03.1, which is being rescinded as a result of the five year review requirement, is authorized under ORC section 3125.25, and amplifies ORC sections 3123.021, 3123.022, 3123.03, and 3123.061.
This rule describes the investigation and the timeframes for the investigation that the child support enforcement agency (CSEA) must complete.

Changes from the existing rule include: removed unnecessary reference to ORC sections; clarified that the default investigation must be completed within fifteen days of SETS identifying that an obligor appears to meet the default criteria and before the JFS 04049 (default notice) is issued; and reorganized information so that it was easier for the user to find. There were no other substantive changes.

This rule replaces existing rule 5101:12-55-03.2, which is being rescinded as a result of the five year review requirement, is authorized under ORC section 3125.25, and amplifies ORC section 3123.02.

<table>
<thead>
<tr>
<th>5101:12-55-03.3</th>
<th>Administrative mistake of fact hearing process.</th>
<th>4/15/08</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes the administrative mistake of fact hearing process.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from the existing rule include: added information regarding the JFS 07083 (Notice to Obligor Regarding Default and 20% Payment on Arrears); moved information about the obligor's right to request an administrative mistake of fact hearing to this rule from rule 5101:12-55-03.1; reorganized information so that it is easier for the user to find; modified language to comply with the rules of the Legislative Service Commission. There were no other substantive changes.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule replaces existing rule 5101:12-55-03.3 and part of existing rule 5101:12-55-03.1, which are being rescinded as a result of the five year review requirement, is authorized under 3125.25, and amplifies ORC sections 3123.031, 3123.033, and 3123.04.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:12-55-03.4</th>
<th>Final and enforceable determination of default.</th>
<th>4/15/08</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes when a JFS 04049 (default notice) becomes final and enforceable; the actions a CSEA must complete to modify, terminate, or issue an income withholding notice; and references the OAC chapters that contain required and optional enforcement techniques that a CSEA may use to enforce a support order when there is a final and enforceable determination of default.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Changes from the existing rule include: added a paragraph describing when there is a final and enforceable determination of default; removed unnecessary references to OAC rules and ORC sections; moved information regarding enforcement techniques that are in addition to income withholding to new paragraph. There were no other substantive changes.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This rule replaces existing rule 5101:12-55-03.4 and part of existing rules 5101:12-55-03 and 5101:12-55-03.3, which are being rescinded as a result of the five year review requirement, is authorized under 3125.25, and amplifies ORC sections 3123.032, 3123.04, 3123.05, and 3123.06.</td>
<td></td>
</tr>
</tbody>
</table>

OCS proposed to rescind the following CSEIIM:

<table>
<thead>
<tr>
<th>Rescinded CSEIIM</th>
<th>CSEIIM Title</th>
<th>Prior Effective Date of CSEIIM</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>51</td>
<td>Requests for Paternity Establishment When a Legal Presumption Exists and Legally Presumed Parent(s) are Not Contesting Paternity</td>
<td>6/13/00</td>
<td>4/15/08</td>
</tr>
</tbody>
</table>
This CSEIIM was issued based on the understanding that, when there is a presumed father, no one can request the CSEA to conduct genetic testing to determine whether the presumed father or another man is the father of the child. However, further research and analysis of Chapter 3111 of the Revised Code concluded that, when there is not a final and enforceable determination of paternity and the CSEA is requested to determine the existence or non-existence of a father and child relationship, the CSEA must honor that request regardless of whether or not there is a presumed father.

This analysis resulted in the modification of the rules contained in chapter 5101:12-40 of the Administrative Code in December 2006. The revised rules state that, as long as there is not a final and enforceable determination of paternity (and a presumption is not a final and enforceable determination of paternity), then a man alleging himself to be the father of the child may request the CSEA conduct genetic tests to determine whether he or the presumed father is the natural father of the child. As a result, this CSEIIM is being rescinded.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
An adopted rule will be inserted.
A rescinded CSEIIM will be removed.
The CSPM can be accessed at: http://emanuals.odjfs.state.oh.us/emanuals

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Paragraph(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-03.3</td>
<td>(A), (B), (C), (D)(1), and (D)(2)</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders  
FROM: Helen E. Jones-Kelley, Director  
SUBJECT: Rescission of CSEIIM No. 50  

The Office of Child Support (OCS) is proposing to rescind Child Support Enforcement Information and Instructional Memorandum (CSEIIM) No. 50. This CSPMTL replaces and updates the information that had been in CSEIIM No. 50.

BACKGROUND  

Effective April 24, 2000, payments from all child support enforcement agencies (CSEA) were to be included in the County Package and forwarded via UPS to Child Support Payment Central (CSPC). This meant that payment records no longer reside in local CSEA computers. This information, or data compilation, resides in Columbus on ODJFS computers.

This change had an effect on the procedures used by CSEAs in introducing payment records as evidence in child support court cases. This transmittal discusses some of the legal ramifications of this change and should be brought to the attention of the CSEA's legal advisor.

Such records are hearsay as out-of-court statements offered for their truth, but are excepted from the hearsay rule through Evidence Rule 803(8), which governs the admission of public records and reports. Evidence Rule 803(8)(a) covers the admission of records reflecting events, transactions and conditions. The rule encompasses the records of state agencies.

Pursuant to Evidence Rule 902(4), data compilations of official records are admissible if certified as correct by the custodian of records or other person authorized to make the certification in compliance with Evidence Rule 902(1), (2), or (3) or by complying with any law of a jurisdiction, state or federal, or rule of the Supreme Court of Ohio.

Section 3125.24 of the Ohio Revised Code (ORC) states that CSEAs operate under the direction of ODJFS. ODJFS is the Title IV-D agency for Ohio and the CSEAs operate as the local Title IV-D agency. Section 3125.15 of ORC requires CSEAs to maintain records of support orders it administers or otherwise handles.

Section 3121.81 of ORC requires ODJFS to keep a Case Registry of all support orders, including payment records of those orders. This information shall be accessed through the Support Enforcement Tracking System (SETS). This includes information gathered through CSPC and entered into SETS. Federal law spells out the requirements for this registry of support orders. 42 U.S.C. 654 states that among these requirements is that of keeping payment records of support orders and the payment records must include the monthly or periodic amount, the amount of arrearages, the amounts paid, and the distribution of these payments.

Given this statutory linkage between ODJFS and the CSEAs, CSEA directors and their employees can be designated by the Director of ODJFS as authorized persons to certify payment records of support orders included on SETS and the Case Registry as the official payment records of ODJFS. Accordingly, the Director has signed an "Authorization For Certification Of SETS Records" under seal authorizing CSEA directors, and the employees designated by the CSEA director, as authorized persons to certify and attest to the authenticity of payment records in child support cases. In turn, the CSEA Directors and employees they designate will attest and certify that the payment records attached are the true and accurate copies of the records for the relevant case.

In the alternative, payment records could be presented as business records, under the exception to the hearsay rule contained in Evidence Rule 803(6).

Peters v. Ohio State Lottery Commission (1992) 63 Ohio St. 3d 296 holds that records of a state agency qualify as business records.
The records of child support payments through CSPC and recorded in SETS are business records of a state agency, ODJFS, as they are recorded in the regular course of the Department's business. As the CSEA operates the IV-D program under the direction of the Department and is the local IV-D agency, the records of the Department are the records of the CSEA.

The CSEA employee who testifies as to the Business Records under Evidence Rule 803(6) may be the custodian of the records or 'other qualified witness'. This person can be someone who is familiar with the operation of the business. State v. Vrona (9th Dist. 1992)

47 Ohio App. 3d 145. See also Dyno Construction Co. v McWane, Inc. (C.A. 6, 1999) 198 F.3d 567. The Director of the CSEA is clearly familiar with the operation of the child support system in Ohio and should be knowledgeable regarding CSPC and SETS. However, a caseworker is also familiar with the operation of the business since a caseworker must be knowledgeable regarding all phases of the child support system due to the wide variety of responsibilities he/she must face on a daily basis. Therefore, a caseworker could be an 'other qualified witness' for purposes of Evidence Rule 803(6).

To obtain a certified copy of the "Authorization For Certification Of SETS Records", the CSEA should contact its County Services team email-box.

OCS has proposed to rescind CSEIIM 50:

<table>
<thead>
<tr>
<th>Rescinded CSEIIM</th>
<th>Rescinded CSEIIM Title</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSEIIM 50</td>
<td>Introduction of SETS/CSPC Payment Records into Evidence in Ohio Courts for Child Support Cases</td>
<td>04/01/08</td>
</tr>
</tbody>
</table>

This CSEIIM is being rescinded and replaced with this CSPMTL. The CSPMTL contains the correct U.S.C. and ORC sections.

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded CSEIIM will be removed.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:

http://www.odjfs.state.oh.us/forms/inner.asp
CSPMTL 23
Child Support Program Manual Transmittal Letter No. 23
February 12, 2008

TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director
SUBJECT: Revision of the JFS 04234, JFS 08079, and adoption of the JFS 04234-I

The Office of Child Support (OCS) has proposed to revise the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
</table>

This form is being revised to remove the instructions and list them separately in a new form (JFS 04234-I). No other changes were made to the form.

| JFS 08079    | Paternity and Acknowledgment of Paternity Affidavit | 4/2003                     | 1/2008                    |

This brochure was revised by staff within OCS and the Paternity Enhancement Program. The brochure is typically distributed by local health departments and hospitals or birthing facilities to unmarried parents to provide information regarding the process to establish paternity in Ohio and the "Acknowledgment of Paternity Affidavit." The CSEA may also distribute the JFS 08079 to individuals, when appropriate.

Changes from the prior brochure include: use a question-and-answer format to explain the paternity establishment process; add a description of the "Acknowledgment of Paternity Affidavit"; add a definition of "paternity"; and update the images.

OCS has proposed to adopt the following form:

| JFS 04234-I | Instructions for JFS 04234, Annual Full-Time Equivalent Report | 1/2008 |

This form is being adopted to give the CSEA instructions for completing JFS 04234 and to list the correct mailing address of OCS.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:
- A revised form will be replaced with the amended form.
- An adopted form will be added.

The forms in the CSPM can be accessed at:

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at:
- http://www.odjfs.state.oh.us/forms/inner.asp

or on the ODJFS Forms Central Internet page at:
- http://www.odjfs.state.oh.us/forms/inter.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:
Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
CSPMTL 22

Child Support Program Manual Transmittal Letter No. 22

January 10, 2008

TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director
SUBJECT: Good Cause Waiver of Cooperation Rule and Good Cause Waiver Forms

The Office of Family Stability (OFS) has developed an Ohio Works First (OWF) domestic violence policy in accordance with the requirements of Amended Substitute House Bill 119 (HB 119), which includes revisions to sections of Chapter 5107. of the Ohio Revised Code. This new policy regarding domestic violence must be implemented January 1, 2008.

The new OWF domestic violence policy will permit the OWF program to waive certain OWF program requirements when a caretaker or child is being subjected to domestic violence. One such requirement that may be waived is the requirement for a caretaker to cooperate with the child support enforcement agency (CSEA).

As a result of a collaborative effort between OFS and the Office of Child Support (OCS), a new process for approving or denying a good cause waiver of the requirement to cooperate with the CSEA was developed. This process is incorporated in a new rule and several new JFS forms.

Therefore, the Office of Child Support (OCS) has proposed to **rescind** the following rule:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-31.3</td>
<td>Good cause.</td>
<td>2/1/2005</td>
<td>1/1/2008</td>
</tr>
</tbody>
</table>

This rule was reviewed due to the new good cause requirements regarding domestic violence that are being implemented by the OWF domestic violence policy. This rule is being proposed for rescission and replaced by new rule 5101:12-10-32 because more than fifty percent of this rule is being stricken and replaced with new text.

OCS has proposed to **adopt** the following rule:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-32</td>
<td>Good cause waiver of cooperation.</td>
<td>1/1/2008</td>
</tr>
</tbody>
</table>

This rule describes the process the CSEA will use when a request for a good cause waiver of the requirement to cooperate with the CSEA is received. This rule incorporates the requirements of HB 119 and ORC Chapter 5107. regarding domestic violence. The proposed good cause waiver criteria are applicable to OWF, Medicaid, and IV-E Foster Care Maintenance (FCM) recipients. Changes from the rescinded rule include: added definitions of "caretaker", "domestic violence", "permanent good cause waiver", "temporary good cause waiver", and "third party"; distinguished between a temporary good cause waiver based on domestic violence or adoption versus a permanent good cause waiver based on the child being conceived as a result of incest or rape; described the process to approve, deny, or terminate a good cause waiver; included a more robust process for reviewing, approving, and denying a good cause waiver; and described the use of new forms to support the process.

This rule replaces existing rule 5101:12-10-32, is authorized by ORC section 3125.25,
and amplifies ORC sections 5101.59, 5107.02, and 5107.22.

OCS has proposed to **rescind** the following forms:

<table>
<thead>
<tr>
<th>Rescinded Form</th>
<th>Rescinded Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04019</td>
<td>Notice of Determination of Good Cause</td>
<td>12/1999</td>
<td>1/1/2008</td>
</tr>
<tr>
<td></td>
<td>This form is being rescinded and replaced by the new JFS 04009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JFS 04020</td>
<td>Request for Evidence in Determination of Good Cause</td>
<td>12/1999</td>
<td>1/1/2008</td>
</tr>
<tr>
<td></td>
<td>This form is being rescinded.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **adopt** the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04008</td>
<td>Request for Good Cause Waiver</td>
<td>1/1/2008</td>
</tr>
<tr>
<td></td>
<td>The JFS 04008 was created by OCS as a complement to the JFS 07092, which is given to the caretaker by the OWF eligibility worker during the OWF application process. However, since the JFS 07092 is not provided to caretakers in Medicaid or FCM cases and since a caretaker may request a good cause waiver from the CSEA at any time during the life of a IV-D case, OCS created the JFS 04008 to serve as a request for a good cause waiver. The JFS 04008 informs the caretaker that the CSEA must receive the caretaker's written documentation to support the request for a good cause waiver within 45 days of the CSEA receiving the JFS 04008.</td>
<td></td>
</tr>
<tr>
<td>JFS 04009</td>
<td>Approval of Good Cause Waiver</td>
<td>1/1/2008</td>
</tr>
<tr>
<td></td>
<td>The JFS 04009 replaces the JFS 04019, which is being rescinded. The CSEA will issue the JFS 04009 to notify the caretaker of the approval of either a temporary or permanent good cause waiver.</td>
<td></td>
</tr>
<tr>
<td>JFS 04010</td>
<td>Denial of Good Cause Waiver</td>
<td>1/1/2008</td>
</tr>
<tr>
<td></td>
<td>The JFS 04010 is a new form that the CSEA will issue to notify the caretaker of the denial of a good cause waiver and the caretaker's right to request a state hearing.</td>
<td></td>
</tr>
<tr>
<td>JFS 04011</td>
<td>Good Cause Waiver Renewal</td>
<td>1/1/2008</td>
</tr>
<tr>
<td></td>
<td>The JFS 04011 is a new form that the CSEA will issue at least 45 days before the expiration of a temporary good cause waiver. The JFS 04011 provides the caretaker the opportunity to request a renewal of the good cause waiver and informs the caretaker that the CSEA must receive the caretaker's written documentation to support the request for a renewal of the good cause waiver within 45 days of the CSEA receiving the JFS 04011.</td>
<td></td>
</tr>
<tr>
<td>JFS 04012</td>
<td>Termination of Good Cause Waiver</td>
<td>1/1/2008</td>
</tr>
</tbody>
</table>
The JFS 04012 is a new form that the CSEA will issue to notify the caretaker of the termination of a temporary good cause waiver when the caretaker fails to return the JFS 04011, indicates on the JFS 04011 that the caretaker no longer wants a good cause waiver, adoption proceedings are finalized or dismissed, or adoption discussions terminate. The JFS 04012 also notifies the caretaker of the caretaker's right to request a state hearing.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuels.
- An adopted rule will be inserted.
- A rescinded form will be removed.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:

http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rule contained in this CSPMTL to determine whether the rule requires the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rule as it contains new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Paragraph(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-32</td>
<td>All paragraphs</td>
</tr>
</tbody>
</table>
The Office of Child Support (OCS) has proposed to rescind the following rules. The rules have been reviewed in accordance with section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period.

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05</td>
<td>Collections and disbursements by child support payment central.</td>
<td>4/03/2005</td>
<td>1/15/08</td>
</tr>
<tr>
<td>5101:12-80-05.1</td>
<td>Billing.</td>
<td>4/03/2005</td>
<td>1/15/08</td>
</tr>
<tr>
<td>5101:12-80-05.2</td>
<td>Collecting support payments.</td>
<td>4/03/2005</td>
<td>1/15/08</td>
</tr>
<tr>
<td>5101:12-80-05.3</td>
<td>CSPC payment posting.</td>
<td>4/03/2005</td>
<td>1/15/08</td>
</tr>
</tbody>
</table>

This rule describes the requirements to process and disburse support payments from a single physical location and contains definitions used in the rule and supplementary rules. This rule is being proposed for rescission and replaced by a new rule with the same rule number but a different title because more than 50% of this rule is being stricken and a comparable amount of new text is being added.

This rule describes the billing process. The billing process is automated and does not require additional action from the child support enforcement agency (CSEA). Therefore, this rule will be rescinded and not replaced. However, a new rule with the same rule number is being proposed; the new rule describes different provisions.

This rule describes how payments are collected at Child Support Payment Central (CSPC) and the CSEA and the requirements for a CSEA that has elected to receive collections. This rule is being proposed for rescission and replaced by a new rule with the same rule number but different title because more than 50% of this rule is being stricken and a comparable amount of new text is being added. Information contained in this rule that is related to business processes that do not require any action from the CSEA is not needed in the rule and will not be replaced; the remaining information from this rule will be contained in proposed rule 5101:12-80-05.1. A new rule with the same rule number is being proposed; however, the new rule describes different provisions.

This rule describes how payments are posted at CSPC and what information is needed in order for payments to be posted. This rule is being proposed for rescission and replaced by a new rule with the same rule number but a different title because more than 50% of this rule is being stricken and a comparable amount of new text is being added.
<table>
<thead>
<tr>
<th>Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05.4</td>
<td>Child support payment central (CSPC) disbursements.</td>
<td>4/03/2005</td>
</tr>
<tr>
<td>5101:12-80-05.5</td>
<td>Exception processing.</td>
<td>4/03/2005</td>
</tr>
<tr>
<td>5101:12-80-05.6</td>
<td>Child support payment central (CSPC) recoupments.</td>
<td>4/03/2005</td>
</tr>
<tr>
<td>5101:12-80-05.7</td>
<td>Interstate cost recovery reporting.</td>
<td>4/03/2005</td>
</tr>
<tr>
<td>5101:12-80-15.1</td>
<td>Notice of collection of assigned support.</td>
<td>4/03/2005</td>
</tr>
</tbody>
</table>

OCS has proposed to adopt the following rules:
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-05</td>
<td>Collection and disbursement.</td>
<td>1/15/08</td>
</tr>
<tr>
<td>This rule describes the requirement to process and disburse support payments from a single physical location and contains definitions used in this rule and supplementary rules. Changes from the rescinded rule include: removed definitions that are not used in the rule or supplemental rules and removed Child Support Payment Central (CSPC) and vendor email addresses.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.1</td>
<td>Collection at the child support enforcement agency.</td>
<td>1/15/08</td>
</tr>
<tr>
<td>This rule describes the requirements of a child support enforcement agency (CSEA) that elects to collect support payments, and the requirements regarding bonding employees and following recognized accounting standards. Changes include: added information concerning federal requirements for CSEA employees that collect and record support payments.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.2</td>
<td>Date of collection.</td>
<td>1/15/08</td>
</tr>
<tr>
<td>This rule describes how the date of collection of a support payment is determined. Changes from the rescinded include: removed information regarding business processes, and moved requirements for CSEAs that elect to collect support payments to rule 5101:12-80-05.1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.3</td>
<td>Payment processing and disbursement.</td>
<td>1/15/08</td>
</tr>
<tr>
<td>This rule describes the processes taken to disburse funds and the timeframes required for disbursing support payments. Changes from rescinded rule include: added information regarding payment processing, added disbursement timeframes, and removed information regarding the vendor’s business process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.4</td>
<td>Exception item processing and resolution.</td>
<td>1/15/08</td>
</tr>
<tr>
<td>This rule describes exception items and actions OCS and the CSEA are required to take in order to resolve the problems and subsequently disburse payments. Changes include: added information regarding CSEA responsibilities specific to resolving different types of exception items.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.5</td>
<td>Check replacement.</td>
<td>1/15/08</td>
</tr>
<tr>
<td>This rule describes the actions the CSEA is required to take when a payee requests replacement of a check disbursed by CSPC. Changes include specifying that when the original check has already been redeemed, the CSEA shall notify the payee that the original check has been redeemed and therefore is not eligible for replacement.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-80-05.6</td>
<td>Recoupment.</td>
<td>1/15/08</td>
</tr>
<tr>
<td>This rule describes the purpose and process for establishing and enforcing recoupment accounts. Changes from rescinded rule include: added requirements regarding fund coverage responsibilities, added clarification regarding when the CSEA shall not use the recoupment process, added reference to the JFS 07026, and expanding upon restrictions of enforcement techniques for recoupment accounts.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to **revise** the following forms:

<table>
<thead>
<tr>
<th>Revised</th>
<th>Revised Form Title</th>
<th>Prior Effective</th>
<th>Effective</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Form</th>
<th>Adopted Form Title</th>
<th>Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07747</td>
<td>Forged Signature Affidavit</td>
<td>01/1998 12/2007</td>
</tr>
</tbody>
</table>

OCS has proposed to **adopt** the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07038-F</td>
<td>Acknowledgment of Paternity Affidavit (French version)</td>
<td>8/2007</td>
</tr>
<tr>
<td>JFS 07038-S</td>
<td>Acknowledgment of Paternity Affidavit (Spanish version)</td>
<td>8/2007</td>
</tr>
<tr>
<td>JFS 07038-SO</td>
<td>Acknowledgment of Paternity Affidavit (Somali version)</td>
<td>8/2007</td>
</tr>
</tbody>
</table>
accommodating individuals who are non-English speaking, and assist these individual understanding the content of the form. However, the English version of the JFS 07038 is required to be signed in order for the affidavit to become an official document.

<table>
<thead>
<tr>
<th>Form ID</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07026</td>
<td>Recoupment Account Maintenance Request</td>
<td>12/2007</td>
</tr>
<tr>
<td>JFS 07026-I</td>
<td>Recoupment Account Maintenance Request Instructions</td>
<td>12/2007</td>
</tr>
<tr>
<td>JFS 07031</td>
<td>Recoupment Account Creation Request</td>
<td>12/2007</td>
</tr>
<tr>
<td>JFS 07031-I</td>
<td>Recoupment Account Creation Request Instructions</td>
<td>12/2007</td>
</tr>
<tr>
<td>JFS 07739</td>
<td>Child Support Payment Central Check Traveler</td>
<td>6/2007</td>
</tr>
</tbody>
</table>

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- Rescinded rules will be moved from the CSPM to the OAC Archive section of the eManuals.
- Adopted rules will be inserted.
- Revised form will be replaced with the amended form.
- Adopted forms will be inserted.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:
http://www.odjfs.state.oh.us/forms/inner.asp

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

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<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-80-05.1</td>
<td>C, E, F, G, H</td>
</tr>
<tr>
<td>12-80-05.4</td>
<td>D, E, F</td>
</tr>
<tr>
<td>12-80-05.5</td>
<td>C</td>
</tr>
<tr>
<td>12-80-05.6</td>
<td>B, C, D, E, H, I, J</td>
</tr>
</tbody>
</table>
The Office of Child Support (OCS) will **rescind** the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-20-05.1</td>
<td>Location tools.</td>
<td>06/15/2006</td>
<td>01/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule was reviewed due to numerous unnecessary references to JFS forms. This</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rule is being proposed for rescission and replaced by a new rule with the same rule</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>number and title because more than fifty percent of this rule is being stricken and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-05</td>
<td>Techniques for the enforcement of support orders.</td>
<td>01/01/2006</td>
<td>01/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule has been reviewed in accordance with Section 119.032 of the Revised Code,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>which requires the review of all state agency rules within a five-year period. The</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rule will be rescinded and not replaced as it is informational in nature and does</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>not amplify or clarify the CSEA's responsibility under a federal or state statute or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>regulation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-10</td>
<td>Income withholding or income deduction.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule has been reviewed in accordance with Section 119.032 of the Revised Code,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>which requires the review of all state agency rules within a five-year period. This</td>
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<td>rule is being proposed for rescission and replaced by a new rule with the same rule</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>number and title because more than fifty percent of this rule is being stricken and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-10.1</td>
<td>Income which may be withheld or deducted.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule has been reviewed in accordance with Section 119.032 of the Revised Code,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>which requires the review of all state agency rules within a five-year period. This</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rule is being proposed for rescission and replaced by a new rule with the same rule</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>number and title because more than fifty percent of this rule is being stricken and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-10.2</td>
<td>CSEA's responsibility for income withholding and income deduction.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td></td>
<td>This rule has been reviewed in accordance with Section 119.032 of the Revised Code,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>which requires the review of all state agency rules within a five-year period. This</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rule is being proposed for rescission and replaced by a new rule with the same rule</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>number and title because more than fifty percent of this rule is being stricken and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a comparable amount of new text is being added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rule Number</td>
<td>Description</td>
<td>Effective Date</td>
<td>Expiration Date</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>5101:12-50-10.3</td>
<td>Payor's responsibilities for income withholding. This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The rule will be rescinded and not replaced as it is informational in nature and does not amplify or clarify the CSEA's responsibility under a federal or state statute or regulation.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-10.4</td>
<td>Financial institution's responsibilities for income deduction. This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The rule will be rescinded and not replaced as it is informational in nature and does not amplify or clarify the CSEA's responsibility under a federal or state statute or regulation.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-10.5</td>
<td>Enforcement of income withholding and income deduction notices. This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The rule will be rescinded and not replaced as it is informational in nature and does not amplify or clarify the CSEA's responsibility under a federal or state statute or regulation.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-10.6</td>
<td>Obligor and obligee's responsibilities under an income withholding or income deduction notice. This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. The rule will be rescinded and not replaced as it is informational in nature and does not amplify or clarify the CSEA's responsibility under a federal or state statute or regulation.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-15</td>
<td>Cash bonds. This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. This rule is being proposed for rescission and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-17</td>
<td>Seek work orders. This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. This rule is being proposed for rescission and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-19</td>
<td>Investigation of obligor's source of income or status of account. This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. This rule is being proposed for rescission and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.</td>
<td>09/01/2005</td>
<td>01/01/2008</td>
</tr>
</tbody>
</table>
This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. This rule is being proposed for rescission and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

OCS will propose to adopt the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-20-05.1</td>
<td>Location tools.</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-10</td>
<td>Income withholding or income deduction.</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-10.1</td>
<td>Income that may be withheld or deducted.</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-10.2</td>
<td>CSEA's responsibility for income withholding and income deduction.</td>
<td>01/01/2008</td>
</tr>
<tr>
<td>5101:12-50-15</td>
<td>Cash bonds.</td>
<td>01/01/2008</td>
</tr>
</tbody>
</table>

This rule describes how a CSEA shall interact with location functions available in SETS and the appropriate interstate location tools. The change from the rescinded rule is removing unnecessary references to JFS forms and location sources.

This rule is authorized under ORC section 3125.25, and amplifies ORC section 3125.03.

This rule describes the CSEA's requirements for implementing income withholding. Changes from the rescinded rule include: added definitions for "income" and "payor," modified definitions for "personal earnings: and "willfully," and deleted definitions for "addendum notice," "income deduction notice," "income withholding notice," "mistake of fact," and "support order."

This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3121.01 and 3121.0310.

This rule describes what income may and may not be withheld. The change from the rescinded rule is revising the rule for clarity. No substantive changes in CSEA procedures have been made.

This rule is authorized under ORC section 3125.25, and amplifies ORC section 3125.03.

This rule describes the CSEA's responsibility for income withholding and income deduction. The change from the rescinded rule is revising the rule for clarity. No substantive changes in CSEA procedures have been made.

This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3121.03, 3121.032, 3121.033, and 3121.035.

This rule describes the circumstances that must exist for the CSEA to ask a court to order an obligor to post a cash bond and specifies that a CSEA may not order a cash
Changes from the rescinded rule include: removed references to a court’s responsibility to issue a cash bond order and revised the rule for clarity. No substantive changes in CSEA procedures have been made.

This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3121.03 and 3121.04.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-17</td>
<td>Seek work orders.</td>
<td>01/01/2008</td>
</tr>
</tbody>
</table>

This rule describes seek work orders and discusses when the court or CSEA may issue such an order. The rule explains that the seek work order must mirror the OWF self-sufficiency contract when applicable. Changes from the rescinded rule include: removed references to a court’s responsibility to issue a seek work order and revised the rule for clarity. No substantive changes in CSEA procedures have been made.

This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3121.03 and 5107.14.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-19</td>
<td>Investigation of obligor's source of income or status of account.</td>
<td>01/01/2008</td>
</tr>
</tbody>
</table>

This rule describes the circumstances that require the CSEA to investigate the obligor's sources of income. The change from the rescinded rule is revising the rule for clarity. No substantive changes in CSEA procedures have been made.

This rule is authorized under ORC section 3125.25, and amplifies ORC sections 3121.03 and 3121.14.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-90</td>
<td>Additional authority to collect arrearages.</td>
<td>01/01/2008</td>
</tr>
</tbody>
</table>

This rule describes when a CSEA must investigate an obligor's income or status of account. The rule was revised for clarity. The change from the rescinded rule is revising the rule for clarity. No substantive changes in CSEA procedures have been made.

This rule is authorized under ORC sections 3123.823 and 3125.25, and amplifies ORC sections 3121.03, 3123.22, 2123.24, 3123.36, 3123.37, 3123.38, 3123.81, 3123.82, 3123.821, 3123.822, and 3123.823.

OCS has proposed to **revise** the following forms:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07625</td>
<td>Health Insurance Disclosure Information</td>
<td>11/1999</td>
<td>1/2008</td>
</tr>
</tbody>
</table>

The form has been revised so that it can be used to obtain health insurance information about either the custodial parent or non-custodial parent.

OCS has proposed to **adopt** the following form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04056</td>
<td>Additional Income Withholding Instructions for Employers of Independent Contractors</td>
<td>1/2008</td>
</tr>
</tbody>
</table>
INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A revised form will be replaced with the amended form.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:
http://www.odjfs.state.oh.us/forms/inner.asp
The Office of Child Support (OCS) has **rescinded** the following rules as a result of a review conducted in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes the expenditures for which a child support enforcement agency (CSEA) may receive federal financial participation (FFP) reimbursement. The rule is being replaced by rule 5101:12-1-60.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-31-23</td>
<td>Clerk of court fees and court costs for PA and non-PA recipients.</td>
<td>7/1/2002</td>
<td>9/1/2007</td>
</tr>
<tr>
<td></td>
<td>This rule describes the court fees for which a CSEA can obtain federal financial participation (FFP) reimbursement in public assistance and non-public assistance cases and the application fee for non-public assistance cases that request child support services. It is being replaced by rule 5101:12-1-60 and 5101:12-1-60.1. The portion of the rule concerning the application fee for non-public assistance cases is not being replaced as the information is already contained in rules 5101:12-10-01.1 and 5101:12-10-40.1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-31-25</td>
<td>Expenditures excluded from reimbursement under the Title IV-D program.</td>
<td>7/1/2002</td>
<td>9/1/2007</td>
</tr>
<tr>
<td></td>
<td>This rule describes CSEA expenditures that are excluded from FFP reimbursement. The rule is being replaced by rule 5101:12-1-60.1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-12</td>
<td>Lump sum payments.</td>
<td>09/01/2005</td>
<td>8/15/2007</td>
</tr>
<tr>
<td></td>
<td>This rule describes the process used by the CSEA to attach a lump sum payment. The rule is being replaced by a new rule with the same rule number and title.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has **adopted** the following rule in order to comply with House Bill 122 and Section 3123.89 of the Revised Code:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-30</td>
<td>State lottery prize award intercept.</td>
<td>8/15/2007</td>
</tr>
</tbody>
</table>
|              | This rule describes the process used by a CSEA to issue an intercept directive to the Ohio Lottery Commission (OLC) to transmit an amount from the proceeds of a specified
lottery prize award to OCS, when the prize winner is an obligor who is subject to a final and enforceable determination of default. This is a new rule and amplifies sections 3123.89 and 3770.071 of the Revised Code.

OCS has adopted the following rules as a result of a review conducted in accordance with Section 119.032 of the Revised Code:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-60</td>
<td>Expenditures eligible for federal financial participation reimbursement.</td>
<td>9/1/2007</td>
</tr>
<tr>
<td>5101:12-1-60.1</td>
<td>Expenditures ineligible for federal financial participation reimbursement.</td>
<td>9/1/2007</td>
</tr>
<tr>
<td>5101:12-50-12</td>
<td>Lump sum payments.</td>
<td>8/15/2007</td>
</tr>
</tbody>
</table>

This rule describes the support enforcement program services and IV-D services for which a CSEA may request federal financial participation (FFP) reimbursement. Changes from the rescinded rules include: states the current FFP reimbursement rate of sixty-six percent; contains new definitions for "arrest" and "law enforcement official"; the language regarding county IV-D contracts is consistent with 45 CFR 304.21; and clarifies that certain enforcement activities provided by a probation officer are eligible for FFP. This rule replaces rule 5101:1-31.21 and part of rule 5101:1-31-23. This rule amplifies section 3125.03 of the Revised Code and Part 304 of Title 45 of the Code of Federal Regulations.

This rule describes the expenditures for which a CSEA shall not request federal financial participation (FFP) reimbursement. Changes from the rescinded rules include: the language regarding county IV-D contracts is consistent with 45 CFR 304.21 and language is added that prohibits the CSEA from receiving FFP for the cost of providing services that the CSEA is not authorized to perform under the rules in Division 5101:12 of the Administrative Code. This rule replaces rule 5101:1-31-25 and part of rule 5101:1-31-23. This rule amplifies section 3125.03 of the Revised Code and Part 304 of Title 45 of the Code of Federal Regulations.

This rule describes the process used by the CSEA when notified that an obligor is subject to income withholding; modifies the sentence following the definition of "cash out of vacation pay" because the payor is responsible for identifying the lump sum; specifies that, when the obligor's arrears are a result of the discrepancy between the monthly obligation and a non-monthly withholding cycle, the CSEA shall not consider the obligor as having arrears for the purpose of intercepting a lump sum; specifies that the CSEA may take enforcement action when notified of a lump sum of less than $150; removes information regarding division (D) of ORC section 3121.12 because the provision applies solely to the payor; and adds information regarding ORC section 3121.0311 to inform the CSEAs that, for a workers' compensation claim filed on or after 6/30/2006, attorney's fees shall be deducted prior to the Bureau of Workers' Compensation notifying a CSEA of the claim. This rule replaces rule 5101:12-50-12. This rule amplifies sections 3121.03, 3121.037, 3121.0311, 3121.12, and 3125.03 of the Revised Code.

OCS has revised the following forms.
This form is issued by the CSEA to direct the Ohio Lottery Commission (OLC) to send a specific amount of money to OCS for payment on a support order. Changes include: added fields to indicate when the form is a "New Form" or an "Amended Form" and added language to clarify that OLC shall terminate an intercept directive when the CSEA issues an amended intercept directive.

This form has been revised to remove personal information; changed the layout and text to comply with statutory requirements; incorporated language currently contained in form JFS 07781, "Addendum To Administrative Child Support Order" (8/2005).

OCS has adopted the following forms:

**Adopted Form** | **Adopted Form Title** | **Effective Date of Adoption**
--- | --- | ---
JFS 07070 | Notice to Terminate the State Lottery Prize Award Intercept Directive | 8/2007

This form is sent to the Ohio Lottery Commission (OLC) by the CSEA in order to terminate a previously-issued JFS 07071, "State Lottery Prize Award Intercept Directive."

JFS 01947 | Notice Regarding Child Support Services | 8/2007

The JFS 01947 is the form that the CSEA must use in the Child-Only Medicaid-Only (COMO) Project. The intent of the form is to notify the IV-D recipient that the CSEA is required to provide support enforcement program services and that the CSEA will proceed to terminate those services in fifteen days unless the IV-D recipient requests the CSEA to continue to provide services.

The CSEA must indicate on the JFS 01947 whether the case is a PRWORA COMO or a pre-PRWORA COMO.

The CSEA must follow the Case Closure Process workflows that were distributed to CSEAs when OCS introduced the COMO Project to ensure proper termination of services procedures are followed.

**INSTRUCTIONS:**

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A revised form will be replaced with the amended form.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:

http://innerapp.odjfs.state.oh.us/forms/inner.asp
INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Paragraph(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-12</td>
<td>(D) and (E)</td>
</tr>
<tr>
<td>5101:12-55-30</td>
<td>All paragraphs</td>
</tr>
<tr>
<td>5101:12-1-60</td>
<td>(A), (B), and (C)(3)</td>
</tr>
<tr>
<td>5101:12-1-60.1</td>
<td>(B)(4)(a) and (B)(15)</td>
</tr>
</tbody>
</table>
Rescinded Rule | Rescinded Rule Title | Prior Effective Date of Rule | Effective Date of Rescission
--- | --- | --- | ---
5101:12-1-87 | Statewide contract for location and collection services. | 7/1/2006 | 7/15/2007

This rule describes the responsibilities of the Child Support Enforcement Agency (CSEA), Ohio Department of Job and Family Services (ODJFS), and the statewide contractor that provides location and collection services to CSEAs. It is being rescinded and replaced by a new rule with the same rule number and title because more than fifty percent of this rule is being stricken and a comparable amount of new text is being added.

Adopted Rule | Adopted Rule Title | Effective Date of Adopted Rule
--- | --- | ---
5101:12-1-87 | Statewide contract for location and collection services. | 7/15/2007

This new rule was developed to reflect the changes brought about by the new statewide location and collection services contract. The new contract is between the selected vendor and the Ohio Department of Job and Family Services to provide location and collection services to Child Support Enforcement Agencies (CSEA) who elect to use the vendor's services.

Changes include: referrals will be limited to arrears-only cases; a description of when a referred case will be returned to the CSEA before the twelve month referral period has elapsed; and a description of the types of collections for which the contractor will not be paid.

Amended Rule | Amended Rule Title | Prior Effective Date | Effective Date of Amendment
--- | --- | --- | ---
5101:12-30-05 | Administrative subpoenas. | 9/1/2005 | 7/15/2007

This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. Changes include: minor revisions in terminology.

5101:12-30-10 | Service of process. | 9/1/2005 | 7/15/2007

This rule has been reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. Changes
INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.
TO:  All Child Support Program Manual Holders
FROM:  Helen E. Jones-Kelley, Director
SUBJECT:  JFS 01974, "Contact Letter"

OCS has proposed to revise the following form:

<table>
<thead>
<tr>
<th>Revision Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01974</td>
<td>Contact Letter</td>
<td>5/2007</td>
</tr>
</tbody>
</table>

This form has revised to add the alleged father's name; this change will benefit the end-user of the form, and it's now available in SETS.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A revised form will be replaced with the amended form.

The rules and forms in the CSPM can be accessed at:

http://emanuals.odjfs.state.oh.us/emanuals.

Forms can also be accessed on the ODJFS Forms Central web page at:

http://www.odjfs.state.oh.us/forms/inner.asp
CSPMTL 16
Child Support Program Manual Transmittal Letter No. 16
May 16, 2007

TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director
SUBJECT: Adoption of JFS 04090, "Notice of Erroneous Payment"

OCS has proposed to adopt the following form:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
</table>

This form has been revised to include citation to rule 5101:12-80-05.6 of the Ohio Administrative Code that authorizes the CSEA to obtain reimbursement for an overpayment of support.

INSTRUCTIONS:
When the CSPMTL is published, the CSPM will be updated as follows:

- A rescinded rule will be moved from the CSPM to the OAC Archive section of the eManuals.
- An amended rule will be inserted and the previous version will be moved to the OAC Archive section of the eManuals.
- An adopted rule will be inserted.
- A no change rule will continue with the same effective date.
- A rescinded form will be removed.
- A revised form will be replaced with the amended form.
- An adopted form will be inserted.

The rules and forms in the CSPM can be accessed at:
http://emanuals.odjfs.state.oh.us/emanuals.
Forms can also be accessed on the ODJFS Forms Central web page at:
http://www.odjfs.state.oh.us/forms/inner.asp
Child Support Program Manual Transmittal Letter No. 15

April 4, 2007

TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director

OCS has proposed to adopt the following forms:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In accordance with Ohio Administrative Code rule 5101:12-1-15, the Ohio Department of Job and Family Services (ODJFS) is responsible for monitoring access to and use of the support enforcement tracking system (SETS) to prevent and promptly identify unauthorized use. In addition to the requirements found in rule 5101:12-1-15, the ODJFS has a responsibility to safeguard taxpayer identification information which is available in SETS. As part of the new process for monitoring access to SETS, ODJFS has developed the JFS 07700. The JFS 07700 must be completed for each prospective SETS user before access can be granted and any time the child support enforcement agency (CSEA) modifies the profile and/or security level of an existing SETS user. The JFS 07700 does not replace the JFS 07078, &quot;Code of Responsibility&quot; (Rev. 4/2005), which shall continue to be used as part of the SETS access process. The JFS 07700, JFS 07078 and the JFS 07719, &quot;Tax Information Safeguarding Authorization Agreement&quot; (Rev. 10/2005) are all required and must be forwarded to OCS before access to SETS may be granted. Pursuant to Rule 5101:12-1-20.2(D), the JFS 07719 must be completed annually thereafter.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>This form provides instructions for the user to complete the JFS 07700.</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS for FORMS:

Forms will be updated in Forms Central at http://www.odjfs.state.oh.us/forms/inner.asp and in the eManual of the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals as follows:

- The adopted form will be inserted on the effective date of the form.
CSPMTL 14
March 8, 2007

TO: All Child Support Program Manual Holders
FROM: Helen E. Jones-Kelley, Director
SUBJECT: Rescission of Child Support Administrative Fund and Child Support Enforcement Agency (CSEA) Administrative Advance Rules, Adoption of JFS 04100, and Amendment of JFS 07048.

The Office of Child Support (OCS) is proposing to **rescind** the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-31-04</td>
<td>Child support administrative fund.</td>
<td>2/01/1999</td>
<td>3/19/2007</td>
</tr>
<tr>
<td></td>
<td>This rule is being rescinded and replaced with two new rules, 5101:9-6-83 and 5101:9-7-23, by the Office of Fiscal Services as the provisions deal with administrative funds of the child support program.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-31-06</td>
<td>Child support enforcement agency (CSEA) administrative advance.</td>
<td>7/15/2002</td>
<td>3/19/2007</td>
</tr>
<tr>
<td></td>
<td>This rule is being rescinded and replaced with a new rule, 5101:9-7-02, by the Office of Fiscal Services as the provisions deal with the administrative advance to the child support enforcement agencies (CSEAs).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has **adopted** the following form:

<table>
<thead>
<tr>
<th>Form to be Amended</th>
<th>Amended Form Title</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The JFS 04100 is a new form that replaces the brochure previously developed and distributed by the Ohio New Hire Reporting Center. The form has been revised and re-formatted for clarity. Additional revisions include: The phrase &quot;independent contractor&quot; is replaced with &quot;contractor&quot; throughout the form to better reflect the definition of &quot;contractor&quot; in section 3121.89 of the Ohio Revised Code; and The &quot;contact information&quot; section is revised to correct typographical errors and an incorrect telephone number.</td>
<td></td>
</tr>
</tbody>
</table>

OCS has **amended** the following form:

<table>
<thead>
<tr>
<th>Form to be Amended</th>
<th>Amended Form Title</th>
<th>Effective Date of Existing Form</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>
The JFS 07048 is revised as a complement to the JFS 04100. The terminology is revised to be consistent with that of the JFS 04100.

INSTRUCTIONS for RULES:
Rules will be updated in the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals as follows:

- Rescinded rules will be removed when the rescissions become effective.

INSTRUCTIONS for FORMS:
Forms will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals as follows:

- Amended forms will be replaced on the publication date of this CSPMTL.
- Adopted forms will be inserted on the publication date of this CSPMTL.
The Office of Child Support (OCS) is proposing to adopt the following rules:

<table>
<thead>
<tr>
<th>Rule to be Adopted</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-30</td>
<td>Central paternity registry.</td>
<td>2/15/2007</td>
</tr>
<tr>
<td></td>
<td>This new rule describes, in paragraph (A),</td>
<td></td>
</tr>
<tr>
<td></td>
<td>the authority for the Central Paternity</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Registry (CPR) and clarifies that the CPR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>is the &quot;birth registry&quot; that displays</td>
<td></td>
</tr>
<tr>
<td></td>
<td>information contained in a paternity</td>
<td></td>
</tr>
<tr>
<td></td>
<td>order or JFS 07038; paragraph (B) describes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>what must be filed with the CPR and when</td>
<td></td>
</tr>
<tr>
<td></td>
<td>it must be filed; paragraph (C) describes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>the CPR's duties; paragraph (C)(3)(a)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>describes the criteria the CPR will use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>to determine whether the JFS 07038 is</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot;completed correctly;&quot; paragraph (C)(5)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>describes when the CPR will rescind a</td>
<td></td>
</tr>
<tr>
<td></td>
<td>JFS 07038; paragraph (C)(7) describes when</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and to whom the CPR will release the</td>
<td></td>
</tr>
<tr>
<td></td>
<td>registry number.</td>
<td></td>
</tr>
<tr>
<td>5101:12-40-36</td>
<td>Reimbursement for cost of genetic testing.</td>
<td>2/15/2007</td>
</tr>
<tr>
<td></td>
<td>This new rule describes when and from whom</td>
<td></td>
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<tr>
<td></td>
<td>the CSEA may seek reimbursement for the</td>
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</tr>
<tr>
<td></td>
<td>costs of genetic testing. Paragraph (C)</td>
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</tr>
<tr>
<td></td>
<td>states that the CSEA shall be responsible</td>
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<tr>
<td></td>
<td>for ensuring that any reimbursement for</td>
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<tr>
<td></td>
<td>costs of genetic testing paid by ODJFS is</td>
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<tr>
<td></td>
<td>disbursed to ODJFS and that the CSEA retains</td>
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</tr>
<tr>
<td></td>
<td>reimbursement when the CSEA paid for the</td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS for RULES:**

Rules will be updated in the CSPM on the ODJFS InnerWeb at [http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals) as follows:

- Adopted rules will be inserted on the effective date of the rule.

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-36</td>
<td>(A), (B), and (C)</td>
</tr>
</tbody>
</table>
The Office of Child Support (OCS) has proposed to **rescind** the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-29-12</td>
<td>Non-OWF recipient application for child support services.</td>
<td>7/1/2002</td>
<td>01/01/2007</td>
</tr>
</tbody>
</table>

This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. This rule is not being replaced as the information is already contained in OAC rules 5101:12-10-01.1 and 5101:12-10-40.1.

| 5101:1-29-35.1 | Establishment of medical support. | 10/2/2003 | 01/01/2007 |

This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. The information contained within this rule will be contained primarily in proposed rule 5101:12-47-01. The National Medical Support Notice will be addressed in proposed rule 5101:12-57-10. Non-compliance will be contained in proposed rule 5101:12-57-01. The term "medical insurance obligee" will not be included in a replacement rule as it is not needed. Language regarding orders issued prior to 1998 will not be contained in a replacement rule because it is not needed. Information contained in paragraphs (F), (H), and (J) will not be included in a replacement rule because the CSEA is not required to enforce those provisions.

| 5101:1-29-35.2 | Enforcement of medical support. | 10/2/2003 | 01/01/2007 |

This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. Definitions will be contained in proposed rule 5101:12-47-01. The National Medical Support Notice (NMSN) will be addressed in proposed rule 5101:12-57-10. The JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request," will be addressed in proposed rule 5101:12-57-10.1. Employer responsibilities regarding the NMSN will be contained in proposed rule 5101:12-57-10.2. Health plan administrator responsibilities regarding the NMSN will be contained in proposed rule 5101:12-57-10.3. Administrative mistake of fact hearings regarding the NMSN will be contained in proposed rule 5101:12-57-10.4. Court mistake of fact hearings regarding the NMSN will be contained in proposed rule 5101:12-57-10.5. The requirement to continue withholding during the mistake of fact process will be contained in proposed rules 5101:12-57-10.4 and 5101:12-57.10.5. Terminating the NMSN will be contained in proposed rule 5101:12-57-10.6. Clarification that Medicaid does not meet the health care provision will be contained in proposed rule 5101:12-57-01. Medicaid eligibility requirements will be
contained in the next revision of rule 5101:12-10-31.2. Instructions on completing the JFS 06613, "Accident Injury Insurance Information," will be contained in proposed rule 5101:12-1-56. Instructions on completing the JFS 06612, "Health Insurance Information" have been removed because the process is now automated. Information regarding modifying the NMSN is addressed in 5101:12-60-05.1. Instructions on deleting and suppressing issuance of the NMSN will not be in a replacement rule because the language is not needed. Information contained in paragraphs (E) and (J) will not be in a replacement rule because the CSEA is not required to enforce those provisions.

<table>
<thead>
<tr>
<th>5101:1-29-35.6</th>
<th>Medical support payments.</th>
<th>7/1/2002</th>
<th>01/01/2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. The information from this rule will be contained in proposed rule 5101:12-57-20 of the Administrative Code. Court-ordered birth cost is already included in rule 5101:12-80-10. Instructions to use the JFS 07099, &quot;Collection of Medical Support Payments,&quot; will be contained in proposed rule 5101:12-1-56. Commentary and cautionary language regarding assigned birth cost will not be in a replacement rule because the language is not appropriate to a rule. Definitions of &quot;pre Natal&quot; and &quot;postpartum&quot; will not be contained in a replacement rule because they are not needed.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:1-29-36</th>
<th>Incentive.</th>
<th>7/1/2002</th>
<th>01/01/2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. The information from this rule will be contained in proposed rule 5101:12-1-56 of the Administrative Code. The references to SETS and the CSPC have been removed because the language is not needed. The address has been removed because it is listed on the JFS 07099. The instructions that the CSEA use retained funds as matching funds have been removed because the language is not needed.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:1-30-75</th>
<th>Certification to the U.S. district court.</th>
<th>7/1/2002</th>
<th>01/01/2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. This rule is being replaced by rule 5101:12-50-45.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:1-31-22</th>
<th>Non-PA application fee.</th>
<th>7/1/2002</th>
<th>01/01/2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. This rule is not being replaced as the information is already contained in OAC rules 5101:12-10-01.1. and 5101:12-10-40.1.</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5101:1-32-06</th>
<th>Parental duty of support beyond the age of majority.</th>
<th>03/09/2003</th>
<th>01/01/2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization, which includes reviewing each child support rule in Division 5101:1 and transitioning the rules to Division 5101:12. The information will be contained in rule 5101:12-60-45.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OCS has proposed to adopt the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
</table>

OCS has proposed to adopt the following rules:
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-56</td>
<td>Assigned medical support collections incentives.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td></td>
<td>This rule replaces rule 5101:1-29-36 and part of rule 5101:1-29-35.2. The rule describes the distribution of assigned medical support collections. Changes include specifying that the CSEA, when made aware of an accident or injury involving the medicaid applicant, recipient, or participant, is required to complete the JFS 06613, &quot;Accident Injury Insurance Information.&quot;</td>
<td></td>
</tr>
<tr>
<td>5101:12-47-01</td>
<td>Provision for medical support.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td></td>
<td>This rule replaces part of rules 5101:1-29-35.1 and 5101:1-29-35.2. The rule provides definitions and outlines the requirements of ORC sections 3119.30 and 3119.32 that each child support order contains a provision for the health insurance needs of the child and includes specific language within the order. Changes include replacing the term &quot;medical insurance obligor&quot; with &quot;health insurance obligor&quot; and adding the definition of &quot;medical support.&quot;</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-45</td>
<td>Enforcing a court support order through the United States district courts.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td></td>
<td>This rule replaces rule 5101:1-30-75. The rule describes the process for a CSEA to follow if a CSEA has not received satisfactory enforcement of an Ohio court support order and elects to submit the case to OCS for referral to use a U.S. district court. Language was added to emphasize that this process is intended to be an escalation of the CSEA's request for enforcement from the local and state levels to the federal level. There is one change in the process for the CSEA: the rule now requires the CSEA, rather than OCS, to send the thirty day notice to the other state to request assistance in enforcing the court support order. The rule was reformatted and revised for clarity.</td>
<td></td>
</tr>
<tr>
<td>5101:12-57-01</td>
<td>Enforcement of medical support provisions.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td></td>
<td>This rule replaces part of rules 5101:1-29-35.1 and 5101:1-29-35.2. This rule outlines the responsibility of the CSEA to enforce a medical support provision that is contained in a child support order. The rule provides clarification that Medicaid does not satisfy the requirement of the health insurance obligor to provide medical support under a child support order. There are no substantive changes.</td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10</td>
<td>National medical support notice.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td></td>
<td>This rule replaces part of rule 5101:1-29-35.1. This rule describes the content and purpose of the National Medical Support Notice (NMSN), requirements for issuing the NMSN, the JFS 03377, &quot;Employer/Health Plan Administrator Health Insurance Verification Request,&quot; and the JFS 04036, &quot;Notice of Medical Support Enforcement Activity.&quot; Changes include adding the alternative action required by the CSEA when the health insurance obligor is an active member of the military.</td>
<td></td>
</tr>
<tr>
<td>5101:12-57-10.1</td>
<td>Responsibility of employer.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td></td>
<td>This rule replaces part of rule 5101:1-29-35.2. This rule describes the responsibility of the employer of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377. There are no substantive changes.</td>
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</tr>
<tr>
<td>Rule number</td>
<td>Description</td>
<td>Date</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>5101:12-57-10.2</td>
<td>Responsibility of health plan administrator. This rule replaces part of rule 5101:1-29-35.2. This rule describes the responsibility of the health plan administrator of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377. There are no substantive changes.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>5101:12-57-10.3</td>
<td>Selecting a health plan option. This rule replaces part of rule 5101:1-29-35.2. This rule describes the responsibilities of the CSEA and the custodial parent in selecting a health plan option in which to enroll the child based on plan information received from the health plan administrator. There are no substantive changes.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>5101:12-57-10.4</td>
<td>Administrative mistake of fact hearing regarding the national medical support notice. This rule replaces part of rule 5101:1-29-35.2. This rule describes the reasons a health insurance obligor may request an administrative mistake of fact hearing, the time frame and method of submitting the request, the hearing process, and the health insurance obligor's right to object to the decision by filing with the court. Changes include added clarification that the CSEA shall not address the decision for reimbursement when a hearing determines that the person named as the health insurance obligor was named in error and premiums have been deducted.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>5101:12-57-10.5</td>
<td>Court mistake of fact hearing regarding the national medical support notice. This rule replaces part of rule 5101:1-29-35.2. This rule describes the court mistake of fact hearing process in accordance with ORC sections 3119.40 and 3119.41. There are no substantive changes.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>5101:12-57-10.6</td>
<td>Terminating the national medical support notice. This rule replaces part of rule 5101:1-29-35.2. This rule describes the three circumstances under which a CSEA may terminate the NMSN. Changes include removing language regarding SETS functionality.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>5101:12-57-20</td>
<td>Medical support payment. This rule replaces part of rule 5101:1-29-35.6. This rule provides definitions of birth cost and medical support payment, and directs the CSEA to collect and enforce medical support payment orders. There are no substantive changes.</td>
<td>01/01/2007</td>
</tr>
<tr>
<td>5101:12-60-45</td>
<td>Continuation of support obligation beyond the child's eighteenth birthday. This rule replaces rule 5101:1-32-06. This rule describes when the duty of support continues beyond the age of eighteen. The rule clarifies that the parental duty of support ends upon the child's eighteenth birthday except under three circumstances, describes the three circumstances, and identifies which two of the three circumstances require the parental duty of child support to not extend beyond the child's nineteenth birthday. Language regarding locating information in the support enforcement tracking system has been removed. There are no substantive changes.</td>
<td>01/01/2007</td>
</tr>
</tbody>
</table>

OCS has amended the following form:
<table>
<thead>
<tr>
<th>Form to be Amended</th>
<th>Amended Form Title</th>
<th>Effective Date of Existing Form</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07073</td>
<td>Request to Submit a Case to U.S. District Court</td>
<td>07/1988</td>
<td>12/2006</td>
</tr>
</tbody>
</table>

The format of the form was modified. Fields were added for the SETS case number, court support order number, Ohio county, and thirty day notice date. The form, rather than the rule, now specifies the required documentation the CSEA must attach to this form when submitting a case to OCS.

**INSTRUCTIONS for RULES:**

Rules will be updated in the CSPM on the ODJFS InnerWeb at [http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals) as follows:

- Rescinded rules will be removed when the rescission becomes effective.
- Adopted rules will be inserted on the effective date of the rule.

**INSTRUCTIONS for FORM:**

The form will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at [http://emanuals.odjfs.state.oh.us/emanuals](http://emanuals.odjfs.state.oh.us/emanuals) as follows:

- Amended form will be replaced on the effective date of the amended form.

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-56</td>
<td>(B)</td>
</tr>
<tr>
<td>5101:12-50-45</td>
<td>(C)</td>
</tr>
<tr>
<td>5101:12-57-10</td>
<td>(E)</td>
</tr>
<tr>
<td>5101:12-57-10.4</td>
<td>(I)</td>
</tr>
<tr>
<td>5101:12-57-10.5</td>
<td>(E)</td>
</tr>
</tbody>
</table>
The Office of Child Support (OCS) has proposed to **rescind** the following rules:

<table>
<thead>
<tr>
<th>Rule to be Rescinded</th>
<th>Rescinded Rule Title</th>
<th>Effective Date of Existing Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization,</td>
<td></td>
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<tr>
<td></td>
<td>which includes reviewing each child support rule in Division 5101:1 and transitioning</td>
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</tr>
<tr>
<td></td>
<td>the rules to Division 5101:12. The information in this rule will be contained in</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization,</td>
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<tr>
<td></td>
<td>which includes reviewing each child support rule in Division 5101:1 and transitioning</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the rules to Division 5101:12. The information in this rule will be contained in</td>
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</tr>
<tr>
<td></td>
<td>rule 5101:12-1-85.</td>
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</tr>
<tr>
<td></td>
<td>This rule is being proposed for rescission as part of the OCS rule reorganization,</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>which includes reviewing each child support rule in Division 5101:1 and transitioning</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>the rules to Division 5101:12. The information in this rule will be contained in</td>
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</tr>
<tr>
<td></td>
<td>rule 5101:12-40-1.</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>This rule is being rescinded and filed as new because more than fifty percent of the</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>rule is being revised; it maintains the same rule number and title.</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>This rule is being rescinded and filed as new because more than fifty percent of the</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rule is being revised; it maintains the same rule number and title.</td>
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</tbody>
</table>
This rule is being rescinded and filed as new because more than fifty percent of the rule is being revised. The rule maintains the same number and title. Provisions concerning the CPR's responsibility to review the JFS 07038 will be contained in the soon-to-be-proposed rule 5101:12-40-30.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-17</td>
<td>Rescinding an acknowledgment of paternity.</td>
<td>9/1/2005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12/15/2006</td>
</tr>
<tr>
<td>5101:12-40-20</td>
<td>Administrative paternity establishment.</td>
<td>9/1/2005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12/15/2006</td>
</tr>
<tr>
<td>5101:12-40-20.3</td>
<td>Modifying the birth certificate.</td>
<td>9/1/2005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12/15/2006</td>
</tr>
</tbody>
</table>

This rule is being rescinded and replaced by 5101:12-40-27.

OCS has proposed to adopt the following new rules:

<table>
<thead>
<tr>
<th>Rule to be Adopted</th>
<th>Adopted Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-85</td>
<td>Statewide genetic testing contract.</td>
<td>12/15/2006</td>
</tr>
<tr>
<td></td>
<td>This rule describes the statewide contract for genetic testing that the Ohio Department of Job and Family Services (ODJFS) may enter into with a laboratory that performs genetic testing. Changes in the new rule include: paragraph (A) specifies that OCS may (i.e. is not required to) enter into a contract with a genetic testing laboratory; (C) specifies that the CSEA shall only use the statewide genetic testing contract when there is not a final and enforceable determination of paternity or, if there is a final and enforceable determination of paternity, when a court action is brought to rescind the acknowledgment of paternity or to reverse the court or administrative order determining the existence or non-existence of a father and child relationship; (D) clarifies the invoice procedure; (E) specifies that the CSEA is responsible for paying for any genetic testing conducted under the statewide contract that did not meet the requirements described in paragraph (C); (F) specifies that the CSEA shall ensure that reimbursement for genetic testing paid by ODJFS is disbursed to ODJFS and failure to do so can result in removal from participation in the statewide contract; (G) states that a CSEA that has been removed from participation in the statewide contract must enter into a local contract for genetic testing.</td>
<td></td>
</tr>
</tbody>
</table>
This rule describes the responsibility of OCS to develop and disseminate a paternity establishment brochure and acknowledgment of paternity affidavit. The rule requires OCS to make the brochure and the acknowledgment of paternity affidavit available to individuals, contractual hospitals, CSEAs, and other agencies. There are no substantive changes.

<table>
<thead>
<tr>
<th>Rule</th>
<th>5101:12-40-05 Determination of the existence or non-existence of a father and child relationship.</th>
<th>12/15/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes the CSEA's responsibility to determine the existence/non-existence of a father and child relationship and addresses the statute of limitation. The title was changed to reflect the CSEA's requirement to assist a mother, alleged father, or, upon request, the presumed father in determining whether an alleged father or a presumed father is the natural father of a child. Changes in the new rule include: paragraph (A) provides definitions that apply throughout division 5101:12 including definitions of &quot;final and enforceable determination of paternity&quot; and &quot;disestablish paternity&quot;; (B) clarifies when the CSEA shall determine the father/child relationship for a child born out-of-wedlock and, upon request, when there is a presumption of paternity; (C) describes which CSEA has administrative responsibility; (D) clarifies when the CSEA must determine the father/child relationship administratively and when it may pursue it through a court action; and (F) states that the CSEA shall not assist either party in disestablishing paternity and discusses when the CSEA may and shall intervene in an action to disestablish paternity.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes when a man is presumed to be the father of a child. Changes in the new rule include: paragraph (A)(2) corrects an error in the presumptions listed in paragraph (A)(1) of the rescinded rule; and (B) includes presumptions that remain in effect even though they are no longer specified in ORC section 3111.03.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This rule describes the responsibility of the CSEA in notarizing the acknowledgment of paternity and filing it with OCS and states that the man who signs the acknowledgment assumes the duty of support. Changes in the new rule include: paragraph (A)(1) requires the CSEA to determine whether there is a man who is presumed to be the father of the child and (A)(2) states that the CSEA may notarize the JFS 07038 only when it has determined that there is not a presumed father; (A)(3) requires the CSEA to submit both the JFS 07038 and a JFS 07039 to the CPR; (C) states that the CSEA shall not attempt to overturn or withdraw a JFS 07038 that has been filed with the CPR but shall follow the procedures outlined in rule 5101:12-40-17 when one of the parties takes action to rescind the JFS 07038.</td>
<td></td>
</tr>
</tbody>
</table>

|---------------------|----------------------------------------------------------|------------|
|                     | This rule describes the processes by which an acknowledgment of paternity affidavit can be rescinded by an action initiated at the CSEA or by one of the parties filing an action in court. Changes in the new rule include: separated the rule into the administrative process (paragraph (A)) and the judicial process (paragraph (B)); (A)(1) reflects a revised date for the JFS 07038 and references the OAC rule instead of the ORC section for the administrative
determination of the father/child relationship; in (A)(2), included new information about rescinding a JFS 07038 during the administrative support order establishment process; in (B)(2), included new information about the parties filing an action under 3119.961 to rescind a JFS 07038.

<table>
<thead>
<tr>
<th>Rule to be Amended</th>
<th>Amended Rule Title</th>
<th>Effective Date of Existing Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-40-20.1</td>
<td>Scheduling and conducting genetic tests.</td>
<td>9/1/2005</td>
<td>12/15/2006</td>
</tr>
</tbody>
</table>

This rule describes when and how a CSEA will schedule genetic testing and that it may schedule a conference to provide the mother and alleged father the option to sign an acknowledgment of paternity when there is not a presumed father. Changes include: in paragraph (A), stated that the administrative officer must be assigned upon receipt of a request as described in paragraph (C) of proposed rule 5101:12-40-20 and changed the
reference from paragraph (D) of rule 5101:12-40-20 to paragraph (C) of the same rule; in paragraph (C), changed "outlined" to "described"; in paragraph (D), replaced "a genetic testing order" with "the JFS 07754, "Notice of Request for Paternity Determination and Order to Appear for Genetic Test" (rev. 11/2001)" and "an acknowledgment of paternity affidavit" with "a JFS 07038, "Acknowledgment of Paternity" (rev. 12/2006)" and removed reference to ORC section 3111.03; in paragraph (E), added a second paragraph that describes the CSEA's responsibility to have the parties complete a JFS 01716 when service of process has not been obtained on one of the parties who appears for genetic tests; and in paragraph (F), added that the examiner must be accredited by the American Association of Blood Banks.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Administrative Paternity Orders</th>
<th>Effective Dates</th>
</tr>
</thead>
</table>

This rule describes the administrative orders a CSEA is authorized to issue when determining the existence or non-existence of a father and child relationship. Changes include: in paragraph (A), deleted reference to rule 5101:12-30-10 as it is unnecessary; in paragraph (A)(2), required the CSEA to use the JFS 07771, "CSEA Administrative Order - Non-existence of Child-Parent Relationship" (rev. 1/2006); in (B), changed "If" to "When" and required the CSEA to use the JFS 07773, "CSEA Administrative Order - Paternity Finding Inconclusive" (rev. 8/2005); removed paragraph title "(B)(1)", in accordance with style requirements, but retained the information as an unlettered second paragraph in (B); in both paragraphs of (C)(1), required the CSEA to use the JFS 07771; re-lettered (E) to (F), and changed "if" to "when," changed OAC rule reference to OAC rules "5101:12-45-05 to 5101:12-45-05.4" and required the CSEA to use the JFS 07782, "Notice of Administrative Hearing to Establish a Support Order" (rev. 06.2001); inserted new paragraph (E) which describes the CSEA's responsibility to send the JFS 07771 and JFS 07774 to the Central Paternity Registry.

OCS has **amended** the following form:

<table>
<thead>
<tr>
<th>Form to be Amended</th>
<th>Amended Form Title</th>
<th>Effective Date of Existing Form</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
</table>

The JFS 07038 was modified to correct the list of presumptions on the first page in the section headed "Purpose of this Affidavit." Additionally, text was added to the second page to explain why the mother and father's social security numbers are required.

OCS has **adopted** the following form:

<table>
<thead>
<tr>
<th>Form to be Adopted</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adopted Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07039</td>
<td>CSEA Transmittal Log</td>
<td>12/2006</td>
</tr>
</tbody>
</table>

The CSEA will be required to complete and attach this form to any JFS 07771,
JFS 07774, JFS 07038, or JFS 07029 it files with the CPR.

<table>
<thead>
<tr>
<th>JFS 07723</th>
<th>Administrative Order to Modify the Birth Record</th>
<th>12/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>This form is required to be used by CSEAs instead of the HEA 3029. The CSEA will issue the JFS 07723 when it issues a JFS 07771, &quot;CSEA Administrative Order Non-Existence of Child-Parent Relationship,&quot; or JFS 07774, &quot;CSEA Administrative Order Establishment of Paternity,&quot; to modify the father's name on the birth record if it is not consistent with the JFS 07771 or JFS 07774. If the parties agree to change the child's surname, the JFS 07723 is required to be used by the CSEA to modify the birth record when it has issued a JFS 07774. The CSEA is permitted to issued the JFS 07723 only once in conjunction with a JFS 07774; therefore, the CSEA must ensure that it has determined whether the parties want the child's surname changed before it issues the JFS 07723.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS for RULES:

Rules will be updated in the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals as follows:

- Rescinded rules will be removed when the rescission becomes effective.
- Amended rules will be replaced on the effective date of the amended rule.
- Adopted rules will be inserted on the effective date of the rule.

INSTRUCTIONS for FORMS:

Forms will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals as follows:

- Amended forms will be replaced on the effective date of the amended form.
- Adopted forms will be inserted on the effective date of the form.

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the adopted and amended rules and forms contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook. The CSEA should give particular care when reviewing the following rules as they contain new or modified requirements with which the CSEA must comply:

<table>
<thead>
<tr>
<th>RULE</th>
<th>PARAGRAPH(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-85</td>
<td>(C), (E), and (F)</td>
</tr>
<tr>
<td>5101:12-40-05</td>
<td>(B), the second paragraph of (D), and (F)</td>
</tr>
<tr>
<td>5101:12-40-10</td>
<td>(A)(2) and (B)</td>
</tr>
<tr>
<td>5101:12-40-15</td>
<td>(A)(1), (A)(2), and (C)</td>
</tr>
<tr>
<td>5101:12-40-17</td>
<td>(B)</td>
</tr>
<tr>
<td>5101:12-40-20.1</td>
<td>(C) and the second paragraph of (E)</td>
</tr>
<tr>
<td>5101:12-40-20.2</td>
<td>(A)(2), (B), and (E)</td>
</tr>
<tr>
<td>5101:12-40-25</td>
<td>(C), (D), (E), and (F)</td>
</tr>
</tbody>
</table>
Additionally, the following forms are required to be used by the CSEA and may necessitate an amendment to the CSEA’s internal procedural manual:

- JFS 07038
- JFS 07039
- JFS 07723
The Office of Child Support (OCS) has amended the following rules in accordance with the five year rule review requirements:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-10.8</td>
<td>Withholding from unemployment compensation benefits initiated by a child support enforcement agency.</td>
<td>01/01/2006</td>
<td>12/01/2006</td>
</tr>
</tbody>
</table>

**Note:** The rule describes the requirements and process of deducting unemployment compensation benefits for child support. There is no change to the process. Paragraph (B) clarifies that withholding of unemployment compensation benefits is only available to IV-D cases, and paragraph (C) has formatting changes.

| 5101:12-50-50 | Judicial enforcement actions. | 01/01/2006 | 12/01/2006 |

**Note:** The rule describes the required and discretionary judicial enforcement actions. There is no change in the requirements or to the process. Paragraph (B)(2) is changed from "If" to "When;" in paragraphs (A) and (C)(5), the word "level" is deleted as it is not consistent with the style usage rules; and, in paragraph (C)(4), obsolete references are deleted.

| 5101:12-50-55 | Extradition of obligors. | 01/01/2006 | 12/01/2006 |

**Note:** The rule describes the process of extraditing obligors from another state to Ohio and describes the process used by the Ohio governor when a request to extradite an obligor residing in Ohio is received from another state. There is no change to the process. In paragraph (C)(1), "If" is changed to "When" and, as section 2919.21 of the Revised Code does not specify that the prosecutor is required to make the request, the second sentence is removed.

| 5101:12-50-58 | Criminal enforcement of support orders using "Project Save Our Children" (PSOC). | 01/01/2006 | 12/01/2006 |

**Note:** The rule describes procedures that a CSEA may use to enforce support orders using PSOC, which is a collaborative effort between federal agencies, ODJFS, and CSEAs. There is no change to the process. In paragraphs (H)(1)(b), (I)(2) and (I)(3), the OCS website address is deleted as the referenced forms are generally available to the CSEA on the OCS InnerWeb site; in paragraph (E), "If" is replaced with "When"; and, in paragraph (C)(6),
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Effective Date</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-65</td>
<td>Office of child support poster program.</td>
<td>01/01/2006</td>
<td>12/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>The rule describes the requirements of the OCS poster program.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>There is no change to the process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot;If&quot; is changed to &quot;When&quot; in paragraph (G).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-50-65.1</td>
<td>Child support enforcement agency poster program.</td>
<td>01/01/2006</td>
<td>12/01/2006</td>
</tr>
<tr>
<td><strong>Changes:</strong></td>
<td>The rule describes the requirements of the CSEA poster program.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>There is no change to the process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot;If&quot; is changed to &quot;When&quot; in paragraph (B).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS for RULES:**

Rules will be updated in the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals/GetDocument.do?doc=Document%28storage%3DREPOSITORY%2CdocID%3D as follows:

- Amended rules will be replaced on the Effective Date of Amendment.

**INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:**
CSPMTL 9
Child Support Program Manual Transmittal Letter No. 9
September 13, 2006

TO: All Child Support Program Manual Holders
FROM: Barbara E. Riley, Director
SUBJECT: Medical Support and Financial Institution Data Match Program.

The Office of Child Support (OCS) has proposed the **rescission** of the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-29-35</td>
<td>Medical support</td>
<td>10/1/2001</td>
<td>10/02/2006</td>
</tr>
</tbody>
</table>

**Note:** This rule is being reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. It is being proposed for rescission. The information in this rule, with the exception of the last sentence, is already contained in the following OAC rules: 5101:1-29-13, 5101:1-29-35.1, 5101:1-29-35.2, 5101:1-29-35.6, 5101:1-29-36, 5101:1-31-14, and 5101:12-10-31.2. The last sentence, which states that a CSEA is not required to seek medical payments from a third party, is not found elsewhere in OCS rules, but is also not necessary to state in rule. OCS plans to rescind rule 5101:1-29-35 and capture any relevant information in new medical support rules that will be renumbered under division 5101:12. These new rules will be posted in a future Clearance.


**Note:** This rule is being rescinded and the information will be contained in proposed rule 5101:12-55-10 of the Administrative Code.


**Note:** This rule is being reviewed in accordance with Section 119.032 of the Revised Code, which requires the review of all state agency rules within a five-year period. This rule is being rescinded and the information will be contained in proposed rule 5101:12-30-25 of the Administrative Code.

OCS has propose the **adoption** of the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-10</td>
<td>Financial institution data match program.</td>
<td>10/02/2006</td>
</tr>
</tbody>
</table>

**Note:** The rule incorporates formatting changes in accordance with current standards and has been revised as follow:

1. A reference to the state-to-state FIDM match program has been included in paragraph (B)(1) and (C)(6);

2. Clarified that if a CSEA determines that funds in an account represent Supplemental Security Income (SSI) payments, that portion of the account...
that represents SSI may not be used to enforce a support order using the FIDM program;

3. Clarified that if a CSEA determines that a legal restriction exists on the account that prevents the obligor from withdrawing the funds, that portion of the account that is legally restricted may not be used to enforce a support order using the FIDM program;

4. Clarified that the FIDM program is based on matches obtained from the federal offset list;

5. Referenced the JFS 04054, "Notice of Determination on Amount of Ownership;" and

6. Removed the information regarding the allocation of funds because that information is described in rule 5101:12-80-10 of the Ohio Administrative Code.

5101:12-30-25 Role of the CSEA administrative officer 10/02/2006

**Note:** This rule describes the qualifications, procedures, requirements, and standards necessary for the employment of the administrative officer, pursuant to section 3111.53 of the Revised Code. Rule 5101:1-32-01 has been reformatted and the language has been revised for clarity. There are no substantive changes to the rule.

The following forms have been **revised**:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Changes:</strong> This form has been reformatted to incorporate current formatting standards. In addition, appropriate Ohio Revised Code cites have been added.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Changes:</strong> This form has been reformatted to incorporate current formatting standards.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Changes:</strong> This form has been reformatted to incorporate current formatting standards.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Changes:</strong> This form has been reformatted to incorporate current formatting standards.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Changes:</strong> This form has been reformatted to incorporate current formatting standards.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INSTRUCTIONS for RULES:
Rules will be updated in the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals/csupport/CSP/@Generic__BookView;cs=default;ts=default as follows:

- Rescinded rules will be removed when the rescission becomes effective.
- Adopted rules will be inserted on the effective date of the rule.

INSTRUCTIONS for FORMS:
Forms will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals/csupport/CSP/@Generic__BookView;cs=default;ts=default as follows:

- Revised forms will be replaced on the effective date of the amended form.
The Office of Child Support (OCS) has proposed the **rescission** of the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-29-31.1</td>
<td>Ohio department of job and family services (ODJFS) case calculations, refunds and notices.</td>
<td>07/26/2002</td>
<td>07/01/2006</td>
</tr>
<tr>
<td></td>
<td><strong>Note</strong>: This rule is being rescinded because the material is related to a project that has been completed. The rule is not being replaced.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-29-31.2</td>
<td>Child support enforcement agency (CSEA) case reviews.</td>
<td>07/01/2002</td>
<td>07/01/2006</td>
</tr>
<tr>
<td></td>
<td><strong>Note</strong>: This rule is being rescinded because the material is related to a project that has been completed. The rule is not being replaced.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-30-77</td>
<td>Federal offset program to enforce past-due support obligations.</td>
<td>04/11/2003</td>
<td>07/01/2006</td>
</tr>
<tr>
<td></td>
<td><strong>Note</strong>: This rule is being rescinded and the information will be included in rules 5101:12-50-30, 5101:12-50-32 to 5101:12-50-32.10, and 5101:12-50-34.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Note</strong>: This rule is being rescinded and replaced with rule 5101:12-1-87.</td>
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<td></td>
</tr>
</tbody>
</table>

OCS has proposed the **adoption** of the following rules:

<table>
<thead>
<tr>
<th>Adopted Rule</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-87</td>
<td>Statewide contract for location and collection services.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td></td>
<td><strong>Note</strong>: This rule will replace 5101:1-31-28. No substantive changes have been made.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-30</td>
<td>Federal offset program.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td></td>
<td><strong>Note</strong>: This rule is an introductory rule that lists the rules that are included in</td>
<td></td>
</tr>
</tbody>
</table>
the federal offset program and describes how the programs within the federal offset program are related.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-50-32</td>
<td>Federal income tax refund offset program.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule provides an introduction to the federal income tax refund offset program and definitions used in the supplemental rules.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.1</td>
<td>Submission criteria.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes the criteria required for submittal to the federal tax refund offset program. Material in this rule is taken primarily from paragraph (F) of rule 5101:1-30-77. The restriction on submission of an obligor for federal offset due to a bankruptcy filing has been removed as the result of changes made by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (P.L. 109-8).</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.2</td>
<td>The federal match process and the pre-offset notice.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes the federal match process and the pre-offset notice procedure. Material in this rule is taken from paragraphs (C) and (L) of rule 5101:1-30-77.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.3</td>
<td>Adding, updating, and deleting obligors from the Ohio tax offset file.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes the requirements for adding, updating, and deleting obligors from the Ohio tax offset file. Material in this rule is taken from paragraphs (G), (H), (I), and (J) of rule 5101:1-30-77.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.4</td>
<td>Rejected submissions.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule contains material that was not in the previous rule regarding the procedures CSEAs are required to follow when a federal tax offset submission is rejected by the federal Office of Child Support Enforcement. Although this material has not appeared previously in the Administrative Code, the material does not contain any new procedures for CSEAs.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.5</td>
<td>Administrative offset review of federal offset program submittals.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes the process used for an administrative offset review of a submittal to the federal income tax refund offset program. Material in this rule is taken from paragraphs (M), (N), (O), (P), (Q), and (R) of rule 5101:1-30-77.</td>
<td></td>
</tr>
<tr>
<td>5101:12-50-32.6</td>
<td>The federal income tax refund offset process.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes the process used to offset an federal income tax refund. Material in this rule is taken from paragraphs (L) and (X) of rule 5101:1-30-77.</td>
<td></td>
</tr>
<tr>
<td>Rule Number</td>
<td>Description</td>
<td>Effective Date</td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>5101:12-50-32.7</td>
<td>Service fee. This rule describes fees which are charged by the federal Financial Management Service for each federal tax offset processed. Material in this rule is taken from paragraph (V) of rule 5101:1-30-77.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td>5101:12-50-32.8</td>
<td>Federal income tax refund offset reports.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td>5101:12-50-32.9</td>
<td>Invalid offsets: federal adjustments, state payments, and recovery of disbursed collections.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td>5101:12-50-32.10</td>
<td>Joint refunds. This rule describes the way in which federal tax refund offset collections from joint tax returns are disbursed. Material in this rule is taken from paragraphs (T) and (U) of rule 5101:1-30-77.</td>
<td>07/01/2006</td>
</tr>
<tr>
<td>5101:12-50-34</td>
<td>Passport denial. This rule describes the passport denial program. Material in this rule is taken from paragraphs (F) and (S) of rule 5101:1-30-77.</td>
<td>07/01/2006</td>
</tr>
</tbody>
</table>

The following form has been revised:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date</th>
<th>Effective Date of Revised Form</th>
</tr>
</thead>
</table>

Note: The form was modified to provide the correct address for submitting the form, add a column for the case number and order number, move the "Amount" column, and delete the "Transfer" column. The instructions were removed from the bottom of the JFS 07017 and placed in a new form, the JFS 07017 I.

The following forms have been adopted:

<table>
<thead>
<tr>
<th>Adopted Form</th>
<th>Adopted Form Title</th>
<th>Effective Date of Adopted Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07017 I</td>
<td>Instructions for Completing the JFS 07017</td>
<td>04/2006</td>
</tr>
</tbody>
</table>

Note: The instructions were removed from the JFS 07017 and updated to
provide clarity and address the changes in the JFS 07017.

<table>
<thead>
<tr>
<th>JFS 07071</th>
<th>State Lottery Prize Award Intercept Directive</th>
<th>06/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Note:</strong> OCS has created a new form in accordance with ORC section 3123.89 of the Revised Code. This form shall be issued by a child support enforcement agency (CSEA) to the Ohio Lottery Commission (OLC) upon determining that an obligor who is the recipient of a lottery prize award is subject to a final and enforceable determination of default made under ORC sections 3123.01 to 3123.07.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INSTRUCTIONS for RULES:**

Rules will be updated in the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals/ as follows:

- Rescinded rules will be removed when the rescission becomes effective.
- Adopted rules will be inserted on the effective date of the rule.

**INSTRUCTIONS for FORMS:**

Forms will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at: http://emanuals.odjfs.state.oh.us/emanuals/ as follows:

- Revised forms will replace the existing forms in the Forms section of the CSPM.
- Adopted forms will be added to the Forms section of the CSPM.
The Office of Child Support (OCS) has proposed the **rescission** of the following rules:

<table>
<thead>
<tr>
<th>Rescinded Rule</th>
<th>Rescinded Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-29-04</td>
<td>Performance measurements.</td>
<td>01/01/1998</td>
<td>06/15/2006</td>
</tr>
</tbody>
</table>

**Note:** Information regarding performance incentives has been incorporated into rules 5101:12-1-54 and 5101:12-1-54.1 of the Administrative Code. The information concerning the self-assessment is not being replaced because the assessment is now conducted by OCS.

| 5101:1-29-05 | Title IV-D case record requirements, Title IV-D and non IV-D case characteristics and spousal support as part of IV-D case. | 02/22/2002 | 06/15/2006 |

**Note:** Information from paragraph (A)(1) will be contained in rule 5101:12-1-10.1; (A)(3) will be in 5101:12-10-01.1; paragraphs (A)(2) and (A)(4) have been deleted as they only pertain to the OCSE 157 report; the definitions from paragraph (B) will be in 5101:12-1-10, 5101:12-10-01, 5101:12-10-01.1, and 5101:12-10-70; (B)(5)(c) is a requirement for the court and not the CSEA so has been removed; (C) and (E) will be contained in 5101:12-10-05; (D) has been removed as it is addressed in 5101:12-10-30.1; (F) has been removed as the CSEA only has a responsibility to enforce spousal support orders; (G) has been removed as SETS tracks spousal support arrears separately from child support arrears in OWF cases; (H) and (I) will be addressed in rules 5101:12-80-10, 5101:12-80-10.1, 5101:12-80-14, and 5101:12-80-14.1; (J) will be in rules 5101:12-1-54.1 and 5101:12-1-50.

<p>| 5101:1-29-06 | Child support enforcement agency services to non-IV-D cases. | 07/01/2002 | 06/15/2006 |</p>
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title of Rule</th>
<th>Effective Date</th>
<th>Repealed Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-29-07.1</td>
<td>Child support information: Confidentiality.</td>
<td>04/18/03</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:1-29-07.2</td>
<td>Security requirements for child support information: private contractors.</td>
<td>07/01/2002</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:1-29-11</td>
<td>Case closure and record retention.</td>
<td>02/22/2002</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:1-29-13</td>
<td>Availability of child support services.</td>
<td>04/18/2003</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:1-29-18</td>
<td>Collection of child support payments in foster care maintenance (Title IV-E) cases.</td>
<td>07/01/2002</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Rule Reference</td>
<td>Description</td>
<td>Date</td>
<td>Effective Date</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>5101:1-29-31</td>
<td>Distribution and disbursement of child support.</td>
<td>09/20/2001</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Note: This rule has been replaced with OAC rules 5101:12-80-14 and 5101:12-80-14.1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-30-01</td>
<td>Location for official child support business.</td>
<td>06/02/2001</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Note: This rule is being rescinded and the information will be contained in proposed rules 5101:12-20-05 to 5101:12-20-05.3 of the Administrative Code.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-30-04</td>
<td>Location efforts regarding parental kidnapping, child custody and visitation determination.</td>
<td>06/02/2001</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Note: This rule is being rescinded and the information will be contained in proposed rule 5101:12-20-10 of the Administrative Code.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-31-14</td>
<td>Allocation hierarchy for collections.</td>
<td>09/01/2003</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Note: This rule has been replaced with OAC rules 5101:12-80-10 and 5101:12-80-10.1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-31-30</td>
<td>Performance incentives for the Ohio child support enforcement program.</td>
<td>11/10/2005</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Note: This rule is being replaced with OAC rules 5101:12-1-54 and 5101:12-1-54.1. Significant changes have been added to the replacement rules, as recommended by the Executive Leadership Committee (ELC).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-31-31</td>
<td>Child support enforcement agency (CSEA) sanctions.</td>
<td>08/26/2002</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Note: Pertinent information contained in this rule will be found in 5101:12-1-01(E); the rest of the information is found at ORC section 5101.24.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-31-70</td>
<td>Child support funding.</td>
<td>07/01/2002</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Adopted Rule</td>
<td>Adopted Rule Title</td>
<td>Effective Date of Adopted Rule</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------</td>
<td>-------------------------------</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-01</td>
<td>The support enforcement program.</td>
<td>06/15/2006</td>
<td></td>
</tr>
</tbody>
</table>

**Note:** This rule provides an introduction to the federal and Ohio statutes which govern the creation and performance of the child support enforcement program and CSEAs in Ohio; it lists support enforcement program services that shall be provided to both IV-D and Non-IV-D cases for which a CSEA has administrative responsibility; it establishes the supervisory responsibility of the OCS; it introduces the program compliance process which is a new process that resulted from discussions with ELC. New to the rule is the requirement for CSEAs to submit revisions to the procedural handbook to OCS within 30 days of a revision that is based on a program change and submit the table of organization annually or within thirty days of a significant change; no other substantive changes in CSEA procedures have been made.
**Note:** This rule provides definitions of a "case" and of a "IV-D" and "Non-IV-D" case; it also provides both the federal and state definitions of a "support order;" it lists the support enforcement program services and clarifies the CSEA's responsibility to provide support enforcement program services to both IV-D and Non-IV-D cases; no substantive changes have been made.

<table>
<thead>
<tr>
<th>Rule Code</th>
<th>Rule Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-1-10.1</td>
<td>IV-D services.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule provides a list of services restricted to IV-D cases; the list has been updated as a result of analysis of state laws and federal rules (specifically, Non-IV-D cases may be submitted to SPLS and FPLS; ODT offsets are not limited to IV-D cases); no other substantive changes in CSEA procedures have been made.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-15</td>
<td>Support enforcement tracking system.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>New to this rule is paragraph (C), which is required by ORC section 3125.08, that states that ODJFS may deny access to SETS when an individual has been found to have unauthorized access to, or to have improperly disclosed or used, data in SETS (note: this provision will not be applied retroactive to the effective date of this rule); no other substantive changes in CSEA procedures have been made.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-20</td>
<td>Information handling: scope and definitions.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule is an introductory rule that contains definitions of terms used throughout the supplemental rules and defines the scope of these rules.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-20.1</td>
<td>Use of information.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes how information collected and maintained in the performance of support enforcement program functions shall be used, protected, and disseminated by a CSEA. Paragraph (K) clarifies the responsibility of an agency's employee with respect to a case with which the employee has an association (note: this paragraph was modified as a result of Clearance Comments). This provision is not intended to be retroactive and will become effective with the rule.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-20.2</td>
<td>Safeguarding of participant information.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule has been renumbered (it had been 5101:12-10-25.4). It is identical to 5101:12-10-25.4 except it includes references to the safeguarding of information obtained from the state parent locator service.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-25</td>
<td>Case record retention and destruction.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule incorporates information regarding record retention when the case is involved in an audit, litigation, or other action; no other substantive changes in CSEA procedures have been made.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-50</td>
<td>Program funding.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule incorporates information found in 5101:1-29-05, 5101:1-29-06, and 5101:1-31-70; no substantive changes in CSEA procedures have been made.</td>
<td></td>
</tr>
<tr>
<td>5101:12-1-54</td>
<td>Performance incentives for the Ohio child support enforcement program.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>Rule Code</td>
<td>Text</td>
<td>Date</td>
</tr>
<tr>
<td>-----------</td>
<td>--------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>5101:12-1-54.1</td>
<td>Performance incentives to child support enforcement agencies.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:12-10-01</td>
<td>Request for services.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:12-10-01.1</td>
<td>IV-D application and IV-D referral.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:12-10-02</td>
<td>Case intake.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:12-10-05</td>
<td>Case records.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td>5101:12-10-70</td>
<td>Termination of services.</td>
<td>06/15/2006</td>
</tr>
</tbody>
</table>

**Note:** This rule describes the process by which OCS receives performance incentives from the federal Office of Child Support Enforcement. There are no differences between the new rule and the rescinded rule regarding how the federal Office of Child Support Enforcement calculates incentives for the state child support agencies.

**Note:** This rule describes the process by which OCS distributes performance incentives to CSEAs. It also describes what a CSEA must do when it does not perform at an 80% achievement level and its performance level declines from the immediately preceding performance year. Changes include: a reduction in the amount of incentives held back from underperforming CSEAs and emphasized work plan requirements for targeted performance improvement.

**Note:** This rule specifies when a CSEA shall provide support enforcement program services and when it shall also provide IV-D services.

**Note:** Paragraph (A)(5) details when a new IV-D application is required following termination of IV-D services; the final paragraph in (B) provides information from federal PIQ-05-02; paragraph (C) describes the requirement for the CSEA to approve a IV-D application or IV-D referral as long as it does not meet a denial criteria; the denial criteria have been expanded; added parenthetical notes to (D)(2) and (D)(6); clarified information in (D)(5); added (D)(8) to address situations in which the CSEA receives a IV-D referral or IV-D application and a IV-D case already exists; no other substantive changes in CSEA procedures have been made.

**Note:** This rule clarifies that Non-IV-D cases must be processed in accordance with the case intake rule and that the CSEA is not required to conduct an interview; no other substantive changes in CSEA procedures have been made.

**Note:** This rule states that a summary notation can be added to the electronic record either by the worker or SETS; added specific demographic data regarding the non-custodial parent or alleged father which is the basis for automated location efforts as described in paragraph (D)(4) of proposed rule 5101:12-10-70; no substantive changes in CSEA procedures have been made.

**Note:** This rule distinguishes between the termination of IV-D services and the termination of support enforcement program services; the termination of support enforcement program services always result in case closure; identifies that a CSEA is responsible for providing support enforcement program services when IV-D services are terminated but the CSEA has a duty to provide support enforcement program services pursuant to ORC section 3125.11; clarifies that the case record must contain verification that the case met one of the termination criteria; specifies whether each termination criteria applies to a PA, NPA, or Non-IV-D case; clarifies whether use of each termination
criteria would result in the creation of a Non-IV-D case or case closure; clarifies that the CSEA could terminate services when there is no continuing duty of support pursuant to ORC section 3103.03 and there is no support order, the order has terminated and arrears are less than $500, or the order has terminated and the arrears are unenforceable under state law depending on the type of case; adds additional termination criteria in paragraphs (D)(13) and (D)(14) to serve existing business needs; clarifies that the CSEA is required to make reasonable efforts to establish paternity or a support order prior to terminating services, when appropriate.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-72</td>
<td>Continuation of services.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule, when coupled with paragraphs (D)(1)(a) and (D)(8) of rule 5101:12-10-70, clarifies when the CSEA may terminate IV-D services upon the termination of OWF, Medicaid, or IV-E benefits; no substantive changes in CSEA procedures have been made.</td>
<td></td>
</tr>
<tr>
<td>5101:12-20-05</td>
<td>Location of an individual for support enforcement program purposes.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule is an introductory rule that explains the purpose and scope of the location rules.</td>
<td></td>
</tr>
<tr>
<td>5101:12-20-05.1</td>
<td>Location tools.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes resources that a CSEA should access in order to locate an individual and the forms which may be used to obtain the information. This rule also contains some additional material regarding obligors in the military, CSENet transactions, and interstate forms.</td>
<td></td>
</tr>
<tr>
<td>5101:12-20-05.2</td>
<td>State parent locator service.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes the automated location sources that are accessed through the state parent locator service (SPLS).</td>
<td></td>
</tr>
<tr>
<td>5101:12-20-05.3</td>
<td>Federal parent locator service.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule describes the automated location sources that are accessed through the federal parent locator service (FPLS).</td>
<td></td>
</tr>
<tr>
<td>5101:12-20-10</td>
<td>Location for parental kidnapping, child custody, and visitation purposes.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>New to the rule are definitions of terms used within the rule. There are substantive changes in CSEA procedures.</td>
<td></td>
</tr>
<tr>
<td>5101:12-45-25</td>
<td>Monthly administration of support orders.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>This rule replaces rule 5101:12-40-10.4. No other changes were made to the rule other than to change the rule number.</td>
<td></td>
</tr>
<tr>
<td>5101:12-80-10</td>
<td>Allocation hierarchy for collections.</td>
<td>06/15/2006</td>
</tr>
<tr>
<td><strong>Note:</strong></td>
<td>The rule describes the predetermined hierarchy of obligations to which a standard collection must allocate.</td>
<td></td>
</tr>
<tr>
<td>5101:12-80-10.1</td>
<td>Federal income tax refund offset allocation</td>
<td>06/15/2006</td>
</tr>
</tbody>
</table>
Note: The rule describes the predetermined hierarchy of obligations to which a collection received from an IRS offset must allocate.

5101:12-80-10.2 Prorating collections. 06/15/2006

Note: This is a newly created rule that describes how to prorate standard collections and IRS offset collections when the obligor has more than one support order and no instructions were included with the collection.

5101:12-80-14 Assigned support collections. 06/15/2006

Note: The rule defines terms that are used in this rule and its supplemental rule and describes the effects of the assignment on current support obligations, arrears, and futures.

5101:12-80-14.1 Distribution of assigned support. 06/15/2006

Note: This rule describes how assigned support collections are distributed to current support, arrears, and futures when the case is currently receiving Ohio Works First (OWF) or Title IV-E foster care benefits and when the case is no longer receiving OWF or Title IV-E foster care benefits but arrears are assigned.

OCS is proposing to amend the following rule:

<table>
<thead>
<tr>
<th>Amended Rule</th>
<th>Amended Rule Title</th>
<th>Prior Effective Date of Rule</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-20</td>
<td>Liens against real and personal property.</td>
<td>09/01/2005</td>
<td>06/15/2006</td>
</tr>
</tbody>
</table>

Changes include: the addition of a new introductory paragraph; the addition of language to clarify requirements; the deletion of information that is addressed in section 3123.78 of the Revised Code; and the addition of a section that describes how a CSEA should assert a lien on property located in another state. Also, deleted references to asserting a lien on a motor vehicle from the Clearance version of this proposed amendment as a result of Clearance Comments.

The following form has been revised:

<table>
<thead>
<tr>
<th>Revised Form</th>
<th>Revised Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07006</td>
<td>Discharge of Lien.</td>
<td>03/2003</td>
<td>12/2005</td>
</tr>
</tbody>
</table>

Changes: The form has been revised to remove references to discharging a lien on a motor vehicle.

INSTRUCTIONS for RULES:
Rules will be updated in the CSPM on the ODJFS InnerWeb at:
http://emanuals.odjfs.state.oh.us/emanuals/ as follows:

- Rescinded rules will be removed when the rescission becomes effective.
- Adopted rules will be inserted on the effective date of the rule.
- Amended rules will be replaced on the effective date of the amended rule.

**INSTRUCTIONS for FORMS:**

Forms will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at:
http://emanuals.odjfs.state.oh.us/emanuals/ as follows:

- Revised form will replace the existing form in the Forms section of the CSPM.
Child Support Program Manual Transmittal Letter No. 6

June 7, 2006

TO: All Child Support Program Manual Holders

FROM: Barbara E. Riley, Director

SUBJECT: Child Support Forms Amended in CSPM and Removal of JFS 01435 from CSPM

**Amended Forms**

<table>
<thead>
<tr>
<th>Amended Form</th>
<th>Amended Form Title</th>
<th>Prior Effective Date of Form</th>
<th>Effective Date of Amended Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04034</td>
<td>Notice of Selection of Health Option</td>
<td>10/2003</td>
<td>12/2005</td>
</tr>
</tbody>
</table>

**Notes:** The form was reformatted to follow the standard format for all OCS forms. Language on the form was revised for purposes of clarity. This form was released into SETS production in Service Pack 12-2005 on 12/28/2005.


**Notes:** The form was reformatted to follow the standard format for all OCS forms. Language on the form was revised for purposes of clarity. This form was released into SETS production in Service Pack 2-2006 on 02/24/2006.

| JFS 04036    | Notice of Medical Support Enforcement Activity | 10/2003 | 1/2006 |

**Notes:** The form was reformatted to follow a standard format for all OCS forms. Language on the form was revised for purposes of clarity. This form was released into SETS production in Service Pack 3-2006 on 03/28/2006.

| JFS 04037    | Medical Support Enforcement Administration Mistake of Fact Hearing Decision | 10/2003 | 2/2006 |

**Notes:** The form was reformatted to follow the standard format for all OCS forms. Language on the form was revised for purposes of clarity. This form was released into SETS production in Service Pack 3-2006 on 03/28/2006.


**Notes:** The amended form clarifies that a license may have been suspended for failure to comply with a subpoena or warrant issued by a CSEA or court, that the person whose license was suspended must notify the CSEA when they have fully complied with the directive of the CSEA, and that the CSEA will determine if the license should be reinstated. The form has been reformatted to follow the standard format for all OCS forms. Language on the form has been revised for purposes of clarity. This form was released into SETS production in Service Pack 3-2006 on 03/28/2006.

**Notes:** The form has been reformatted to follow the standard format for all OCS forms. Language on the form has been revised for purposes of clarity. This form was released into SETS production in Service Pack 3-2006 on 03/28/2006.

|-----------|------------------------------------------|--------|--------|

**Notes:** This form was a part of Child Support Program Manual Transmittal Letter 2, with an expected effective date of 10/2005. However, when the form was put into SETS production, it had an effective date of 11/2005. This form was released into SETS production in Service Pack 12-2005 on 12/28/2005.

|-----------|---------------------------------------------------------------|--------|-------|

**Notes:** Personal identification information was removed from the form. The form has been reformatted to follow the standard format for all OCS forms. Language on the form has been revised for purposes of clarity. This form was released into SETS production in Service Pack 1-2006 on 01/27/2006.

**Form to be Removed from CSPM**

<table>
<thead>
<tr>
<th>Form to be Removed</th>
<th>Form Title</th>
<th>Effective Date of Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01435</td>
<td>Model Referral-Title IV-E Foster Care Receipt - Child Support</td>
<td>04/2006</td>
</tr>
</tbody>
</table>

**Notes:** This form has been modified by the Office for Children and families and will be maintained in the forms section of the Family, Children, and Adult Services Manual at http://emanuals.odjfs.state.oh.us/emanuals/.

**INSTRUCTIONS for FORMS:**

Forms will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals/ as follows:

- Amended forms will replace the existing forms in the Forms section of the CSPM.
- Removed forms will be removed from the CSPM upon issuance of this CSPMTL.
TO: All Child Support Program Manual Holders
FROM: Barbara E. Riley, Director
SUBJECT: Lien Levy and Execution Rules and JFS 04034, JFS 04035, JFS 04043, JFS 07006, JFS 07072, JFS 07771, and NMSN.

OCS is proposing to rescind the following rule:

<table>
<thead>
<tr>
<th>Rule to be Rescinded</th>
<th>Rescinded Rule Title</th>
<th>Effective Date of Existing Rule</th>
<th>Effective Date of Rescission</th>
</tr>
</thead>
</table>

Reason: This rule is being rescinded as part of the Office of Child Support (OCS) rule reorganization, which involves reviewing each rule and transitioning the rules to division 5101:12. This rule is being replaced by rule 5101:12-55-20.1.

OCS is proposing to adopt the following rule:

<table>
<thead>
<tr>
<th>Rule to be Adopted</th>
<th>Adopted Rule Title</th>
<th>Effective Date of Adopted Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-20.1</td>
<td>Lien levy and execution</td>
<td>4/01/2006</td>
</tr>
</tbody>
</table>

New Rule: This rule replaces rule 5101:12-55-20.1. The information regarding how the child support enforcement agency (CSEA) executes on a lien on personal or real property has been reorganized and the process has been clarified.

OCS is amending the following forms:

<table>
<thead>
<tr>
<th>Form to be Amended</th>
<th>Amended Form Title</th>
<th>Effective Date of Existing Form</th>
<th>Effective Date of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04034</td>
<td>Notice of Selection of Health Plan Options</td>
<td>10/2003</td>
<td>12/2005</td>
</tr>
</tbody>
</table>

Changes: The form has been reformatted to follow a standard, uniform format for OCS forms. References to "Medical Insurance Obligor" have been changed to "Health Insurance Obligor" and the language has been revised for clarity.

Changes: The form has been reformatted to follow a standard, uniform format for OCS forms. References to "Medical Insurance Obligee" have been changed to "Health Insurance Obligee" and the language has been revised for clarity.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04043</td>
<td>Notice to Payor/Office of Unemployment Compensation/Financial Institution to Terminate the Withholding of Obligor Income/Assets</td>
<td>7/2003 12/2005</td>
</tr>
</tbody>
</table>

Changes: The form has been revised to remove references to the Ohio Bureau of Employment Services, which merged with the Ohio Department of Job and Family Services in 2000, and replace them with Office of Unemployment Compensation.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date Range</th>
</tr>
</thead>
</table>

Changes: The form has been amended to identify only the last four digits of an obligor's social security number.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date Range</th>
</tr>
</thead>
</table>

Changes: The form has been revised to include certification requirements for the safeguarding of information from the Ohio Department of Taxation, Federal Parent Locator Service, and the ODJFS Office of Unemployment Compensation. The form also reflects the new, more specific requirements for the safeguarding of IRS information.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date Range</th>
</tr>
</thead>
</table>

Changes: Modifications include changing the prefix to "JFS" and adding a leading "0" to the form number to comply with the forms naming convention; updating references to ODJFS, ORC, or OAC cites; and correcting punctuation and terminology.

<table>
<thead>
<tr>
<th>Form Number</th>
<th>Description</th>
<th>Date Range</th>
</tr>
</thead>
</table>

Changes: The NMSN, which is a federal form, had language on pages 3 and 4 modified in accordance with Action Transmittal 05-05.

**INSTRUCTIONS for RULES:**

Rules will be updated in the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals/csupport/CSP as follows:
- Rescinded rules will be removed when the rescission becomes effective.
- Adopted rules will be inserted on the effective date of the rule.

**INSTRUCTIONS for FORMS:**

Forms will be updated in the Forms section of the CSPM on the ODJFS InnerWeb at http://emanuals.odjfs.state.oh.us/emanuals/csupport/CSP as follows:

- Amended forms will be replaced on the effective date of the amended form.
The Office of Child Support (OCS) has rescinded, amended, or adopted the following rules:

<table>
<thead>
<tr>
<th>Rescinded or Amended Rule Number(s)</th>
<th>Rescinded or Amended Rule Name</th>
<th>Effective Date of Rescinded or Amended Rule</th>
<th>New or Replacement Rule Number</th>
<th>New or Replacement Rule Name</th>
<th>Effective Date of New or Replacement Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-45</td>
<td>IV-D county contracts: Scope, contract types, and definitions</td>
<td>12/02/2004</td>
<td>5101:12-10-45</td>
<td>IV-D county contracts: Scope, contract types, and definitions</td>
<td>02/16/2006</td>
</tr>
<tr>
<td><strong>Changes:</strong></td>
<td>Clarified the definition of &quot;legal services,&quot; added a definition of &quot;program,&quot; and made formatting changes to conform with recent changes in formatting requirements.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-45.1</td>
<td>IV-D county contracts; Allowable costs and sources of the non-federal share</td>
<td>12/02/2004</td>
<td>5101:12-10-45.1</td>
<td>IV-D county contracts; Allowable costs and sources of the non-federal share</td>
<td>02/16/2006</td>
</tr>
<tr>
<td><strong>Changes:</strong></td>
<td>Clarified the definition of &quot;service of process&quot; to include warrants, stated additional activities which are not eligible for federal financial participation (FFP) reimbursement, and made formatting changes to conform with recent changes in formatting requirements.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:12-10-45.2</td>
<td>IV-D county contracts: Contract requirements</td>
<td>12/02/2004</td>
<td>5101:12-10-45.2</td>
<td>IV-D county contracts: Contract requirements</td>
<td>02/16/2006</td>
</tr>
<tr>
<td><strong>Changes:</strong></td>
<td>Clarified CSEA procurement requirements; clarified the definition of a &quot;sole source&quot;; described the requirements for the new JFS 07016, &quot;Ohio department of job and family services security addendum to IV-D services contract&quot; and JFS 07036, &quot;Time Sheet&quot;; and made formatting changes to conform with recent changes in formatting requirements.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Changes: Clarified the requirements for completing a time study using the JFS 02015, "IV-D Contract Time Study Form"; clarified the requirements for completing the time sheet using the JFS 07036, "IV-D Contract Time Sheet"; clarified the purpose of the IV-D multiplier; clarified requirements for completing the JFS 07020, "IV-D Contractor Budget"; and made formatting changes to conform with recent changes in formatting requirements.

The following rule is being adopted:

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Name</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-07</td>
<td>Mandatory electronic disbursement</td>
<td>02/09/2006</td>
</tr>
</tbody>
</table>

**New rule:** This rule was created to support implementation of mandatory disbursement of support obligations by electronic means in response to provisions of House Bill 66 that amended section 3121.50 of the Revised Code.

The following forms have been created or modified:

<table>
<thead>
<tr>
<th>FORM</th>
<th>TITLE</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01715</td>
<td>Waiver of Service of Notice of Order to Appear for Administrative Support Hearing</td>
<td>01/2006</td>
</tr>
</tbody>
</table>

**New form:** This form may be used by the CSEA when one or both of the parties did not receive service of process but appeared for an administrative support hearing. This form is not available in SETS but will be available in the Interim Document Solution (IDS).

| JFS 01716 | Waiver of Service of Notice and Order to Appear for Genetic Testing | 01/2006 |

**New form:** This form may be used by the CSEA when one or both of the parties did not receive service of process but appeared for genetic testing. This form is not available in SETS but will be available in the IDS.

| JFS 01772 | CSEA Contract Cover Letter | 02/2006 |

**Changes:** References to the JFS 07016 and requirements for portions of the county cost allocation plan were added to the JFS 01772. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.

<p>| JFS 02015 | IV-D Contract Time Study | 02/2006 |</p>
<table>
<thead>
<tr>
<th>Form Code</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 02015I</td>
<td>Instructions for Completing the JFS 02015</td>
<td>02/2006</td>
</tr>
<tr>
<td><strong>New form:</strong></td>
<td>Provided instructions for completing the JFS 02015. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.</td>
<td></td>
</tr>
<tr>
<td>JFS 07010</td>
<td>Request for Exception to Electronic Disbursement Enrollment</td>
<td>01/2006</td>
</tr>
<tr>
<td><strong>New form:</strong></td>
<td>The top portion of this form is completed by an obligee who is requesting to opt out of the electronic disbursement enrollment. The bottom portion of the form will be completed by the Electronic Disbursement Exception Committee and will indicate whether the request was approved. Not available in SETS but will be available on the CSPC and Disbursements/e-Disbursements pages on the OCS InnerWeb.</td>
<td></td>
</tr>
<tr>
<td>JFS 07016</td>
<td>Security Addendum to IV-D Service Contract</td>
<td>02/2006</td>
</tr>
<tr>
<td><strong>New form:</strong></td>
<td>This form must be signed by contractors. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.</td>
<td></td>
</tr>
<tr>
<td>JFS 07018</td>
<td>IV-D Service Contract</td>
<td>02/2006</td>
</tr>
<tr>
<td><strong>Changes:</strong></td>
<td>Added references to the JFS 07016 form. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.</td>
<td></td>
</tr>
<tr>
<td>JFS 07020</td>
<td>Child Support Contractor Budget</td>
<td>02/2006</td>
</tr>
<tr>
<td><strong>Changes:</strong></td>
<td>To more accurately account for full time equivalent workers (FTE's) and to include the calculation for the IV-D multiplier. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.</td>
<td></td>
</tr>
<tr>
<td>JFS 07036</td>
<td>IV-D Contract Time Sheet</td>
<td>02/2006</td>
</tr>
<tr>
<td><strong>New form:</strong></td>
<td>The format was modified. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.</td>
<td></td>
</tr>
<tr>
<td>JFS 07036I</td>
<td>Instructions for Completing the JFS 07036</td>
<td>02/2006</td>
</tr>
<tr>
<td><strong>New form:</strong></td>
<td>Provides instructions for completing the JFS 07036. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.</td>
<td></td>
</tr>
<tr>
<td>JFS 07072</td>
<td>Safeguarding of IRS Information</td>
<td>12/2005</td>
</tr>
</tbody>
</table>

*Changes:* Modified form for clarification and ease of use and to include specific instructions for completion of the form and calculation of the IV-D multiplier. Not available in SETS but will be available on the OCS InnerWeb at: Reference Center/Forms/IV-D Contracts.
INSTRUCTIONS:

**EFFECTIVE 02/16/2006**

The following rules will be removed and filed as obsolete:

<table>
<thead>
<tr>
<th>OAC Rule #</th>
<th>Effective/Revision Date</th>
<th>Replaced with:</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-10-45</td>
<td>12/02/2004</td>
<td>5101:12-10-45</td>
</tr>
<tr>
<td>5101:12-10-45.1</td>
<td>12/02/2004</td>
<td>5101:12-10-45.1</td>
</tr>
<tr>
<td>5101:12-10-45.2</td>
<td>12/02/2004</td>
<td>5101:12-10-45.2</td>
</tr>
<tr>
<td>5101:12-10-45.3</td>
<td>12/02/2004</td>
<td>5101:12-10-45.3</td>
</tr>
</tbody>
</table>

The following rule will be inserted in the CSPM

<table>
<thead>
<tr>
<th>Rule #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-80-07</td>
<td>02/09/2006</td>
</tr>
</tbody>
</table>

**EFFECTIVE IMMEDIATELY**

The following forms will be inserted in the Forms Section of the CSPM

<table>
<thead>
<tr>
<th>Form #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01715</td>
<td>01/2006</td>
</tr>
<tr>
<td>JFS 01716</td>
<td>01/2006</td>
</tr>
<tr>
<td>JFS 02015I</td>
<td>02/2006</td>
</tr>
<tr>
<td>JFS 07010</td>
<td>01/2006</td>
</tr>
<tr>
<td>JFS 07016</td>
<td>02/2006</td>
</tr>
<tr>
<td>JFS 07036</td>
<td>02/2006</td>
</tr>
<tr>
<td>JFS 07036I</td>
<td>02/2006</td>
</tr>
</tbody>
</table>
The following forms will be removed and filed as obsolete:

<table>
<thead>
<tr>
<th>Form #</th>
<th>Effective/Revision Date</th>
<th>Form #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 02015</td>
<td>11/2004</td>
<td>JFS 02015</td>
<td>02/2006</td>
</tr>
<tr>
<td>JFS 07018</td>
<td>11/2004</td>
<td>JFS 07018</td>
<td>02/2006</td>
</tr>
<tr>
<td>JFS 07020</td>
<td>12/2003</td>
<td>JFS 07020</td>
<td>02/2006</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders  
FROM: Barbara E. Riley, Director  
SUBJECT: New, Amended, and Rescinded Child Support Rules and Forms

The Office of Child Support (OCS) has adopted, amended, or rescinded the following rules:

<table>
<thead>
<tr>
<th>Rescinded or Amended Rule Number(s)</th>
<th>Rescinded Rule Name</th>
<th>Effective Date of Rescinded or Amended Rule</th>
<th>Replacement Rule Number</th>
<th>Replacement Rule Name</th>
<th>Effective Date of Replacement Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-30-03</td>
<td>Safeguarding of federal parent locator services (FPLS) information</td>
<td>06/02/01</td>
<td>5101:12-10-25.4</td>
<td>Safeguarding of participant information</td>
<td>01/01/06</td>
</tr>
<tr>
<td>Changes:</td>
<td>Discusses the safeguarding requirements for information obtained by the child support enforcement agency (CSEA) from the Internal Revenue Service, Federal Parent Locator Service, the Ohio department of taxation, and the Ohio office of unemployment compensation. The rule adds requirements for contractors, OCS staff, and CSEA staff to safeguard information received from all four sources.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-30-65</td>
<td>Safeguarding IRS taxpayer information</td>
<td>07/01/02</td>
<td>5101:12-10-25.4</td>
<td>Safeguarding of participant information</td>
<td>01/01/06</td>
</tr>
<tr>
<td>Changes:</td>
<td>Proposed OAC rule 5101:12-10-25.4 incorporates the provisions of rescinded OAC rules 5101:1-30-03 and 5101:1-30-65 in order to combine, in one rule, safeguarding requirements for information obtained from the IRS and the Federal Parent Locator Service. Safeguarding requirements for information obtained from the Ohio Department of Taxation and the Ohio Office of Unemployment Compensation have also been included in the replacement rule.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5101:1-30-58.4</td>
<td>IV-D services for Ohio obligees residing in other states</td>
<td>03/01/03</td>
<td>5101:12-10-30.1</td>
<td>Administrative responsibility</td>
<td>01/01/06</td>
</tr>
</tbody>
</table>
**Changes:** OAC rule 5101:12-10-30.1 incorporates provisions of rescinded rule 5101:1-30-58.4. Also, made minor clarifications in and reorganized rule 5101:12-10-30.1.

<table>
<thead>
<tr>
<th>5101:1-30-61.3</th>
<th>Termination of support</th>
<th>09/03/05</th>
<th>5101:12-60-50</th>
<th>Termination of support</th>
<th>01/01/06</th>
</tr>
</thead>
</table>

**Changes:** The proposed OAC rule 5101:12-60-50 has been reorganized for clarity. No substantive changes in CSEA procedures have been made.

<table>
<thead>
<tr>
<th>5101:1-30-79</th>
<th>Collection of child support through unemployment compensation</th>
<th>04/18/03</th>
<th>5101:12-50-10.8</th>
<th>Withholding from unemployment compensation benefits initiated by a child support enforcement agency (CSEA)</th>
<th>01/01/06</th>
</tr>
</thead>
</table>

**Changes:** The proposed OAC rule contains reorganized and clarified requirements for the withholding of unemployment compensation benefits. No substantive changes in CSEA procedures have been made.

<table>
<thead>
<tr>
<th>5101:1-31-73</th>
<th>Penalty for failure to meet reporting requirements</th>
<th>07/01/02</th>
<th>5101:12-10-40.3</th>
<th>Penalty for failure to meet reporting requirements</th>
<th>01/01/06</th>
</tr>
</thead>
</table>

**Changes:** The proposed OAC rule 5101:12-10-40.3 includes revisions to the penalties for failure by a CSEA to submit certain fiscal reports in a timely manner.

<table>
<thead>
<tr>
<th>5101:12-50-05</th>
<th>Techniques for the enforcement of support orders</th>
<th>09/01/05</th>
<th>5101:12-50-05</th>
<th>Techniques for the enforcement of support orders</th>
<th>01/01/06</th>
</tr>
</thead>
</table>

**Changes:** The proposed rule replaced the reference to rule 5101:1-30-86, "Voiding of fraudulent transfers," with proposed rule 5101:12-50-50, "Judicial enforcement actions."

<table>
<thead>
<tr>
<th>5101:1-30-40.1</th>
<th>Court actions</th>
<th>12/01/01</th>
<th>5101:12-50-50</th>
<th>Judicial enforcement actions</th>
<th>01/01/06</th>
</tr>
</thead>
</table>

**Changes:** The proposed rule includes judicial enforcement actions that are in addition to those included in 5101:1-30-40.1. The new rule describes both required and discretionary judicial actions. No substantive changes to the CSEA's procedures have been made.
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Description</th>
<th>Effective Date</th>
<th>Original Rule Number</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-30-58.3</td>
<td>Federal criminal non-support</td>
<td>03/01/03</td>
<td>5101:12-50-58</td>
<td>Changes: The proposed rule describes existing federal procedures and has been reorganized for clarity and ease of use. There is a specific reference to referral forms and a security agreement that is specifically for use in the PSOC program. No substantive changes to the CSEA's procedures have been made.</td>
</tr>
<tr>
<td>5101:1-30-58.5</td>
<td>Interstate collections</td>
<td>03/01/03</td>
<td>5101:12-70-05.1</td>
<td>Changes: The proposed rule does not include the first paragraph of the rescinded rule as disbursement information is contained in paragraph (A)(1) of rule 5101:12-80-05.4, &quot;Child support payment central (CSPC) disbursements&quot;; combined the second sentence of paragraph (A) and all of paragraph (B) from the rescinded rule and included them in paragraphs (A)(1)(f) and (A)(2)(i) of the proposed rule. No substantive changes to the CSEA's procedures have been made.</td>
</tr>
<tr>
<td>5101:1-30-58.7</td>
<td>Payment and recovery of costs for interstate cases</td>
<td>03/01/03</td>
<td>5101:12-70-05.1</td>
<td>Changes: Paragraph (A) of the rescinded rule was revised and added to paragraph (A)(2)(j) of the proposed rule; paragraph (B) of the rescinded rule will be included in the revision to the Genetic Testing rule (currently rule 5101:1-31-26); paragraph (C) of the rescinded rule was made obsolete by the adoption of the Uniform Interstate Family Support Act (UIFSA) so it is not included in the proposed rule; paragraphs (D), (E), and (F) of the rescinded rule were deleted because court costs and filing fees are already addressed in the OAC rules regarding IV-D contracts (5101:12-10-45 through 5101:12-10-45.7); deleted paragraph (G) of the rescinded rule as it is already addressed in rule 5101:12-80-05.7, &quot;Interstate cost recovery reporting.&quot; No substantive changes to the CSEA's procedures have been made.</td>
</tr>
<tr>
<td>5101:1-30-58.9</td>
<td>Surrender of obligor charged with criminal</td>
<td>01/01/98</td>
<td>5101:12-50-55</td>
<td>Extradition of obligors</td>
</tr>
</tbody>
</table>
Changes: Reorganized the material for clarity and ease of use; provided greater detail regarding the CSEA’s actions when requesting the extradition of an obligor from another state or responding to a request from another state of an obligor located in Ohio; described the process used by the Ohio governor when a request to extradite an obligor from another state or to Ohio is received. No substantive changes to the CSEA’s procedures have been made.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Action Description</th>
<th>Effective Date</th>
<th>Replaced By</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-30-86</td>
<td>Voiding of fraudulent transfers</td>
<td>04/18/03</td>
<td>5101:12-50-50</td>
<td>Judicial enforcement actions</td>
</tr>
<tr>
<td>5101:1-30-88</td>
<td>Professional license suspension</td>
<td>10/14/01</td>
<td>5101:12-55-25</td>
<td>License suspension</td>
</tr>
<tr>
<td>5101:1-30-88.1</td>
<td>Suspension of driver’s license</td>
<td>06/02/01</td>
<td>5101:12-55-25</td>
<td>License suspension</td>
</tr>
<tr>
<td>5101:1-30-88.2</td>
<td>Recreational license suspension</td>
<td>10/14/01</td>
<td>5101:12-55-25</td>
<td>License suspension</td>
</tr>
</tbody>
</table>

Changes: The material from the current rule was incorporated in the proposed rule and reorganized for clarity and ease of use. No substantive changes to the CSEA's procedures have been made.

Changes: The material from the current rule was incorporated in the proposed rule and reorganized for clarity and ease of use. No substantive changes to the CSEA's procedures have been made.

Changes: The material from the current rule was incorporated in the proposed rule and reorganized for clarity and ease of use. Other than the required notice, no substantive changes to the CSEA's procedures have been made.

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<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Name</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-30-90</td>
<td>Poster program</td>
<td>07/01/02</td>
</tr>
<tr>
<td>5101:12-50-65</td>
<td>Office of child support poster program</td>
<td>01/01/06</td>
</tr>
</tbody>
</table>

**Changes:** Separated the provisions for the OCS poster program and the CSEA poster program into a principle rule and a supplemental rule (5101:12-50-65.1), respectively; reorganized the material for clarity and ease of use; information contained in the ORC regarding the OCS and CSEA poster programs have been inserted; the rules specifically state that the posters may also be displayed electronically; the titles of required and model forms that are used in the process were included. No substantive changes to the CSEA's procedures have been made.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Name</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-30-90</td>
<td>Poster program</td>
<td>07/01/02</td>
</tr>
<tr>
<td>5101:12-50-65.1</td>
<td>Child support enforcement agency poster program</td>
<td>01/01/06</td>
</tr>
</tbody>
</table>

**Changes:** Clarified that the CSEA does not need to use the JFS 07022 when operating the CSEA poster program. No substantive changes to the CSEA's procedures have been made.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Name</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-31-30</td>
<td>Performance incentives for child support enforcement agencies</td>
<td>01/01/04</td>
</tr>
<tr>
<td>5101:1-31-30</td>
<td>Performance incentives for the Ohio child support enforcement program</td>
<td>11/10/05</td>
</tr>
</tbody>
</table>

**Changes:** The proposed amendments include: changing the name of the rule to "Performance incentives for the Ohio child support enforcement program"; requiring that $1.5 million of the annual federal incentives to Ohio be retained by ODJFS for the purpose of administration of the child support enforcement program (paragraph (B)(3)); clarifying language regarding the method of distribution of incentives in paragraph (D)(3); and requiring a portion of the funds in the state performance incentive improvement fund described in paragraph (C)(3)(d) be retained by the state in certain circumstances, for the purpose of improvement of the child support enforcement program.

**The following rule is being adopted:**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Name</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-26</td>
<td>Suspension of license to practice law</td>
<td>01/01/06</td>
</tr>
</tbody>
</table>

This is a newly created rule. This rule describes the procedures that are necessary for a child support enforcement agency (CSEA) to pursue the suspension of a license to practice law.
OCS has created or modified the following forms:

<table>
<thead>
<tr>
<th>FORM</th>
<th>TITLE</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01974</td>
<td>Contact Letter</td>
<td>07/2005</td>
</tr>
<tr>
<td></td>
<td><strong>Changes:</strong> Included fields for the case number, order number, and name of absent parent; modified text for clarity; added text regarding $1 fee if closed case is reopened at a later date.</td>
<td></td>
</tr>
<tr>
<td>JFS 07013</td>
<td>Ohio Department of Job and Family Services Federal Tax Information Safeguarding Questionnaire</td>
<td>07/2005</td>
</tr>
<tr>
<td></td>
<td><strong>New form:</strong> Created to comply with federal tax information safeguarding requirements.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>New form:</strong> Created to comply with federal tax information safeguarding requirements.</td>
<td></td>
</tr>
<tr>
<td>JFS 07072</td>
<td>Safeguarding of IRS Information</td>
<td>07/2005</td>
</tr>
<tr>
<td></td>
<td><strong>Changes:</strong> Revised to include certification requirements for the safeguarding of information from the Ohio Department of Taxation, Federal Parent Locator Service, and the ODJFS Office of Unemployment Compensation. Therefore, the form is now titled &quot;Safeguarding of Internal Revenue Service, Ohio Department Of Taxation, Federal Parent Locator Service, and Unemployment Compensation Information.&quot; The form also reflects the new, more specific requirements for the safeguarding of IRS information contained in the rule.</td>
<td></td>
</tr>
<tr>
<td>JFS 07229</td>
<td>Proposed Action to Suspend Driver's License</td>
<td>11/2005</td>
</tr>
<tr>
<td></td>
<td><strong>New form:</strong> CSEAs may use or modify this model form to notify the obligor when the CSEA is proposing to suspend the obligor's driver's license.</td>
<td></td>
</tr>
<tr>
<td>JFS 07230</td>
<td>Proposed Action to Suspend License to Practice Law</td>
<td>11/2005</td>
</tr>
<tr>
<td></td>
<td><strong>New form:</strong> CSEAs may use or modify this model form to notify the obligor when the CSEA is proposing to suspend the obligor's license to practice law.</td>
<td></td>
</tr>
<tr>
<td>JFS 07232</td>
<td>Proposed Action to Suspend Recreational License</td>
<td>11/2005</td>
</tr>
<tr>
<td></td>
<td><strong>New form:</strong> CSEAs may use or modify this model form to notify the obligor when the CSEA is proposing to suspend the obligor's recreational license.</td>
<td></td>
</tr>
<tr>
<td>JFS 07780</td>
<td>Addendum to Court Child Support Order</td>
<td>11/2005</td>
</tr>
<tr>
<td></td>
<td><strong>Changes:</strong> The language on the form has been amended for</td>
<td></td>
</tr>
</tbody>
</table>
INSTRUCTIONS:

**EFFECTIVE 01/01/2006**

Remove and file as obsolete: Replace with:

<table>
<thead>
<tr>
<th>OAC Rule #</th>
<th>Effective/Revision Date</th>
<th>OAC Rule #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-30-03</td>
<td>06/02/01</td>
<td>5101:12-10-25.4</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-65</td>
<td>07/01/02</td>
<td>5101:12-10-25.4</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-58.4</td>
<td>03/01/03</td>
<td>5101:12-10-30.1</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-61.3</td>
<td>09/03/05</td>
<td>5101:12-60-50</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-79</td>
<td>04/18/03</td>
<td>5101:12-50-10.8</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-31-73</td>
<td>07/01/02</td>
<td>5101:12-10-40.3</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:12-50-05</td>
<td>09/01/05</td>
<td>5101:12-50-05</td>
<td>01/01/06</td>
</tr>
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<td>5101:1-30-40.1</td>
<td>12/01/01</td>
<td>5101:12-50-50</td>
<td>01/01/06</td>
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<tr>
<td>5101:1-30-58.3</td>
<td>03/01/03</td>
<td>5101:12-50-58</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-58.5</td>
<td>03/01/03</td>
<td>5101:12-70-05.1</td>
<td>01/01/06</td>
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<tr>
<td>5101:1-30-58.7</td>
<td>03/01/03</td>
<td>5101:12-70-05.1</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-58.9</td>
<td>01/01/98</td>
<td>5101:12-50-55</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-86</td>
<td>04/18/03</td>
<td>5101:12-50-50</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-88</td>
<td>10/14/01</td>
<td>5101:12-55-25</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-88.1</td>
<td>06/02/01</td>
<td>5101:12-55-25</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-88.2</td>
<td>10/14/01</td>
<td>5101:12-55-25</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-90</td>
<td>07/01/02</td>
<td>5101:12-50-65</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-30-90</td>
<td>07/01/02</td>
<td>5101:12-50-65.1</td>
<td>01/01/06</td>
</tr>
<tr>
<td>5101:1-31-30</td>
<td>01/01/04</td>
<td>5101:1-31-30</td>
<td>11/10/05</td>
</tr>
</tbody>
</table>

**EFFECTIVE 01/01/2006**

Insert the following rule in the CSPM

<table>
<thead>
<tr>
<th>Rule #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:12-55-26</td>
<td>01/01/06</td>
</tr>
</tbody>
</table>
### EFFECTIVE IMMEDIATELY

Remove and file as obsolete: Replace with:

<table>
<thead>
<tr>
<th>Form #</th>
<th>Effective/Revision Date</th>
<th>Form #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 04041</td>
<td>10/2001</td>
<td>JFS 04041</td>
<td>11/2005</td>
</tr>
<tr>
<td>JFS 07072</td>
<td>05/1990</td>
<td>JFS 07072</td>
<td>7/2005</td>
</tr>
<tr>
<td>JFS 07780</td>
<td>06/2001</td>
<td>JFS 07780</td>
<td>11/2005</td>
</tr>
</tbody>
</table>

### EFFECTIVE IMMEDIATELY

Insert the following forms in the Forms Section of the CSPM

<table>
<thead>
<tr>
<th>Form #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01974</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 07013</td>
<td>7/2005</td>
</tr>
<tr>
<td>JFS 07014</td>
<td>10/2005</td>
</tr>
<tr>
<td>JFS 07229</td>
<td>11/2005</td>
</tr>
<tr>
<td>JFS 07230</td>
<td>11/2005</td>
</tr>
<tr>
<td>JFS 07232</td>
<td>11/2005</td>
</tr>
</tbody>
</table>
TO: All Child Support Program Manual Holders  
FROM: Barbara E. Riley, Director  
SUBJECT: New and Modified Child Support Forms  

The Office of Child Support (OCS) has created or modified the following forms:

<table>
<thead>
<tr>
<th>FORM</th>
<th>TITLE</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 01849</td>
<td>Request for an Administrative Review of the Support Order</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 01856</td>
<td>Denial of Request to Reschedule Administrative Review and Adjustment Hearing</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 01866</td>
<td>Administrative Review Pending Notice</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 01867</td>
<td>Right to Request an Administrative Review of the Support Order</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 01868</td>
<td>Dismissal of Administrative Review Request</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 02750</td>
<td>Child Support Administrative Fund Monthly Financial Statement</td>
<td>10/2005</td>
</tr>
<tr>
<td>JFS 07034</td>
<td>IV-D Contractor Monthly Expense Report</td>
<td>10/2005</td>
</tr>
<tr>
<td>JFS 07048</td>
<td>Ohio New Hire Reporting Form</td>
<td>08/2005</td>
</tr>
<tr>
<td>JFS 07616</td>
<td>Payor Notification to Comply with Withholding Deduction Notice</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 07635</td>
<td>Notice to Income Provider to Terminate the Withholding of Obligor’s Income/Assets</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 07650</td>
<td>Scheduling Notice for Administrative Review of Income Tax Refund Offset</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 07773</td>
<td>CSEA Administrative Order Paternity Finding Inconclusive</td>
<td>08/2005</td>
</tr>
<tr>
<td>JFS 07781</td>
<td>Addendum to Administrative Child Support Order</td>
<td>08/2005</td>
</tr>
<tr>
<td>JFS 07783</td>
<td>Payment History Report</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 07699</td>
<td>Welcome to the Ohio Child Support Program</td>
<td>10/2005</td>
</tr>
</tbody>
</table>

The Ohio Administrative Code (OAC) rules concerning administrative review and adjustment, 5101:12-60-05 to 5101:12-60-05.6, became effective September 01, 2005. Five new forms were created to assist the CSEAs in completing the administrative review and adjustment process. These forms are: JFS 01849, JFS 01856, JFS 01866, JFS 01867, and JFS 01868. These forms are required and cannot be altered except to the extent
that the CSEA enters necessary data in available fields. They have been made available in Word on the OCS InnerWeb in the Interim Documents Solution and can be completed on-line or saved to a local computer.

The JFS 07034, "IV-D Contractor Monthly Expense Report," has been revised to require a list of all codes used by the CSEA when reporting IV-D contract expenses on the JFS 02750 and to state the month and year in which the specific coding was reported on the JFS 02750.

The instructions which accompany JFS 07034 have also been revised as follows:

- Language has been added clarifying the requirement that the JFS 07034 be submitted electronically to OCS for each contract with an effective date of January 1, 2005, or later;
- The instructions have been revised to indicate which fields will automatically calculate results and the fields into which the user can enter data;
- Instructions for line 6 of the JFS 07034 have been modified to require the entry of a "1" in the field if line 6 is not being used. This will prevent calculation errors on the remainder of the form.
- Instructions have been added relating to the new coding section.

The JFS 07699 has been updated to support the mandatory electronic disbursement (e-disbursement) process required by amendments to ORC section 3121.50 that will be in effect in October 2005. Additionally, the form was modified to include instructions when the obligor chooses to pay support via a credit card.

The remaining forms, JFS 07048, JFS 07616, JFS 07635, JFS 07650, JFS 07773, JFS 07781 and JFS 07783 contain no significant changes. Modifications include changing the prefix to 'JFS' and adding a leading '0' to the form number in order to comply with the forms naming convention; updating references to ODJFS, ORC, or OAC cites; correcting punctuation; and terminology.

INSTRUCTIONS:

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<thead>
<tr>
<th>FORM</th>
<th>TITLE</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
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<td>JFS 01849</td>
<td>Request for an Administrative Review of the Support Order</td>
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<td>Denial of Request to Reschedule Administrative Review and Adjustment Hearing</td>
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</tr>
<tr>
<td>JFS 01866</td>
<td>Administrative Review Pending Notice</td>
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<tr>
<td>JFS 01867</td>
<td>Right to Request an Administrative Review of the Support Order</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 01868</td>
<td>Dismissal of Administrative Review Request</td>
<td>07/2005</td>
</tr>
</tbody>
</table>

EFFECTIVE IMMEDIATELY

the following forms will be added to CSPM forms

<table>
<thead>
<tr>
<th>FORM</th>
<th>EFFECTIVE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07048</td>
<td>08/2000</td>
</tr>
<tr>
<td>JFS 07616</td>
<td>11/2001</td>
</tr>
</tbody>
</table>

Remove and file as obsolete: Replace with:

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<tr>
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<th>Effective/Revision Date</th>
<th>Form #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07048</td>
<td>08/2000</td>
<td>JFS 07048</td>
<td>08/2005</td>
</tr>
<tr>
<td>JFS 07616</td>
<td>11/2001</td>
<td>JFS 07616</td>
<td>07/2005</td>
</tr>
<tr>
<td>Form #</td>
<td>Effective/Revision Date</td>
<td>Form #</td>
<td>Effective/Revision Date</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------</td>
<td>---------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>JFS 02750</td>
<td>09/1998</td>
<td>JFS 02750</td>
<td>10/2005</td>
</tr>
<tr>
<td>JFS 07034</td>
<td>11/2004</td>
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<td>10/2005</td>
</tr>
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<td>JFS 07699</td>
<td>11/2002</td>
<td>JFS 07699</td>
<td>10/2005</td>
</tr>
</tbody>
</table>

**EFFECTIVE 10/2005**

Remove and file as obsolete: Replace with:

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<tr>
<th>Form #</th>
<th>Effective/Revision Date</th>
<th>Form #</th>
<th>Effective/Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>JFS 07635</td>
<td>06/2003</td>
<td>JFS 07635</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 07650</td>
<td>08/2000</td>
<td>JFS 07650</td>
<td>07/2005</td>
</tr>
<tr>
<td>JFS 07773</td>
<td>01/2001</td>
<td>JFS 07773</td>
<td>08/2005</td>
</tr>
<tr>
<td>JFS 07781</td>
<td>06/2001</td>
<td>JFS 07781</td>
<td>08/2005</td>
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CSPMTL 1

Child Support Program Manual Transmittal Letter No. 1

August 26, 2005

TO: All Child Support Program Manual Holders

FROM: Barbara E. Riley, Director


EFFECTIVE: September 1, 2005

Effective September 1, 2005, the Child Support Enforcement Manual (CSEM) is hereby obsolete and replaced with the Child Support Program Manual (CSPM). In addition to forms and other documents, the CSPM contains all Child Support Program rules from the Ohio Administrative Code (OAC) and, therefore, is a rule-based manual.

The OAC organizes rules into two levels: principle and supplemental. A principle rule is one which contains the overarching authority and content of a particular topic, such as "Default." Supplemental rules, such as "Default Investigation" serve to further refine a principle rule. Not every principle rule will have a supplemental rule because, in some cases, no further refinement is needed. There may also be occasions when there will be a supplemental rule but no principle rule. These exceptions occur for several reasons, such as when a new law is passed which obsoletes the principle rule but not the supplemental rule.

The Child Support Program rules are Ohio Administrative Code rules and therefore use the OAC numbering convention. Here is an example:

5101:12-45-05.1

The rule numbers provide identifying information about the rule. In this example, the "5101" denotes the Department (ODJFS); the "12" designates the Division (Child Support); the "45" indicates the Chapter (Support Establishment); the "05" identifies the Principle Rule (Administrative Support Order Process); and the ".1" marks this rule as a Supplemental Rule (Scheduling the Administrative Support Hearing).

The CSPM contains all the child support rules that are currently in effect in 5101:1 (Public Assistance Division) and 5101:12 (Child Support Division). As 5101:1 rules are rescinded and replaced with 5101:12 rules, they will be removed from the CSPM.

Effective with this CSPMTL, all previously issued Child Support Enforcement Manual Transmittal Letters (CSEMTL) are obsolete and can be found in the CSPM section entitled "Obsolete CSEMTLs." The Child Support Enforcement Informational and Instructional Memorandums (CSEIIM) are incorporated in the CSPM.

As you know, all ODJFS manuals have been issued in electronic format for several years. The CSPM will likewise be issued in electronic format for internet users at the following location:

http://emanuals.odjfs.state.oh.us/emanuals

Individuals who desire a paper copy of the CSPMTL may order it through Legal/Policy Central (LPC) on the ODJFS website. The "Calendar" heading will take you to a calendar where you can click on the date that displays a CSPMTL. The date will take you to a page that provides information regarding the unit cost for the CSPMTL. The unit cost does not include shipping costs.

When you access the electronic CSPM you will see the CSPM Table of Contents is organized as follows:

CSPM Transmittal Letters
Child Support Program Rules
Forms
CSEIIMs (Information and Instructional Memorandums)
Archived Documents
Each category will take you to a sub-category. For example, when you click on the **CSPM Transmittal Letters** link, it will take you to links for the individual CSPMTLs organized by number; when you click on **Child Support Program Rules**, it will take you to chapters currently in use in the OAC and CSPM and, when you click on a specific chapter, it will take you to the individual rules that are currently in effect within that chapter. The **Archived Documents** hyperlink will take you to obsolete CSEIIMs and CSEMTLs and, eventually, to rescinded rules.

The CSPM will be organized in a way consistent with most other electronic manuals published by ODJFS. Whereas the CSEM was organized by sections (ex. CSE.1000 "Title IV-D Child Support Program," CSE.2000 "Establishment of the Support Order," etc.), the CSPM will be organized according to chapters, as outlined below:

Chapter 5101:1-29  Child Support Enforcement Agency: Title IV-D Cases
Chapter 5101:1-30  Locating Absent Parents; Paternity Establishment, Garnishment and Withholding; Tax Refund Offsets
Chapter 5101:12-10  Child Support Program Administration
Chapter 5101:12-20 Location
Chapter 5101:12-30 Administrative Procedure
Chapter 5101:12-40 Paternity Establishment
Chapter 5101:12-45 Support Establishment
Chapter 5101:12-50 Enforcement of the Support Order
Chapter 5101:12-55 Default and Enforcement of the Support Order Based on Determination of Default
Chapter 5101:12-57 Enforcement of Health Insurance Orders
Chapter 5101:12-60 Order Administration
Chapter 5101:12-70 Interstate Actions
Chapter 5101:12-80 Collections and Disbursements

When you review the electronic CSPM you will note that some of the chapters listed in this Manual Transmittal Letter are not displayed on the electronic CSPM. An example of this is 5101:12-20 "Location." This is because the Child Support rules regarding "Location" have not yet been transitioned from 5101:1 rules to 5101:12 rules. As these rules are reviewed, updated, and approved, they will be moved to the appropriate 5101:12 chapters. Future CSPMTLs will notify you of these occurrences.

The following table lists all of the current Child Support Program rules. You will see the table contains rules from 5101:1 as well as the rules already in 5101:12.

**Child Support Program Rules**

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<td>5101:12-45-05.4</td>
<td>Objecting to the Administrative Support Order</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-45-10</td>
<td>Calculation of Support Obligations</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-45-15</td>
<td>Grandparents' Responsibility for a Grandchild</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-50</td>
<td><strong>Enforcement of the Support Order</strong></td>
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<tr>
<td>5101:12-50-05</td>
<td>Techniques for the Enforcement of Support Orders</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-50-10</td>
<td>Income Withholding or Income Deduction</td>
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<tr>
<td>Code</td>
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<td>Date</td>
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<tr>
<td>5101:12-50-10.1</td>
<td>Income Which may be Withheld or Deducted</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-50-10.2</td>
<td>CSEA's Responsibility for Income Withholding or Income Deduction</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-50-10.3</td>
<td>Payor's Responsibility for Income Withholding</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-50-10.4</td>
<td>Financial Institution's Responsibility for Income Deduction</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-50-10.5</td>
<td>Enforcement of Income Withholding and Income Deduction Notices</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-50-10.6</td>
<td>Obligor and Obligee's Responsibilities for Income Withholding or Financial Institution Deduction</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-50-12</td>
<td>Lump Sum Payments</td>
<td>9/1/05</td>
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<td>5101:12-50-15</td>
<td>Cash Bonds</td>
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<td>5101:12-50-17</td>
<td>Seek Work Orders</td>
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<td>5101:12-50-19</td>
<td>Investigation When Change Occurs in Obligor's Source of Income or Status of Account</td>
<td>9/1/05</td>
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<td>5101:12-50-20</td>
<td>State Income Tax Refund Offset Program</td>
<td>12/17/04</td>
</tr>
<tr>
<td>5101:12-50-20.1</td>
<td>Pre-offset Notice and Right to Review</td>
<td>12/17/04</td>
</tr>
<tr>
<td>5101:12-50-20.2</td>
<td>Overdue Support</td>
<td>12/17/04</td>
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<tr>
<td>5101:12-50-20.3</td>
<td>Overpaid Child Support</td>
<td>12/17/04</td>
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<tr>
<td>5101:12-50-90</td>
<td>On-going Enforcement; Court-Ordered Limitation of Enforcement</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-55</td>
<td><strong>Default and Enforcement of the Support Order Based on Determination of Default</strong></td>
<td></td>
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<tr>
<td>5101:12-55-03</td>
<td>Default</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-55-03.1</td>
<td>Identification of Default and Notice to Obligor of Default and Potential Action</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-55-03.2</td>
<td>Default Investigation</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-55-03.3</td>
<td>Administrative Mistake of Fact Hearing Process</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-55-03.4</td>
<td>Enforcement Actions Based on Final and Enforceable Default Determination</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-55-15</td>
<td>Reporting Obligor to Credit Reporting Agency</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-55-20</td>
<td>Liens</td>
<td>9/1/05</td>
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<tr>
<td>5101:12-60</td>
<td><strong>Order Administration</strong></td>
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<tr>
<td>5101:12-60-05</td>
<td>Administrative Review and Adjustment Process</td>
<td>9/1/05</td>
</tr>
<tr>
<td>5101:12-60-05.1</td>
<td>Initiation of an Administrative Review</td>
<td>9/1/05</td>
</tr>
</tbody>
</table>
One of the functions of a Manual Transmittal Letter is to inform users of rules and forms that have been adopted, amended, or rescinded. The following chart lists 30 recently rescinded 5101:1 rules and 57 new 5101:12 rules that have been adopted to replace them. You will find that all of these newly-adopted rules are
Included in the Child Support Program Rules listed on the table above. All of the new rules have an effective date of September 1, 2005:

<table>
<thead>
<tr>
<th>Rescinded or Amended Rule Number</th>
<th>Rescinded Rule Name</th>
<th>Effective Date of Rescinded or Amended Rule</th>
<th>Replacement Rule Number</th>
<th>Replacement Rule Name</th>
<th>Effective Date of Replacement Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5101:1-30-12</td>
<td>New Hire</td>
<td>12/1/01</td>
<td>5101:12-10-90</td>
<td>New Hire Reporting Program</td>
<td>9/1/05</td>
</tr>
<tr>
<td>Changes: Amends and updates the definitions associated with new hire information.</td>
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<tr>
<td>5101:1-30-12</td>
<td>New Hire</td>
<td>12/1/01</td>
<td>5101:12-10-90.1</td>
<td>Employer Responsibilities</td>
<td>9/1/05</td>
</tr>
<tr>
<td>Changes: Consolidates the employer responsibilities with regards to support. It also establishes timeframes for submitting information to ODJFS.</td>
<td></td>
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</tr>
<tr>
<td>5101:1-30-12</td>
<td>New Hire</td>
<td>12/1/01</td>
<td>5101:12-10-90.2</td>
<td>New Hire Directory of Employees</td>
<td>9/1/05</td>
</tr>
<tr>
<td>Changes: Discusses the new hire directory of employees and how, when ODJFS finds a match between the list and an obligor, ODJFS shall contact the individuals for purposes of paternity or establishing or modifying support orders.</td>
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<tr>
<td>5101:1-30-12</td>
<td>New Hire</td>
<td>12/1/01</td>
<td>5101:12-10-90.3</td>
<td>New Hire Directory of Independent Contractors</td>
<td>9/1/05</td>
</tr>
<tr>
<td>Changes: Discusses the new hire directory of independent contractors and how ODJFS shall notify the respective CSEA so they may locate the individuals for purposes of paternity or establishing or modifying support orders.</td>
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</tr>
<tr>
<td>5101:1-30-18</td>
<td>Administrative Subpoenas</td>
<td>4/18/03</td>
<td>5101:12-30-05</td>
<td>Administrative Subpoenas</td>
<td>9/1/05</td>
</tr>
<tr>
<td>Changes: States that the CSEA has the same rights as a judge to administer oaths and enforce the attendance and testimony of witnesses.</td>
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</tr>
<tr>
<td>5101:1-30-19</td>
<td>Service of Process for Establishing and Enforcing Support Obligations</td>
<td>2/8/02</td>
<td>5101:12-30-10</td>
<td>Service of Process</td>
<td>9/1/05</td>
</tr>
<tr>
<td>Changes: States that service of process is the formal legal notice to a party that explains the purpose of the action and the party's legal rights. There is reference to the specific steps a CSEA should take when serving process.</td>
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<tr>
<td>5101:1-32-02</td>
<td>CSEA Paternity Process</td>
<td>12/1/01</td>
<td>5101:12-40-10</td>
<td>Presumption of Paternity</td>
<td>9/1/05</td>
</tr>
<tr>
<td>Changes: Discusses the circumstances under which a man is presumed to be a father.</td>
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<td>Code</td>
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<td>5101:1-32-02</td>
<td>CSEA Paternity Process</td>
<td>12/1/01</td>
<td>5101:12-40-15</td>
<td>Acknowledgement of Paternity</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses the JFS 07038 form which serves as the acknowledgement of paternity affidavit. The Central Paternity Registry definition was deleted.</td>
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<tr>
<td>5101:1-32-02</td>
<td>CSEA Paternity Process</td>
<td>12/1/01</td>
<td>5101:12-40-17</td>
<td>Rescinding an Acknowledgement of Paternity</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses how to rescind an acknowledgement of paternity.</td>
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<tr>
<td>5101:1-32-02</td>
<td>CSEA Paternity Process</td>
<td>12/1/01</td>
<td>5101:12-40-20</td>
<td>Administrative Paternity Establishment</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses how a CSEA establishes paternity. Contains information regarding the deletion of maintenance of the record of proceedings and the deletion of cooperative requirements of a public assistance recipient.</td>
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<tr>
<td>5101:1-32-02</td>
<td>CSEA Paternity Process</td>
<td>12/1/01</td>
<td>5101:12-40-20.1</td>
<td>Scheduling and Conducting Genetic Tests</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses how a CSEA shall schedule and conduct a genetic test. States that specific information requested on the JFS 07754 has been deleted.</td>
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<tr>
<td>5101:1-32-02</td>
<td>CSEA Paternity Process</td>
<td>12/1/01</td>
<td>5101:12-40-20.2</td>
<td>Administrative Paternity Orders</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Specifies the use of the JFS 07774. The service of process guidelines have been deleted.</td>
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<tr>
<td>5101:1-32-02</td>
<td>CSEA Paternity Process</td>
<td>12/1/01</td>
<td>5101:12-40-20.3</td>
<td>Modifying the Birth Certificate</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses the modification of the birth certificate.</td>
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<tr>
<td>5101:1-32-03</td>
<td>Administrative Support Order Process</td>
<td>7/15/02</td>
<td>5101:12-45-05</td>
<td>Support Order Establishment Process</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses the process for requesting and establishing a support order. Added a definition of the word &quot;parent&quot; and who may request the CSEA establish an order. Also discusses language that must be included in the support order.</td>
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<tr>
<td>5101:1-32-03</td>
<td>Administrative Support Order Process</td>
<td>7/15/02</td>
<td>5101:12-45-05.1</td>
<td>Scheduling the Administrative Support Hearing</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Explains how the CSEA shall schedule an administrative support order. Updates the information on how the county proceeds with this process.</td>
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<td>5101:1-32-03</td>
<td>Administrative Support Order Process</td>
<td>7/15/02</td>
<td>5101:12-45-05.2</td>
<td>Conducting the Administrative Support Hearing</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses conducting the administrative support hearing. Discusses eliminating redundancies regarding the CSEA's responsibility when one of the parties raises the issue of paternity.</td>
<td></td>
<td>5101:12-45-05.3</td>
<td>Administrative Support Order</td>
<td></td>
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<td></td>
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<td></td>
<td>5101:12-45-05.4</td>
<td>Objecting to the Administrative Support Order</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses the contents of the administrative support order. Contains more specific language about what must be in this document and what makes the order final and enforceable.</td>
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<tr>
<td>5101:1-30-40</td>
<td>State Guidelines for Child Support Awards</td>
<td>10/15/01</td>
<td>5101:12-45-10</td>
<td>Calculation of the Support Obligations</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses when the CSEA shall use the basic Ohio support guidelines schedule as set forth in the Revised Code. Adds information about imputing potential income.</td>
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<tr>
<td>5101:1-30-41.1</td>
<td>Methods of Enforcement</td>
<td>5/19/02</td>
<td>5101:12-50-05</td>
<td>Techniques for the Enforcement of Support Orders</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes the techniques for the enforcement of support orders that do not require a determination of default and where they can be found in the OAC and ORC.</td>
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<tr>
<td>5101:1-30-41.3</td>
<td>Income Withholding Procedures</td>
<td>12/1/01</td>
<td>5101:12-50-10</td>
<td>Income Withholding or Income Deduction</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes the requirements for implementing income withholding. Removes references to the default procedures, adds definitions of &quot;addendum notice,&quot; &quot;income withholding notice,&quot; and &quot;willfully.&quot; It also modifies the definition of &quot;support order.&quot;</td>
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<tr>
<td>5101:1-30-41.3</td>
<td>Income Withholding Procedures</td>
<td>12/1/01</td>
<td>5101:12-50-10.1</td>
<td>Income Which May Be Withheld or Deducted</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes what income may and may not be withheld and provides the address for DFAS.</td>
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<tr>
<td>5101:1-30-41.3</td>
<td>Income Withholding Procedures</td>
<td>12/1/01</td>
<td>5101:12-50-10.2</td>
<td>CSEA's Responsibility for Income Withholding and Income Deduction</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes how a CSEA shall issue one or more withholding notices to the obligor and payor. Lists the actions which requires the issuance of the JFS 04047, the timeframe surrounding its issuance, and the CSEA's responsibilities.</td>
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<tr>
<td>5101:1-30-41.3</td>
<td>Income Withholding Procedures</td>
<td>12/1/01</td>
<td>5101:12-50-10.3</td>
<td>Payor's Responsibilities for Income Withholding</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes the payor's responsibilities for income withholding and how these responsibilities impact the CSEA. Information that does not impact the CSEA was removed as was information that referenced lump sum payments.</td>
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<tr>
<td>5101:1-30-41.3</td>
<td>Income Withholding Procedures</td>
<td>12/1/01</td>
<td>5101:12-50-10.4</td>
<td>Financial Institution's Responsibilities for Income Withholding</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes the financial institution's responsibilities for income deduction. It also specifies what information impacts the CSEAs.</td>
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<tr>
<td>5101:1-30-41.3</td>
<td>Income Withholding Procedures</td>
<td>12/1/01</td>
<td>5101:12-50-10.5</td>
<td>Enforcement of Income Withholding and Income Deduction Notices</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes the enforcement of income withholding and income deduction notices. It also specifies the methods of enforcement and includes information from ORC section 3121.382 which resulted from HB 493.</td>
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<tr>
<td>5101:1-30-41.3</td>
<td>Income Withholding Procedures</td>
<td>12/1/01</td>
<td>5101:12-50-10.6</td>
<td>Obligor and Obligee's Responsibilities Under an Income Withholding or Income Deduction Notice</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Describes the obligor's and obligee's responsibilities regarding an income withholding or income deduction notice. Also includes information regarding the JFS 04048.</td>
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<tr>
<td>5101:1-30-49</td>
<td>Lump-Sum Payments</td>
<td>12/1/02</td>
<td>5101:12-50-12</td>
<td>Lump Sum Payments</td>
<td>9/1/05</td>
</tr>
<tr>
<td></td>
<td>Changes: Discusses the definition of a lump sum payment and the responsibilities a payor and a CSEA have when such a payment is made to an obligor.</td>
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<td>Section</td>
<td>Title</td>
<td>Effective Date</td>
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<tr>
<td>5101:1-30-41.1</td>
<td>Methods of Enforcement</td>
<td>5/19/02</td>
<td>Changes: Describes the circumstances when an obligor may be ordered to post a cash bond. Specifies that a CSEA may also not order a cash bond.</td>
<td></td>
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</tr>
<tr>
<td>5101:1-30-41.1</td>
<td>Methods of Enforcement</td>
<td>5/19/02</td>
<td>Changes: Describes seek work orders and discusses when the court or CSEA may issue such an order. Explains that the seek work order must mirror the OWF self-sufficiency contract when applicable.</td>
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<tr>
<td>5101:1-30-41.6</td>
<td>Investigation and Mistake of Fact Hearing</td>
<td>12/1/01</td>
<td>Changes: Describes the circumstances that require an investigation of the obligor's sources of income by the CSEA. Several references have been moved to 5101:12-50-10 and 5101:12-50-03.</td>
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<tr>
<td>5101:1-30-41.6</td>
<td>Investigation and Mistake of Fact Hearing</td>
<td>12/1/01</td>
<td>Changes: Describes when a CSEA must investigate an obligor's income or status of account. Removes language regarding investigations pursuant to ORC sections 3119.80, 3119.81, 3123.02, and 3119.89.</td>
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<tr>
<td>5101:1-30-42.8</td>
<td>Enforcement of the Support Order</td>
<td>5/19/02</td>
<td>Changes: Describes the default identification and determination process. Indicates the process affects both the IV-D and non IV-D cases, provides a list of enforcement actions, and removes references to specific SETS functionality.</td>
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<td>5101:1-30-42.8</td>
<td>Enforcement of the Support Order</td>
<td>5/19/02</td>
<td>Changes: Describes how default is identified each month. Describes the notice that the CSEAs may send to the obligors and explains that a CSEA may deny a request for an administrative mistake of fact hearing when it is not filed in a timely manner.</td>
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<tr>
<td>5101:1-30-42.8</td>
<td>Enforcement of the Support Order</td>
<td>5/19/02</td>
<td>Changes: Describes the default investigations. Details the investigation and states the investigation must be complete before the appropriate notice is issued.</td>
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<tr>
<td>Rule Number</td>
<td>Title</td>
<td>Effective Date</td>
<td>Related Rule</td>
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<td>5101:1-30-42.8</td>
<td>Enforcement of the Support Order</td>
<td>5/19/02</td>
<td>5101:12-55-03.3 Administrative Mistake of Fact Hearing Process</td>
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<td></td>
<td>Changes: Describes the administrative mistake of fact hearing. Expands on what a CSEA must do following a mistake of fact hearing and that the CSEA shall issue the results within five business days of the hearing.</td>
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<tr>
<td>5101:1-30-42.8</td>
<td>Enforcement of the Support Order</td>
<td>5/19/02</td>
<td>5101:12-55-03.4 Enforcement Actions Based on Final and Enforceable Default Determination</td>
<td>9/1/05</td>
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<td>Changes: Describes the enforcement actions based on final and enforceable default determination. Specifies actions required by ORC 3123.06 when a final and enforceable default determination is made.</td>
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<tr>
<td>5101:1-29-34.2</td>
<td>Reporting Obligor Default to Consumer Reporting Agencies (CRAs) and Periodic Review</td>
<td>4/1/01</td>
<td>5101:12-55-15 Reporting an Obligor to a Consumer Reporting Agency</td>
<td>9/1/05</td>
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<td></td>
<td>Changes: Discusses what information a CSEA shall make to a CRA when an obligor is in default.</td>
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<tr>
<td>5101:1-30-87</td>
<td>Liens Against Real and Personal Property</td>
<td>4/18/03</td>
<td>5101:12-55-20 Liens Against Real and Personal Property</td>
<td>9/1/05</td>
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<td>Changes: Discusses the concept of &quot;lien&quot; and how a CSEA may try to use it to enforce overdue support.</td>
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<tr>
<td>5101:1-30-40.3</td>
<td>Review and Adjustment of IV-D Court and Administration Child Support Orders</td>
<td>12/1/01</td>
<td>5101:12-60-05 Administrative Review and Adjustment Process</td>
<td>9/1/05</td>
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<td>Changes: Outlines the procedures for the periodic administrative review and adjustment of Title IV-D child support orders. Many of the definitions in the rule have been modified.</td>
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<tr>
<td>5101:1-30-40.3</td>
<td>Review and Adjustment of IV-D Court and Administration Child Support Orders</td>
<td>12/1/01</td>
<td>5101:12-60-05.1 Initiation of an Administrative Review</td>
<td>9/1/05</td>
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<td>Changes: Describes the conditions that may cause a CSEA to initiate an administrative</td>
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review. States that the review may take place before the 36 month timeframe when there has been a change in the cost of child care or health insurance. Also disallows a review based on a change in the deviation factor.

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<td>5101:12-60-05.2</td>
<td>Initiation of Temporary Adjustment for Certain Military Members</td>
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<tr>
<td>5101:12-60-05.3</td>
<td>The Administrative Review</td>
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<tr>
<td>5101:12-60-05.4</td>
<td>Calculation and Recommendation of a Revised Support Order</td>
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<td>5101:12-60-05.5</td>
<td>Notice of Hearing Rights</td>
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<td>5101:12-60-05.6</td>
<td>CSEA Administrative Adjustment Hearing Process</td>
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<tr>
<td>5101:12-70-05</td>
<td>Scope of Rule and Definitions for Interstate Case Processing</td>
<td>9/1/05</td>
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Describes the initiation of temporary adjustment for certain military members. This information is based on SHB 149.

Changes: Updates the administrative review process.

Changes: Describes the calculation and recommendation of a revised support order. Explains specific timeframes for the review.

Changes: Describes the notice of hearing rights and gives more information about the process. It also describes the notion of deviation.

Changes: Describes the CSEA administrative adjustment hearing process. Gives more details about the timeframes involved and clarifies what each party may do in the process.
| Act | Changes: Provides definitions for interstate case processing, references the federal regulations which govern interstate cases, and explains where to find provisions of the uniform interstate family support act (UIFSA). |
| 5101:1-30-50.1 | Other Procedural Matters | 3/1/03 | 5101:12-70-05.1 | Requirements for Initiating and Responding CSEAs in Interstate Cases | 9/1/05 |
| 5101:1-30-53 | Proceeding Involving Two or More States | 3/1/03 | 5101:12-70-05.1 | Requirements for Initiating and Responding CSEAs in Interstate Cases | 9/1/05 |

Changes: Discusses the specific requirements made of initiating and responding CSEAs when processing interstate cases.

| 5101:1-30-50.1 | Other Procedural Matters | 3/1/03 | 5101:12-70-05.2 | Establishment of Paternity in Interstate Cases | 9/1/05 |
| 5101:1-30-51 | Personal Jurisdiction (Long Arm Jurisdiction) | 3/1/03 | 5101:12-70-05.2 | Establishment of Paternity in Interstate Cases | 9/1/05 |
| 5101:1-30-52 | Interstate Paternity | 3/1/03 | 5101:12-70-05.2 | Establishment of Paternity in Interstate Cases | 9/1/05 |
| 5101:1-30-53 | Proceeding Involving Two or More States | 3/1/03 | 5101:12-70-05.2 | Establishment of Paternity in Interstate Cases | 9/1/05 |

Changes: Discusses the responsibilities of an initiating or responding CSEA when establishing paternity.

| 5101:1-30-50.1 | Other Procedural Matters | 3/1/03 | 5101:12-70-05.3 | Establishment of Support Orders in Interstate Cases | 9/1/05 |
| 5101:1-30-51 | Personal Jurisdiction (Long Arm Jurisdiction) | 3/1/03 | 5101:12-70-05.3 | Establishment of Support Orders in Interstate Cases | 9/1/05 |
| 5101:1-30-53 | Proceeding Involving Two or More States | 3/1/03 | 5101:12-70-05.3 | Establishment of Support Orders in Interstate Cases | 9/1/05 |

Changes: Describes an initiating or responding CSEA's responsibility when establishing support in interstate cases.

| 5101:1-30-50.1 | Other | 3/1/03 | 5101:12-70- | Determining the | 9/1/05 |
### Procedural Matters

| 5101:1-30-53 | Proceeding Involving Two or More States | 3/1/03 | 5101:12-70-05.4 | Determining the Controlling Order | 9/1/05 |
| 5101:1-30-54 | Controlling Order | 3/1/03 | 5101:12-70-05.4 | Determining the Controlling Order | 9/1/05 |

Changes: Discusses the uniform interstate family support act (UIFSA) and the fact that only one order can exist at any one time. Also discusses which state has control of the order.

| 5101:1-30-50.1 | Other Procedural Matters | 3/1/03 | 5101:12-70-05.5 | Enforcement of Support Orders in Interstate Cases | 9/1/05 |
| 5101:1-30-53 | Proceeding Involving Two or More States | 3/1/03 | 5101:12-70-05.5 | Enforcement of Support Orders in Interstate Cases | 9/1/05 |
| 5101:1-30-55 | Registration of Orders | 3/1/03 | 5101:12-70-05.5 | Enforcement of Support Orders in Interstate Cases | 9/1/05 |
| 5101:1-30-58.2 | Direct Enforcement of Support Orders | 1/1/98 | 5101:12-70-05.5 | Enforcement of Support Orders in Interstate Cases | 9/1/05 |

Changes: Discusses the CSEA enforcement responsibilities in interstate cases.

| 5101:1-30-50.1 | Other Procedural Matters | 3/1/03 | 5101:12-70-05.6 | Modification of Controlling Orders in Interstate Cases | 9/1/05 |
| 5101:1-30-53 | Proceeding Involving Two or More States | 3/1/03 | 5101:12-70-05.6 | Modification of Controlling Orders in Interstate Cases | 9/1/05 |

Changes: Describes the responsibilities a CSEA has when modifying controlling orders in interstate cases.

| 5101:1-30-50.1 | Other Procedural Matters | 3/1/03 | 5101:12-70-10 | Forms for Interstate Case Processing | 9/1/05 |
| 5101:1-30-53 | Proceeding Involving Two or More States | 3/1/03 | 5101:12-70-10 | Forms for Interstate Case Processing | 9/1/05 |
| 5101:1-30-57 | Mandated Forms | 11/1/00 | 5101:12-70-10 | Forms for Interstate Case Processing | 9/1/05 |

Changes: Lists the OMB and JFS forms needed to process interstate cases.

<p>| 5101:1-30-50.1 | Other | 3/1/03 | 5101:12-70-15 | The Role and | 9/1/05 |</p>
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Provision</th>
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<tbody>
<tr>
<td>5101:1-30-53</td>
<td>Proceeding Involving Two or More States</td>
<td>3/1/03</td>
<td>5101:12-70-15 The Role and Responsibilities of the Interstate Central Registry (ICR)</td>
<td>9/1/05</td>
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<tr>
<td>5101:1-30-56</td>
<td>Ohio Interstate Central Registry and Child Support Enforcement Network (CSENet)</td>
<td>3/1/03</td>
<td>5101:12-70-15 The Role and Responsibilities of the Interstate Central Registry (ICR)</td>
<td>9/1/05</td>
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**Changes:** Describes the interstate central registry (ICR) in Ohio which is mandated by federal regulations.

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<tr>
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<tr>
<td>5101:1-30-50.1</td>
<td>Other Procedural Matters</td>
<td>3/1/03</td>
<td>5101:12-70-20 The Child Support Enforcement Network</td>
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<tr>
<td>5101:1-30-53</td>
<td>Proceeding Involving Two or More States</td>
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<td>Ohio Interstate Central Registry and Child Support Enforcement Network (CSENet)</td>
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<td>5101:12-70-20 The Child Support Enforcement Network</td>
<td>9/1/05</td>
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**Changes:** States the CSEA shall use the child enforcement network (CSENet) when processing interstate cases.

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<tr>
<th>Rule Number</th>
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<tr>
<td>5101:1-29-96.2</td>
<td>Ohio Works First (OWF) Recipients Required to Cooperate with IV-D Agency</td>
<td>4/18/03</td>
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<tr>
<td>5101:1-30-40.2</td>
<td>Timeframe for Establishing a Support Order</td>
<td>1/1/98</td>
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<td>5101:1-30-58.6</td>
<td>Pleadings and Other Documents</td>
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<td>Rule Obsolete</td>
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<td>5101:1-30-58.8</td>
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<td>Procedural Rules</td>
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**INSTRUCTIONS:**
Remove and file as obsolete all sections of the Child Support Enforcement Manual and replace with the Child Support Program Rules.
The Ohio Support Enforcement Program
CSPMTL 116

Effective Date: March 1, 2012 (No Change)
Most Current Prior Effective Date: March 1, 2012

(A) The office of child support (OCS) within the Ohio department of job and family services (ODJFS) has been established in accordance with section 3125.02 of the Revised Code.

(1) In accordance with section 3125.03 of the Revised Code, OCS is responsible for the establishment and administration of a support enforcement program that meets the requirements of Title IV-D of the Social Security Act, Pub. L. No. 93-647, 88 Stat. 2351 (1975), 42 U.S.C. 651 (8/22/1996), as amended, and any rules adopted under Title IV-D. The program of child support enforcement shall include:

(a) Location of custodial or non-custodial parents or alleged fathers;
(b) Establishment of parentage;
(c) Establishment and modification of child support orders and medical support orders;
(d) Enforcement of support orders;
(e) Collection of support obligations; and
(f) Any other actions appropriate to child support enforcement.

(2) In accordance with section 3125.05 of the Revised Code, OCS is responsible for the establishment of a program of spousal support enforcement in conjunction with the program of child support enforcement. The program is required to conform, to the extent practicable, to the program for child support enforcement established pursuant to section 3125.03 of the Revised Code.

(B) Pursuant to section 3125.10 of the Revised Code each county shall have a child support enforcement agency (CSEA).

(C) In accordance with section 3125.11 of the Revised Code, the CSEA shall operate a support enforcement program.

(D) In accordance with section 3125.24 of the Revised Code, the CSEA shall be operated under the supervision of OCS in accordance with the program of child support enforcement established pursuant to section 3125.03 of the Revised Code. OCS shall ensure that all child support enforcement agencies comply with all applicable state and federal support regulations, including the affirmative duties of Title IV-D of the Social Security Act.

(E) ODJFS/OCS may take action in accordance with section 5101.24 of the Revised Code when a CSEA fails to comply with the requirements of all applicable state and federal laws governing the support enforcement program, including the affirmative duties of Title IV-D of the Social Security Act.

(F) In accordance with section 3125.10 of the Revised Code, the CSEA may be organized as a government entity designated under former section 2301.35 of the Revised Code prior to October 1, 1997, or as a private or government entity designated under section 307.981 of the Revised Code on or after that date.

(G) In accordance with section 3125.12 of the Revised Code, the CSEA is required to enter into a plan of cooperation with the board of county commissioners under section 307.983 of the Revised Code and to comply with each grant agreement the board enters into under section 307.98 and contracts the board enters into under sections 307.981 and 307.982 of the Revised Code that affect the agency. As used within agency 5101 of the Administrative Code, "board of county commissioners" includes alternative forms of government authorized by Chapter 302. of the Revised Code.

(H) The CSEA's services and activities are subject to the administrative hearing procedures of division 5101:6 of the Administrative Code.
Each CSEA shall:

1. Develop and maintain a handbook of internal procedures. The CSEA shall revise the handbook whenever a program change requires modification of local procedures. The CSEA shall submit such revisions to the handbook to OCS within thirty days of the revision. The CSEA shall ensure that the handbook contains sufficient detail to be useful in orienting new staff and serves as an up-to-date reference for all staff. At a minimum, the handbook must describe the local procedures in place to ensure that the program is in compliance with the Administrative Code, Revised Code, Code of Federal Regulations, and United States Code. Copies of all local forms used and instructions for completing the forms must be included. Upon request, the handbook must be available to OCS staff for program review.

2. Develop and maintain an up-to-date agency table of organization. The table of organization must be submitted to OCS staff for review every year by the thirty-first day of December or within thirty days of any significant change to the CSEA’s structure.

Five Year Review (FYR) Dates: 09/06/2016 and 09/06/2021
Certification: CERTIFIED ELECTRONICALLY
Date: 09/06/2016
Promulgated Under: 119.03
Statutory Authority: 3125.05, 3125.25
Rule Amplifies: 3125.02, 3125.03, 3125.05, 3125.10, 3125.11, 3125.12, 3125.24, 5101.24
Prior Effective Dates: 8/1/82, 11/11/82, 7/1/83, 1/1/84, 12/1/87, 7/15/88, 6/2/89, 9/1/89, 4/1/92, 7/1/96, 1/1/98, 2/22/02, 8/26/02, 4/18/03, 6/15/06, 3/1/12
The following definitions apply to the rules contained in division 5101:12 of the Administrative Code:

(1) "Case" refers to a matter involving the individual who is or may become obligated by a support order and the beneficiary of that support order.

(a) "IV-D case" means a case that has been approved for IV-D services by a child support enforcement agency (CSEA) in accordance with rule 5101:12-10-01.1 of the Administrative Code.

(b) "Non-IV-D case" means a case that receives support enforcement program services but has not been approved for IV-D services or IV-D services have been terminated.

(2) "Support order" means:

(a) Pursuant to 42 U.S.C. 653(p) (12/8/2004), and as used in Title IV-D of the Social Security Act, a judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or an administrative agency of competent jurisdiction, for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing state, or of the parent with whom the child is living, that provides for monetary support, health care, arrearages, or reimbursement, and that may include related costs and fees, interest and penalties, income withholding, attorneys' fees, and other relief; and

(b) In accordance with division (B)(5) of section 3119.01 of the Revised Code and as used in Chapters 3119., 3121., 3123., and 3125. of the Revised Code, either an administrative child support order or a court support order.

(i) Pursuant to division (B)(1) of section 3119.01 of the Revised Code, "administrative child support order" means any order issued by a child support enforcement agency for the support of a child pursuant to section 3109.19 or 3111.81 of the Revised Code or former section 3111.211 of the Revised Code, section 3111.21 of the Revised Code as that section existed prior to January 1, 1998, or section 3111.20 or 3111.22 of the Revised Code as those sections existed prior to March 22, 2001.

(ii) In accordance with division (C)(3) of section 3119.01 of the Revised Code, "court support order" means either a court child support order or an order for the support of a spouse or former spouse issued pursuant to Chapter 3115. of the Revised Code, section 3105.18, 3105.65, or 3113.31 of the Revised Code, or division (B) of former section 3113.21 of the Revised Code.

(B) In accordance with section 3125.11 of the Revised Code, the CSEA shall perform all administrative duties related to any IV-D or non-IV-D case for which it has administrative responsibility to provide support enforcement program services. In accordance with section 3125.13 of the Revised Code, the CSEA may contract with public agencies and private vendors for assistance in establishing paternity or support obligations or for the performance of other administrative duties of the CSEA.

(C) The CSEA shall provide support enforcement program services to both IV-D cases and non-IV-D cases. Support enforcement program services include:

(1) Location services as described in Chapter 5101:12-20 of the Administrative Code;

(2) Establishment of parentage as described in Chapters 5101:12-40 and 5101:12-70 of the Administrative Code;
(3) Establishment and modification of child support orders and medical support orders as described in Chapters 5101:12-45, 5101:12-60, and 5101:12-70 of the Administrative Code;

(4) Enforcement of support orders as described in Chapters 5101:12-50 and 5101:12-70 of the Administrative Code;

(5) Collection of support obligations as described in Chapter 5101:12-80 of the Administrative Code; and

(6) Any other actions appropriate to child support enforcement.

Five Year Review (FYR) Dates: 11/3/2017 and 11/03/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 11/03/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3105.21, 3109.05, 3111.13, 3113.04, 3113.07, 3119.65, 3119.70

In accordance with rule 5101:12-1-01 of the Administrative Code, the child support enforcement agency (CSEA) is required to provide support enforcement program services to a case for which it has administrative responsibility. In accordance with section 3125.36 of the Revised Code, a CSEA shall make available a IV-D application to any person requesting a CSEA's assistance to locate the non-custodial parent, establish a paternity or support order, or enforce or modify a support order.

An individual who receives support enforcement program services is eligible for IV-D services when the individual is:

1. A recipient of Ohio works first (OWF), medicaid, or Title IV-E foster care maintenance (FCM) benefits for whom an assignment is still in effect;
2. A former recipient of OWF, medicaid, or FCM in whose case there are assigned arrears;
3. A former recipient of OWF, medicaid, or FCM in whose case there are no assigned arrears and IV-D services have not been terminated; and
4. An individual who has signed and filed an application for IV-D services that has been approved by a CSEA and IV-D services have not since been terminated.

IV-D services include all support enforcement program services described in rule 5101:12-1-10 of the Administrative Code.

Due to restrictions in federal law, the following IV-D services shall only be provided to an individual who has been approved for IV-D services in accordance with this rule:

1. Federal income tax refund offset submittals for the collection of support arrears;
2. Withholding of unemployment compensation for the payment of support;
3. Requests to the internal revenue service for the disclosure of taxpayer information for use in establishing and collecting support obligations;
4. Requests to the U.S. department of treasury for the administrative offset of certain federal payments other than federal income tax refund offset for the collection of delinquent support; and
5. Requests for certification to the U.S. district court when another state has failed to act on an Ohio support order.

Five Year Review (FYR) Dates: 11/3/2017 and 11/03/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 11/03/2017
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.36
In accordance with 42 U.S.C. 654a, as in effect January 5, 2009, and section 3125.07 of the Revised Code, the Ohio department of job and family services (ODJFS) has established and shall maintain a single statewide automated data processing and information retrieval system known as the support enforcement tracking system (SETS).

(A) This rule describes the general requirement for the child support enforcement agency (CSEA) to interact with SETS and the responsibilities of a user of SETS. The process for an individual or entity to gain access to SETS and authorized use or disclosure of the information contained in SETS is described in rules 5101:12-1-20 to 5101:12-1-20.35101:12-1-22 of the Administrative Code.

(B) ODJFS may deny access to SETS when an individual has been found to have unauthorized access to, or improperly used or disclosed the information contained in SETS.

(C) The office of child support (OCS) will perform the following functions with regard to access to the information contained in SETS:

1. Review requests for access to the information contained in SETS;
2. Determine whether requests for access will be granted; and
3. Monitor the access to and use of the information contained in SETS to prevent and promptly identify unauthorized access to or improper use of the information contained in SETS.

(D) The CSEA shall interact with the functions of SETS according to applicable rules of the Administrative Code, Ohio law, federal law and regulations, and any written instructions provided by ODJFS. Interaction shall include, but not be limited to, the CSEA providing information or performing an activity that enables a particular SETS function to operate at its full capacity. When the CSEA is directed to perform an act under a mandate contained in an Administrative Code rule, Ohio law, federal law or regulation, or other written instructions provided by ODJFS, the act shall be considered executed when the CSEA has performed the required actions within SETS.

(E) In accordance with sections 3125.38 and 3125.39 of the Revised Code, SETS shall provide the data necessary for the performance measurements outlined in rules 5101:12-1-54 to 5101:12-1-54.2 of the Administrative Code.

(F) An individual or entity may make a request to ODJFS for SETS access. When requesting SETS access, the following forms shall be completed and returned to ODJFS by the following individuals:

1. The JFS 07700, "SETS User Access Application" (5/2008 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) shall be completed by the employee of a child support enforcement agency (CSEA), ODJFS, county department of job and family services (CDJFS), public children services agency (PCSA), county agency, or a contractor, or a sub-contractor when requesting access to SETS.

   When the profile of an existing SETS user is modified, the employee of the CSEA, ODJFS, CDJFS, PCSA, county agency, or contractor, or a sub-contractor shall complete and submit to the office of child support (OCS) a new JFS 07700.

2. The JFS 07078, "Code of Responsibility" (rev. 6/2009 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) shall be completed by the employee...
of a CSEA, ODJFS, CDJFS, PCSA, county agency, or a contractor, or a sub-contractor requesting access to SETS.

(3) The JFS 07014, "Tax Information Safeguarding Authorization Agreement" ([rev. 4/2008 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code]) shall be completed by the employee of a CSEA or ODJFS, or a contractor, or a sub-contractor, when the employee, or contractor, or sub-contractor has access to federal tax information (FTI), as defined in rule 5101:12-1-20.25101:12-1-22 and its suplemental rules of the Administrative Code.

The JFS 07014 must be received by OCS no later than the last day of January after an individual's initial employment or re-employment. On an annual basis thereafter, the employee of a CSEA, ODJFS, or contractor, or sub-contractor shall complete and submit to OCS a new JFS 07014 no later than the last day of March.

(4) Each CSEA shall submit a JFS 07072, "Safeguarding of Internal Revenue Service (IRS), Ohio Department Of Taxation (ODT), Federal Parent Locator Service (FPLS), and Unemployment Compensation (UC) Information" (rev. 2/2006) (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) to the deputy director of OCS within the Ohio department of job and family services ODJFS no later than the last day of JanuaryMarch each year. The JFS 07072 must be signed and dated by the director or administrator of the CSEA.

(G) Any individual without access to SETS but with access to FTI, must complete FTI safeguarding awareness training and a JFS 07014 in accordance with rule 5101:12-1-22 of the Administrative Code.

(G)(H) Responsibilities of an individual or entity with access to SETS.

(1) The individual or entity shall adhere to the guidelines for electronic data security and use described in rules 5101:9-9-37 and 5101:9-9-38 of the Administrative Code.

(2) The individual or entity shall use SETS in accordance with the purposes described in rule 5101:12-1-20.1 of the Administrative Code, including:

   (a) To perform the functions necessary to carry out the child support program, as described in rule 5101:12-1-01 of the Administrative Code; and

   (b) To obtain information to respond to a request for information about a person from an individual or entity.

(3) The individual or entity shall disclose the information contained in SETS in accordance with rules 5101:12-1-20 to 5101:12-1-20.35101:12-1-20.2 and 5101:12-1-22 of the Administrative Code.

(4) The CSEA shall document in its internal procedural handbook the procedures for ensuring confidentiality of the information contained in SETS, including but not limited to, access and use of SETS, disclosure of the information contained in SETS, and the procedures for addressing unauthorized access to or improper use or disclosure of the information contained in SETS.

(5) All personnel and IV-D contractors, and sub-contractors with access to SETS shall be trained in confidentiality, safeguarding guidelines, security procedures, and the penalties for unauthorized access to or improper use or disclosure of the information contained in SETS.

Effective: 4/1/2018

Five Year Review (FYR) Dates: 12/13/2017 and 04/01/2023

Certification: CERTIFIED ELECTRONICALLY

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CSPMTL 135

Effective Date: April 1, 2018

Most Current Prior Effective Date: March 1, 2012

(A) This rule and its supplemental rules describe the requirements for authorized access to, use, disclosure, and safeguarding of information contained in a person's case record.

(B) A reference guide for this rule and its supplemental rules are contained in the JFS 01709, "Confidentiality of Information Reference Guide" (4/2011 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code).

(C) The following terms and definitions apply to this rule and its supplemental rules:

(1) "Agent of a court" means a person authorized to act for and under the direction of a court with the authority to issue an order for the support and maintenance of child, or to serve as the initiating court in an action to seek a child support order.

(2) " Alleged father" means a man who is believed to be or believes himself to be the natural father (also known as putative father).

(3) "Attorney of a child" means a licensed lawyer who has entered into an attorney-client relationship with either the child or the child's resident parent to provide legal representation to the child or resident parent related to the establishment of paternity, or the establishment, modification, or enforcement of child support. An attorney-client relationship imposes an ethical and fiduciary duty upon the attorney to represent the client's best interests under applicable rules of professional responsibility.

(4) "Case record" has the same meaning as in rule 5101:12-10-05 of the Administrative Code.

(5) "Case participant" means any person who is identified by a participant number in the support enforcement tracking system (SETS).

(6) "Confidential information" means any personal information, as defined in this rule, relating to a specified person or a person who can be identified by reference to one or more factors specific to him or her, including but not limited to the person's social security number, residential and mailing addresses, employment information, and financial information.

(7) "Custodial parent" means a parent of a minor child who lives in the same household as the child.

(8) "Federal parent locator service (federal PLS)" means the parent locator service established and operated by the federal office of child support enforcement.

(9) "Independent verification" or "independently verified" means the process of acquiring and confirming confidential information through the use of a second source.

(10) "IV-D case" has the same meaning as in rule 5101:12-1-10 of the Administrative Code.

(11) "Non-custodial parent (NCP)" means a parent of a minor child who does not live in the same household as the child.

(12) "Non-IV-D case" has the same meaning as in rule 5101:12-1-10 of the Administrative Code.

(13) "Person" refers to means an applicant or recipient of IV-D services or an individual or entity who is a case participant in a IV-D or non-IV-D case.

(14) "Personal information" means any information that describes anything about a person, or indicates action done by or to a person, or indicates that a person possesses certain personal characteristics, and that contains, and can be retrieved from a system by a name, identifying number, symbol, or other identifier assigned to a person.
"Representative of a child" means a custodial parent, legal guardian, attorney of a child, guardian ad litem, or a caretaker relative having custody of, or responsibility for the child.

"Requestor" means any individual or entity who has requested information.

"State parent locator service (state PLS)" means the parent locator service established and operated by the office of child support (OCS) within the Ohio department of job and family services (ODJFS).

"Support enforcement program services" has the same meaning as in rule 5101:12-1-10 of the Administrative Code.

Use of the term "information" throughout this rule and its supplemental rules refers to confidential and personal information as defined in this rule, unless indicated otherwise.

A request for information from a case participant may be made in person with proper identification. The child support enforcement agency (CSEA) at its discretion may require that the case participant complete the JFS 04001 "Request for Case Information" (11/2011 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) to affirm that the information being released is utilized for a valid purpose in accordance with this rule and its supplemental rules.

A request for information from an individual or entity other than the case participant shall be made in writing via the JFS 04001. A public children services agency (PCSA) requests for location shall be made using the JFS 07713, "Child Welfare Agency Locate-Only Request" (5/2008 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code).

The following individuals or entities have the responsibility to maintain the confidentiality of and to safeguard all information contained in a person's case record, whether the information is contained on paper, film, computer, or any other electronic medium:

1. Any individual with authorized access to the information contained in SETS or any other information contained in a person's case record, including a requestor who has been provided information in accordance with this chapter;
2. A court or agent of a court who has the authority to issue an order against an NCP for the support and maintenance of child, or to serve as the initiating court in an action to seek a child support order; or
3. An agent or attorney of the United States.

No individual or entity described in paragraph (G) of this rule shall disclose any information concerning a person except for an authorized purpose in accordance with this rule and its supplemental rules.

Information requests related to parental kidnapping, child custody, or visitation purposes shall be handled in accordance with rule 5101:12-20-10 of the Administrative Code.

In accordance with section 3125.99 of the Revised Code, anyone who discloses information to any person or for any purpose not specifically permitted by this rule or its supplemental rules is subject to a fine of up to five hundred dollars or a prison term of up to six months or both.

A CSEA, OCS, or contractor may disclose information about a person subject to the provisions and limitations described in this rule and its supplemental rules in the following manner:

1. Disclosure of information that the CSEA, OCS, or contractor obtains from the state or federal parent locator service (PLS).

   The CSEA, OCS, or contractor may use and disclose the following information about a non-custodial parent, alleged father, custodial parent, or child when the CSEA, OCS, or contractor obtains the information from the state or federal PLS in order to perform the functions necessary to carry out the child support program:

   a. Name;
   b. Social security number;
   c. Address;
(d) Employer's name;
(e) Employer's address;
(f) Employer identification number;
(g) Wages;
(h) Income;
(i) Employment-related benefits, including health care coverage; and
(j) Type, status, location, and amount of assets or debts owed by or to the person.

(2) The CSEA, OCS, or contractor may disclose any information obtained from a source other than the state or federal PLS in order to perform the functions necessary to carry out the child support program.

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Rule Amplifies: 3125.03, 3125.08, 3125.49, 3125.50.
CSPMTL 135

Effective Date: April 1, 2018

Most Current Prior Effective Date: September 1, 2012

(A) A child support enforcement agency (CSEA), the office of child support (OCS), or contractor shall only disclose information contained in a person's case record upon the request of an individual or entity when:

(1) The disclosure is in accordance with the provisions of this rule, or

(2) The disclosure is in accordance with written permission from the person. "Written permission" means a document signed by a person or a person's legal guardian that permits an individual or entity to disclose information contained in that person's case record. Written permission shall include:

(a) The person's full name;

(b) The name and title, if any, of the individual or entity to whom the person or the person's legal guardian is permitting disclosure of information;

(c) A description of the type of information that the individual or entity is permitted to disclose;

(d) The duration of time that the person or person's legal guardian is permitting the disclosure of information; and

(e) The person's or legal guardian's signature and the date on which the written permission is signed.

(B) The CSEA, OCS, or a contractor shall disclose information that the CSEA, OCS, or contractor obtains from the state or federal parent locator service (PLS) upon the requests described in this paragraph.

(1) Request for location from a representative of a child when the child is not receiving Ohio works first (OWF) benefits.

(a) The CSEA, OCS, or contractor shall disclose information about a non-custodial parent or alleged father when the request is for the purposes of locating:

(i) An individual against whom a child support order is sought;

(ii) An individual who has or may have parental rights with respect to a child;

(iii) An obligee of a child support order; or

(iv) A parent or child involved in a non-IV-D child support case.

(b) The following is the information that the CSEA, OCS, or contractor may disclose about the non-custodial parent or alleged father to the representative of the child:

(i) Name;

(ii) Social security number;

(iii) Address;

(iv) Employer's name;

(v) Employer's address;

(vi) Employer identification number;

(vii) Wages;

(viii) Income;

(ix) Employment-related benefits, including health care coverage; and
(x) Type, status, location, and amount of assets or debts owed by or to the person.

(c) Restrictions on information disclosure:

(i) Information shall not be disclosed unless the representative of a child:
   (a) Attests that the request is being made to obtain information on, or to facilitate the discovery of, any individual for the purpose of establishing parentage, or establishing, modifying, or enforcing a child support order;
   (b) Attests that any information obtained through the state or federal PLS shall be used solely for the purposes described in paragraph (B)(1)(a) of this rule, and shall be otherwise treated as confidential; and
   (c) Pays the fee required for federal PLS services, in accordance with 45 C.F.R. 303.70(f)(2)(i), as in effect December 30, 2010, if the state does not pay the fee itself.

(ii) Information regarding multistate financial institution data match (MSFIDM) or state financial institution data match (SFIDM) shall not be disclosed.

(iii) Information regarding federal tax information (FTI), as defined in rule 5101:12-1-20.2rules 5101:12-1-22 and 5101:12-1-22.1 of the Administrative Code shall not be disclosed.

(iv) Information shall not be disclosed when the CSEA, OCS, or contractor has reasonable evidence of domestic violence or child abuse and the CSEA, OCS or contractor has determined that the disclosure of such information could be harmful to the custodial parent or child.

(v) Information shall not be disclosed when the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data.

(2) Request for location from a court or agent of a court that is seeking to issue an order, or to serve as the initiating court in an action to seek an order, for the support and maintenance of a child.

(a) The CSEA, OCS, or contractor shall disclose information about a non-custodial parent, alleged father, custodial parent, or child when the request is for the purposes of locating:
   (i) A parent;
   (ii) An obligor of a child support order;
   (iii) An individual against whom a child support order is sought;
   (iv) An obligee of a child support order; or
   (v) A parent or child involved in a non-IV-D child support case.

(b) The following is the information that the CSEA, OCS, or contractor may disclose about the non-custodial parent, alleged father, custodial parent, or child:
   (i) Name;
   (ii) Social security number;
   (iii) Address;
   (iv) Employer's name;
   (v) Employer's address;
   (vi) Employer identification number;
   (vii) Wages;
   (viii) Income;
   (ix) Employment-related benefits, including health care coverage; and
(x) Type, status, location, and amount of assets or debts owed by or to the person.

(c) Restrictions on information access, use, and disclosure:
   (i) Information regarding FTI shall not be disclosed unless the information is independently verified.
   (ii) Information regarding MSFIDM or SFIDM shall not be disclosed.
   (iii) Information shall not be disclosed when the CSEA, OCS, or contractor has reasonable evidence of domestic violence or child abuse and the CSEA, OCS or contractor has determined that the disclosure of such information could be harmful to the custodial parent or child.

(3) Request for location from a county department of job and family services (CDJFS), public children services agency (PCSA), or county agency that is administering a Title IV-B or Title IV-E program, in accordance with the state plan for those programs.
   (a) The CSEA, OCS, or contractor shall disclose information about a non-custodial parent, alleged father, custodial parent, child, or relative of a child involved in a Title IV-B or Title IV-E case, when the purpose of the request is to locate:
      (i) An individual who has or may have parental rights with respect to a child; or
      (ii) A parent, child, or relative of a child in order to carry out Title IV-B or Title IV-E program responsibilities, which include potential placement of a child removed from parental custody, placing siblings in groups, and permanency planning.
   (b) The following is the information that the CSEA, OCS, or contractor may disclose about the non-custodial parent, alleged father, custodial parent, or child:
      (i) Name;
      (ii) Social security number;
      (iii) Address;
      (iv) Employer's name;
      (v) Employer's address;
      (vi) Employer identification number;
      (vii) Wages;
      (viii) Income;
      (ix) Employment-related benefits, including health care coverage; and
      (x) Type, status, location, and amount of assets or debts owed by or to the person.
   (c) The following is the information that the CSEA, OCS, or contractor may disclose about a relative of a child involved in a Title IV-B or Title IV-E case:
      (i) Name;
      (ii) Social security number;
      (iii) Address;
      (iv) Employer's name;
      (v) Employer's address; and
      (vi) Employer identification number.
   (d) Restrictions on information disclosure:
      (i) Information regarding FTI shall not be disclosed unless the information is independently verified.
(ii) Information regarding MSFIDM or SFIDM shall not be disclosed.

(iii) When the information will be used to locate an individual who has or may have parental rights with respect to a child, national directory of new hires (NDNH) and federal case registry (FCR) information may be disclosed without independent verification.

(iv) When the information will be used for any purpose other than to locate an individual who has or may have parental rights with respect to a child, NDNH and FCR information shall not be disclosed unless the information is independently verified.

(v) Information shall not be disclosed when the CSEA, OCS, or contractor has reasonable evidence of domestic violence or child abuse and the CSEA, OCS or contractor has determined that the disclosure of such information could be harmful to the custodial parent or child.

(4) Request for information from an agency administering Title IV (aid and services to needy families with children and for child-welfare services), Title XIX (medical assistance programs), Title XXI (state children's health insurance program), and SNAP (supplemental nutrition assistance program).

(a) The CSEA, OCS, or contractor may disclose information about a person contained in SETS to an agency administering Titles IV, XIX, and XXI, and SNAP to perform its responsibilities as it relates to its program.

(b) Restrictions on information disclosure:

(i) Information regarding FTI shall not be disclosed unless the information is independently verified.

(ii) Information regarding MSFIDM or SFIDM shall not be disclosed.

(iii) When the information will be used by the Title IV-B or Title IV-E program for purpose other than to establishing parentage or establishing, modifying, or enforcing child support obligations, the information shall not be disclosed unless the information is independently verified.

(iv) When the information will be used by the medicaid program, NDNH and FCR information shall not be disclosed unless the information is independently verified.

(v) Information shall not be disclosed when the CSEA, OCS, or contractor has reasonable evidence of domestic violence or child abuse and the CSEA, OCS or contractor has determined that the disclosure of such information could be harmful to the custodial parent or child.

(vi) Information shall not be disclosed when the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data.

(5) Request for state directory of new hires (SDNH) information from a CDJFS or county agency that is administering the food assistance, medicaid, or OWF programs, a state agency that is administering the unemployment compensation program, or a state agency that is administering a Title I (assistance for the aged), Title X (aid to the blind), Title XIV (aid to the permanently and totally disabled), or Title XVI (supplemental security income for the aged, blind and disabled) program, in accordance with the state plan for those programs.

(a) The CSEA, OCS, or contractor shall disclose SDNH information about a person when the purpose of the request is to verify income and eligibility for the programs of food assistance, medicaid, OWF, unemployment compensation, Title I, Title X, Title XIV, and Title XVI.
(b) The following is the SDNH information that the CSEA, OCS, or contractor may disclose about the person:

(i) Name;
(ii) Social security number;
(iii) Address;
(iv) Employer's name;
(v) Employer's address; and
(vi) Federal employer identification number.

(c) Restrictions on information disclosure:

(i) Information regarding FTI shall not be disclosed unless the information is independently verified.
(ii) Information regarding MSFIDM or SFIDM shall not be disclosed.
(iii) Information shall not be disclosed when the CSEA, OCS, or contractor has reasonable evidence of domestic violence or child abuse and the CSEA, OCS or contractor has determined that the disclosure of such information could be harmful to the custodial parent or child.

(C) The CSEA, OCS, or a contractor shall disclose information that the CSEA, OCS, or contractor obtains from a source other than the state or federal PLS upon the request of an individual or entity in the following manner:

(1) Request for information about a representative of a child or a child (regardless of whether the child is receiving OWF benefits).

(a) The CSEA, OCS, or contractor may disclose information about a representative of a child or a child when the request is for a purpose directly connected to any of the following:

(i) The support enforcement program.
(ii) The food assistance, medicaid, OWF, Title IV-B, or Title IV-E programs.
(iii) Any investigation, criminal prosecution, or civil or administrative proceeding conducted in connection with the administration of the support enforcement program or food assistance, medicaid, OWF, Title IV-B, or Title IV-E programs.
(iv) To report suspected or known instances of child abuse, exploitation, or the negligent treatment of a child who is the subject of a child support case to the appropriate agency or official.
(v) A federal, state, or local audit.

(b) The following is the information that the CSEA, OCS, or contractor may disclose about the representative of a child or the child:

(i) Information that pertains to the support order; and
(ii) Information that pertains to the representative of a child or the child.

(c) Restrictions on information disclosure:

(i) Information obtained from the state or federal PLS shall not be disclosed.
(ii) Information about any person in the child support case other than the representative of a child or the child shall not be disclosed and must be redacted from any document that will be disclosed, unless the representative of a child obtains written permission from the other person, in accordance with rule 5101:12-1-20 of the Administrative Code.
(iii) Information shall not be disclosed when the CSEA, OCS, or contractor has reasonable evidence of domestic violence or child abuse and the CSEA, OCS or contractor has determined that the disclosure of such information could be harmful to the representative of a child or child, unless the request for information is from the representative of a child or the child.

(iv) Information shall not be disclosed when the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data.

(2) Request for information about a non-custodial parent or attorney of a non-custodial parent.

(a) The CSEA, OCS, or contractor may disclose information about a non-custodial parent or attorney of a non-custodial parent when the request is for a purpose directly connected to any of the following:

(i) The support enforcement program.

(ii) Any investigation, criminal prosecution, or civil or administrative proceeding conducted in connection with the administration of the support enforcement program or food assistance, medicaid, OWF, title IV-B, or title IV-E programs.

(iii) A federal, state, or local audit.

(b) The following is the information that the CSEA, OCS, or contractor may disclose about a non-custodial parent or attorney of a non-custodial parent:

(i) Information that pertains to the support order; and

(ii) Information that pertains to the non-custodial parent or attorney of the non-custodial parent.

(c) Restrictions on information disclosure:

(i) Information about any person in the child support case other than the non-custodial parent or attorney of the non-custodial parent shall not be disclosed and must be redacted from any document that will be disclosed, unless the non-custodial parent obtains written permission from the other person, in accordance with rule 5101:12-1-20 of the Administrative Code.

(ii) Information shall not be disclosed when the CSEA, OCS, or contractor has reasonable evidence of domestic violence or child abuse and the CSEA, OCS or contractor has determined that the disclosure of such information could be harmful to the representative of a child or child.

(iii) Information obtained from the state or federal PLS shall not be disclosed.

(iv) Information shall not be disclosed when the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data.

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Date: 03/12/2018
Promulgated Under: 119.03
Statutory Authority: 3125.08, 3125.25, 3125.51
Rule Amplifies: 3125.03, 3125.08, 3125.49, 3125.50.
(A) This rule describes the procedures an agency is required to follow in order to safeguard information received from unemployment compensation (UC) and the Ohio department of taxation.

(B) Information received from UC:

The child support enforcement agency (CSEA) shall certify that, in accordance with sections 4141.21, 4141.22, and 4141.99 of the Revised Code and rule 4141-43-02 of the Administrative Code, all information and records received from UC shall be used only for the purposes of establishing and collecting child support obligations from and locating individuals owing such obligations. The CSEA shall establish and maintain security safeguards for location, wage, and benefit information.

(C) Information received from the Ohio department of taxation:

(1) In order to comply with the confidentiality requirements of section 5747.18 of the Revised Code, each CSEA shall certify that taxpayer information concerning the residential address and income of taxpayers received by the CSEA is needed for the purpose of, and will be used only for, the following:

(a) Locating obligors and establishing, enforcing, modifying and collecting child support obligations pursuant to Title IV-D of the Social Security Act; or

(b) Collecting overpaid child support from the state income tax refund of an obligee in accordance with section 5747.123 of the Revised Code.

(2) None of the information so obtained will be disclosed to anyone except for official purposes as described in section 3125.43 of the Revised Code or in compliance with a court order.
(A) This rule describes the procedures a child support enforcement agency (CSEA) is required to follow in order to safeguard information received from the internal revenue service (IRS). The procedures for safeguarding federal tax information (FTI) are based upon the tax information security guidelines described in IRS Publication 1075 (rev. 9/2016). IRS Publication 1075 is available at www.irs.gov. The safeguarding requirements of this rule apply to any paper, electronic, or imaged record.

(B) Failure to comply with the safeguarding requirements of this rule shall result in the revocation of access to the support enforcement tracking system (SETS) or any other computer application that contains information from the IRS.

(C) For purposes of this rule and its supplemental rules, FTI is defined as federal tax return information other than information provided by the taxpayer, including but not limited to:
   (1) Address information obtained from the IRS;
   (2) Social security numbers obtained from the IRS;
   (3) Federal tax filing status; or
   (4) Identification of the payment source as an IRS tax refund offset collection.

(D) Each CSEA shall complete and submit to the office of child support (OCS) within the Ohio department of job and family services (ODJFS) a JFS 07072, "Safeguarding of Internal Revenue Service, Ohio Department of Taxation, Federal Parent Locator Service, and Unemployment Compensation Information" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) no later than the last day of March each year. The JFS 07072 must be signed and dated by the director or administrator of the CSEA.

(E) The CSEA shall notify OCS at least sixty days prior to re-disclosing FTI to a contractor so that OCS may notify the IRS office of safeguards at least forty-five days prior to the re-disclosure.

(F) The CSEA shall notify OCS at least sixty days prior to re-disclosing FTI to a sub-contractor so that OCS may notify the IRS office of safeguards and obtain written approval at least forty-five days prior to the re-disclosure.

(G) The CSEA shall prior to re-disclosing FTI to a contractor or sub-contractor:
   (1) Establish privacy roles and responsibilities for contractors and service providers;
   (2) Include privacy requirements in contracts and other acquisition-related documents;
   (3) Share FTI externally only for authorized purposes and in a manner compatible with those purposes;
   (4) Enter into a contract, service level agreement, memorandum of understanding, memorandum of agreement, letter of intent, computer matching agreement, or similar agreement, with third parties that specifically describes the FTI covered and specifically enumerates the purposes for which the FTI may be used;
   (5) Monitor, audit, and train CSEA staff on the authorized uses and sharing of FTI with third parties and on the consequences of unauthorized use or sharing of FTI; and
   (6) Evaluate any proposed new instances of sharing FTI with third parties to assess whether they are authorized and whether additional or new public notice is required.

(H) For each individual with access to FTI that is an employee of: the CSEA; a contractor of the CSEA; or a sub-contractor to provide goods or services on behalf of a contractor of the CSEA, the CSEA shall ensure that:
FTI safeguarding training is completed upon employment or re-employment and on an annual basis thereafter. The FTI safeguarding training shall include, but is not limited to:

(a) Disclosure awareness training;
(b) Security awareness training;
(c) Role-based training;
(d) Contingency training; and
(e) Incident response training.

Each individual certifies his or her understanding of policies and procedures for safeguarding FTI by completing the FTI safeguarding training and a JFS 07014, "Tax Information Safeguarding Authorization Agreement" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code).

(a) FTI safeguarding training and a JFS 07014 must be completed upon employment or re-employment and on an annual basis thereafter.

(i) An individual who has been granted access to SETS in accordance with paragraph (F) of rule 5101:12-1-15 of the Administrative Code has met this requirement.

(ii) Any other individual who has access to FTI must complete the FTI safeguarding training and a JFS 07014.

(b) The initial certification and recertification:

(i) If completed in accordance with paragraph (H)(2)(a)(i) of rule 5101:12-1-22 of the Administrative Code, will be maintained by OCS and made available to the IRS upon request.

(ii) If completed in accordance with paragraph (H)(2)(a)(ii) of rule 5101:12-1-22 of the Administrative Code, shall be maintained by the CSEA and made available to OCS and/or the IRS upon request.

(a) These records must be retained for a minimum of five years in accordance with requirements under IRS Publication 1075; or

(b) In accordance with the county records commission in the county in which the CSEA serves when the county records commission requires a retention period more than five years.

A permanent FTI tracking system is utilized. FTI may be tracked using any of the following methods:

(a) The FTI tracking database provided by OCS;

(b) The JFS 07019, "Federal Tax Information Item Tracking Log" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code); or

(c) An alternative FTI tracking database, provided that:

(i) The database contains all of the same data elements as the JFS 07019; and

(ii) The CSEA submits the database to OCS for approval and OCS approves the database.

A permanent system of standardized records is established and maintained with regard to requests made for information from the IRS that includes:

(a) The reason for the request;

(b) The date the request is made;

(c) The date FTI is received; and
(d) The name of the employee(s) having access to the information.

(5) FTI is stored during non-duty hours in accordance with the secure storage and minimum protection standards described in IRS Publication 1075;

(6) Access to file keys and safe combinations is limited to employees responsible for safeguarding FTI and a maximum of two alternates who are permitted access to the FTI;

(7) FTI is limited to those individuals who are authorized to inspect and use the information. Limiting access to FTI must meet the IRS Publication 1075 standards by:
   (a) Designating restricted areas;
   (b) Creating an authorized access list; and
   (c) Developing physical access authorizations.

(8) Commingling standards described in IRS Publication 1075 are followed. FTI may be maintained either separately from a file or within a file. When FTI is maintained within a file, the outside jacket of the file shall have a label stating that the file contains FTI;

(9) Mail received containing FTI is properly labeled as described in paragraph (H)(11)(a) of this rule and is not opened before delivery to the CSEA employee, contractor, or sub-contractor responsible for safeguarding the information;

(10) Computer stations are safeguarded in accordance with standards described in IRS Publication 1075. Computer stations may be safeguarded by:
   (a) Restricting access to only authorized staff;
   (b) Utilizing password protections;
   (c) Utilizing screen savers; and
   (d) Logging out of the system.

(11) Correspondence containing FTI is properly transmitted according to the following standards:
   (a) When sending the correspondence by ordinary mail, the agency shall send the correspondence in a double-sealed envelope with a label on the inner envelope that alerts the recipient that the mail contains FTI;
   (b) When sending the correspondence by electronic mail, the agency shall send the correspondence as an attachment to the electronic message that is encrypted and password protected. The text of the electronic message shall alert the recipient that the attachment contains FTI; and
   (c) When sending the correspondence by facsimile (i.e., fax), the agency shall:
      (i) Include a cover sheet that alerts the fax recipient that the correspondence contains FTI and indicates the name of the intended fax recipient;
      (ii) Verify that the intended fax recipient is an authorized person; and
      (iii) Verify that the intended fax recipient will be present at the fax machine to receive the correspondence at the time the CSEA sends it.

(12) FTI is only destroyed in accordance with the destruction methods described in IRS Publication 1075 when FTI is no longer needed by the agency and that the destruction is tracked as described in paragraph (H)(3) of this rule.

Replaces: 5101:12-1-20.2

Effective: 4/1/2018

Five Year Review (FYR) Dates: 04/01/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 03/12/2018
5101:12-1-22.1 Safeguarding Visit Procedures

CSPMTL 135

Effective Date: April 1, 2018

(A) In accordance with Internal Revenue Service (IRS) Publication 1075 (rev. 9/2016), the office of child support (OCS) is required to conduct a federal tax information (FTI) safeguarding visit (hereafter "visit") with each agency that has access to FTI that is related to the child support program. The purpose of the visit is to ensure that adequate FTI safeguards and security measures are maintained by the agency.

(1) OCS shall establish a schedule for each child support enforcement agency (CSEA) with access to FTI, at the direction of OCS, to either participate in a visit or complete a safeguarding self-inspection at least once every three years.

(2) OCS shall complete a visit at least once every eighteen months for internal headquarters and facilities housing FTI.

(B) OCS notification of the visit.

(1) When the agency is a CSEA, OCS will notify the director or administrator and tax offset coordinator of the date and time of the visit.

(2) When the agency is not a CSEA, OCS will notify the appropriate agency point of contact of the date and time of the visit.

(C) Visit procedures.

(1) Fifteen business days prior to the visit, OCS will send a JFS 07729, "FTI Safeguarding Workbook (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code.)"

(2) The agency shall complete and return the JFS 07729 to OCS no later than five business days prior to the visit.

(3) OCS may perform any or all of the following activities during the visit:

(a) Select a random sample of cases to review.

(b) Review and discuss the completed JFS 07729.

(c) Review and discuss the permanent FTI tracking log.

(d) Complete a physical walk-through of the building or buildings that have access to SETS and/or FTI. This could include, but is not limited to:

(i) Offsite storage;

(ii) Satellite offices;

(iii) Home offices;

(iv) Prosecutors offices; and

(v) Courts.

(D) Visit follow up procedures for an agency.

(1) OCS shall send, within fifteen business days from the date of the visit, to the agency an initial JFS 07729 identifying specific vulnerabilities discovered during the visit. OCS will identify potential remedies for each vulnerability.

(2) When the initial JFS 07729 identifies vulnerabilities, the agency shall send to OCS a written response that describes the actions the agency shall take to remedy the vulnerabilities, including a timeline for completing the actions. The agency shall send the written response to OCS no later than thirty days after the receipt of the initial JFS 07729 from OCS.
(3) OCS shall respond by issuing the JFS 07729 as interim when the remedy(s) to a vulnerability(s) are pending completion by the CSEA. OCS may also request additional information from the agency.

(4) OCS shall respond to the agency's written response described in paragraph (D)(2) of this rule, indicating whether the actions proposed to remedy any vulnerabilities meet the IRS safeguarding regulations as described in the IRS Publication 1075. OCS shall send the final JFS 07729 once all the vulnerabilities have been closed.

(E) In accordance with IRS Publication 1075, OCS may require that the agency complete an FTI self-inspection of each location as described in paragraph (C)(3)(d) of this rule, that has access to FTI. The purpose of the self-inspection is to ensure that adequate FTI safeguards and security measures are maintained by the agency.

(1) Self-inspection procedures.
   (a) OCS will notify the CSEA director, administrator, tax offset coordinator or agency point of contact as to the month in which the agency is required to complete a self-inspection.
   (b) OCS will send a JFS 07729 ten days prior to the beginning of the month in which the self-inspection is scheduled.
   (c) The agency shall complete the JFS 07729 and return the completed JFS 07729 to OCS by the last day of the self-inspection month.

(2) Self-inspection follow-up procedures.
   (a) Within fifteen days of receipt of the completed JFS 07729, OCS shall notify the agency as to whether additional information is required. Should additional information be required, the agency shall submit the additional information within fifteen days of the request for information to OCS. If no additional information is required, OCS shall notify the agency that the JFS 07729 has been accepted.
   (b) Should the CSEA fail to return the JFS 07729 or respond to a request for additional information within the required timeframe, OCS reserves the right to conduct an on-site visit in accordance with rule 5101:12-1-22.1 of the Administrative Code.

(F) An agency shall comply with the following reporting requirements, in accordance with the FTI incident response and incident reporting standards described in IRS Publication 1075 for unauthorized access to or inspection of FTI, including but not limited to:

(1) Training all staff in FTI incident response procedures.
(2) Routinely tracking and documenting FTI security incidents.
(3) Promptly reporting any unauthorized inspection and disclosure or use of FTI to the appropriate authority, as described in the IRS Publication 1075.

Replaces: 5101:12-1-20.2
Effective: 4/1/2018
Five Year Review (FYR) Dates: 04/01/2023
Certification: CERTIFIED ELECTRONICALLY
Date: 03/12/2018
Promulgated Under: 119.03
Statutory Authority: 3125.08, 3125.25, 3125.51
Rule Amplifies: 3125.08, 3125.43, 3125.50., 3125.03
The child support enforcement agency (CSEA) shall follow the procedures of retention, disposal, and destruction of records described in section 149.38 of the Revised Code, and rule 5101:9-9-21 of the Administrative Code.

Pursuant to 45 C.F.R. sections 92.42 and 302.15, the CSEA shall retain all fiscal and statistical records and their supporting documents that are required to be maintained under the Title IV-D program, or otherwise reasonably considered as pertinent to the requirements of the Title IV-D program. These records shall be retained:

1. For a minimum of three years from the end of the fiscal year to which the records are applicable; or
2. In accordance with the county records commission in the county in which the CSEA serves, when the county records commission requires a retention period more than three years.

Pursuant to 45 C.F.R. sections 92.42 and 302.15, the CSEA shall retain case records that are required to be maintained under the Title IV-D program, or otherwise reasonably considered as pertinent to the requirements of the Title IV-D program. Case records shall be retained:

1. For a minimum of three years; or
2. For a longer period as determined by the county records commission.

When a balance exists on a case in which program services have been terminated and the records retention period described in this rule has run, the case records must be retained until the balance has been paid.

Pursuant to 45 C.F.R. section 92.42 and section 9.01 of the Revised Code, copies made by microfilming, photocopying, digital imaging or similar methods may be substituted for the original records.
A) Funding for allowable IV-D expenditures.

(1) Federal financial participation (FFP) at the applicable matching rate is available for reimbursement of allowable expenditures, as described in 45 C.F.R. 304, as in effect on December 1, 2016, incurred in the provision of IV-D services. The FFP matching rate is a variable percentage set by federal law. The child support enforcement agency (CSEA) receives FFP in the administrative advance through the Ohio department of job and family services, as outlined in rule 5101:9-7-02 of the Administrative Code.

(2) To fund the portion of allowable IV-D expenditures not reimbursed through FFP (hereafter referred to as the non-federal share), the CSEA may use:
   (a) State appropriated funds known as the state allocation;
   (b) Funds appropriated by the county commissioners from the county general fund; and
   (c) Processing charges collected on non-IV-D cases that are not program income.

(3) The portion of the non-federal share not met by state funds or federal incentives is designated as the county share or county obligation on the quarterly child support administrative fund reconciliation, described in rule 5101:9-7-02 of the Administrative Code. Federal regulations mandate the permissible sources from which the non-federal share can be supplied:
   (a) Public funds, other than those derived from private resources, used by the CSEA for its IV-D child support enforcement program may be considered as the non-federal share in claiming federal reimbursement under the following conditions:
      (i) The funds are appropriated directly to the CSEA; or
      (ii) The funds are of another public agency and are treated as follows:
        (a) Transferred to the CSEA and are under the CSEA's administrative control; or
        (b) Certified by the contributing public agency as representing expenditures under the state's IV-D plan, subject to the limitations of this rule.
   (b) Public funds used by the CSEA for its IV-D child support enforcement program may not be considered as the non-federal share in claiming federal reimbursement under the following conditions:
      (i) The funds are federal funds, unless authorized by federal law to be used to match other funds; or
      (ii) The funds are used to match other federal funds.
   (c) Funds treated as IV-D program income pursuant to rule 5101:12-1-53 of the Administrative Code may not be considered as the non-federal share in claiming federal reimbursement.

B) Funding for expenditures for which FFP is not allowable.

(1) Expenditures for an IV-D case for which FFP is not allowable are described in 45 C.F.R. 304. In addition, FFP is not allowable for any support enforcement program service provided to a non-IV-D case.

(2) The CSEA is responsible for all expenditures for which FFP is not allowable.

(3) For expenditures for which FFP is not allowable, the CSEA may use:
(a) Funds appropriated by the county commissioners from the county general fund; and
(b) Funds collected on non-IV-D cases for:
   (i) Processing charges;
   (ii) Interest; or
   (iii) Copying charges.

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The office of child support (OCS) in the Ohio department of job and family services (ODJFS) is required to collect certain data from the child support enforcement agencies (CSEA) and submit it to the federal office of child support enforcement. The CSEA shall complete and submit the following reports:

1. The JFS 02750 "Child Support Administrative Fund Monthly Financial Statement" (rev. 10/2005 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code);
2. The JFS 02712 "Child Support RMS - Random Moment Sample Observation Form" (rev. 3/2010) The child support random moment sample time study in accordance with rule 5101:9-7-23 of the Administrative Code; and
3. The JFS 04234 "Annual Full-Time Equivalent Report" (rev. 1/2008 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code).

Submission process and time frame.

1. The CSEA shall submit the JFS 02750 and 02712 to ODJFS, office of fiscal and monitoring services in accordance with rule 5101:9-7-02.1 of the Administrative Code and shall follow the timeframe and submission instructions described in rules 5101:9-6-83 and 5101:9-7-29 of the Administrative Code; and
2. The CSEA shall submit the JFS 04234 to OCS on or before the fifteenth day of October. If October fifteenth is not a business day, the JFS 04234 is due by the next business day.

Failure by the CSEA to timely submit the reports listed in paragraph (A) of this rule may result in the withholding of subsequent funding to the CSEA by ODJFS, office of fiscal and monitoring services until the reports have been submitted.
Revenues resulting from Title IV-D case activity shall be considered IV-D program income and shall not be used as any portion of the nonfederal share of program funding. Revenues resulting from Title IV-D case activity are deducted from expenditures presented for federal reimbursement. IV-D program income revenue shall be used for the operation of the IV-D child support program.

Only revenues resulting from Title IV-D case activity shall be considered IV-D program income. Revenues resulting from non-IV-D case activity may be used at the discretion of the child support enforcement agency (CSEA) or the Ohio department of job and family services (ODJFS), including being used to provide the nonfederal share of funds for the child support program.

The CSEA must report as revenue on the JFS 02750, "Child Support Administrative Fund Enforcement Agency Quarterly Financial Statement" (rev. 10/200510/2011), all program income described in this rule that is allocated to the CSEA and income the CSEA collects and retains. The CSEA must complete the JFS 02750 as described in rule 5101:9-7-29 of the Administrative Code.

Paras (D)(1) to (D)(8) of this rule identify the various forms of program income.

1. The processing charge collected on Title IV-D cases shall be considered IV-D program income to the CSEA.

2. Any amount earned through investment of IV-D collections, such as interest earned from collections made on behalf of child support obligees, shall be considered IV-D program income. If a CSEA or ODJFS pays service fees on an income-producing account, only the net amount (investment income less service fees) shall be reported. The CSEA or ODJFS shall maintain a record of investment revenue and service fees relative to the depository account. There is no net investment income to report nor transfer if the service fees exceed investment income.

3. Recovered IV-D allowable payments such as IV-D allowable clerk of court fees, court costs, and genetic testing fees for paternity determination made by the CSEA shall be considered IV-D program income. If any of these items are returned to ODJFS, it is program income to ODJFS. If any is retained at the CSEA, it becomes program income to the CSEA through the administrative fund.

4. When the CSEA does not absorb the IV-D application fee, the fee shall be considered IV-D program income to the CSEA.

5. The CSEA may charge miscellaneous fees, such as photocopy charges, provided the fee charged is sufficient to cover costs yet nominal enough not to discourage the right of access to information in the files. The fees charged for services on IV-D cases shall be considered IV-D program income to the CSEA through the administrative fund.

6. Unclaimed funds.
   a. A IV-D payment that becomes unclaimed pursuant to rule 5101:12-10-655101:12-80-25 of the Administrative Code shall be reported as program income. At such time that the payment is claimed by its owner, unclaimed funds collected by the owner shall be reported as a reduction to program income.
   b. A IV-D payment that loses unclaimed status pursuant to former rule 5101:1-29-71.2 of the Administrative Code shall be reported as program income.

7. Interest paid pursuant to section 3123.17 of the Revised Code on assigned arrears shall be considered IV-D program income to ODJFS.

8. Any fine imposed in a IV-D case that the CSEA or ODJFS has retained shall be considered IV-D program income.
Effective: 07/15/2013
R.C. 119.032 review dates: 04/01/2013 and 07/01/2018
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(A) This rule and its supplemental rules describe the calculation and distribution of the Ohio incentive payment from the federal office of child support enforcement (OCSE) to the state of Ohio, and the incentive payment from the Ohio department of job and family services (ODJFS) to the child support enforcement agency (CSEA).

(B) The following definitions apply to this rule and its supplemental rules:

(1) "Federal fiscal year" means the twelve-month time period beginning October first and ending September thirtieth.

(2) "Performance category" means the following child support program areas:
   (a) Establishment of paternity;
   (b) Establishment of support orders;
   (c) Collection of current support;
   (d) Collection of past-due support; and
   (e) Cost effectiveness.

(3) "Performance year" means the twelve-month time period ending September thirtieth of each year during which each CSEA's performance is measured. The performance year corresponds to the federal fiscal year, to the period of measurement of Ohio's performance by OCSE, and to the period of review for the annual self-assessment.

(C) Calculation of the Ohio incentive payment.

(1) In accordance with 42 U.S.C. 658a, as in effect January 1, 2009, OCSE determines the amount of the incentive payment for a state. The incentive payment for a federal fiscal year is equal to the incentive payment pool for the federal fiscal year, multiplied by the state incentive payment share for the federal fiscal year.

   (a) The incentive payment share is the incentive base amount for a state for the federal fiscal year divided by the sum of the incentive base amounts for all of the states for the federal fiscal year.

   (b) The incentive base amount is the sum of the applicable percentages, as determined in 42 U.S.C. 658a, multiplied by the corresponding maximum incentive base amounts for a state for the fiscal year, with respect to the state's measure of performance in each performance category during the federal fiscal year.

(2) The state collections base for a federal fiscal year is determined by using the following formula:

   \( \text{State collections base} = 2 \times (\text{current assistance collections} + \text{former assistance collections} + \text{medicaid collections}) + \text{never assistance collections} + \text{fees retained by other states}. \)

(3) The per cent contributed in each performance category to the total Ohio incentive base amount is determined by using the following formula:

   \[ \text{Per cent contributed} = \frac{\text{Maximum incentive base amount in each performance category}}{\text{Total Ohio maximum incentive base amount}} \]

(4) The amount of the Ohio incentive payment for each performance category is determined by using the following formula:

   \[ \text{Incentive payment} = \text{Per cent contributed} \times \text{Total Ohio incentive payment} \]
(5) The amount of the federal incentive payment distributed to a state is an estimated amount. The actual amount of the federal incentive payment earned by a state is unknown until the end of the federal fiscal year and completion of calculations for the state data reliability audit. In accordance with the processes described at 45 C.F.R. part 305, as in effect on October 1, 2009, the final, reconciled amount would then include any necessary adjustments as a result of any previous federal incentive payment overpayments or underpayments.

(6) Payment eligibility requirements.

(a) Payment of the incentive payment is contingent on a state's data being determined complete and reliable by federal auditors in the annual data reliability audit.

(b) State data necessary to calculate a state's performance level for the incentive payment and penalties for each federal fiscal year must be submitted to OCSE by December thirty-first, which is the end of the first quarter of the next federal fiscal year.

(D) Distribution of the Ohio incentive payment.

(1) Ten per cent of the total amount of the Ohio incentive payment shall be retained by ODJFS for the provision of statewide IV-D services.

(2) Ninety per cent of the total amount of the Ohio incentive payment shall be distributed to the CSEAs to administer the local IV-D program.

(E) Payment to the CSEA.

ODJFS shall pay the CSEA through the child support administrative draw, as described in rule 5101:9-7-02 of the Administrative Code. Payments made in accordance with rule 5101:9-7-02 of the Administrative Code shall be calculated in accordance with the terms of this rule beginning January 1, 2011. In accordance with paragraph (C)(5) of this rule, the CSEA incentive payment distributed to each CSEA throughout the calendar year is an estimated amount. The actual amount of the CSEA incentive payment earned by a CSEA is unknown until the annual incentives reconciliation for the federal fiscal year occurs. In accordance with paragraph (C)(5) of this rule, the final amount would include any necessary adjustments as a result of any previous federal incentive payment overpayments or underpayments. At the close of the federal fiscal year, a comparison is made between the estimated federal incentive payment and the actual federal incentive payment earned by the state. When the comparison indicates that the estimated amount exceeds the actual amount earned by the state and a deficiency exists, ODJFS will adjust the county allocation in the succeeding months. When the comparison indicates that the actual amount earned exceeds the estimated amount and a surplus exists, ODJFS will make a one-time payment to the CSEA through the administrative advance process.

(F) Requirements for use of federal incentives.

(1) In accordance with section 5101.23 of the Revised Code and 45 C.F.R. 305.35, as in effect on October 1, 2009, incentive funds shall only be spent for allowable Title IV-D expenditures unless approval is received from the federal department of health and human services.

(2) In accordance with 45 C.F.R. 305.35, as in effect on October 1, 2009, state IV-D expenditures may not be reduced as a result of the receipt and reinvestment of incentive payments. A base amount will be determined by subtracting the amount of incentive funds received and reinvested in the state IV-D program for federal fiscal year 1998 from the total amount expended by the state in the IV-D program during the same period. States have an option of using the average amount of the previous three federal fiscal years as a base amount. This base amount of state spending must be maintained in future years. Incentive payments under this paragraph must be used in addition to, and not in lieu of, the base amount.

(3) In accordance with 45 C.F.R. 305.35(c) and 45 C.F.R. 305.35(d), as in effect on October 1, 2009, a CSEA may not reduce its IV-D expenditures as a result of receipt and reinvestment of incentive payments. An evaluation of IV-D expenditures reported on the JFS 02750, "Child Support Administrative Fund Monthly Financial Statement" (rev. 10/2005). (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), will be developed to establish a base period using an average of the three previous federal fiscal years. This average
will be the IV-D expenditures level that must be maintained in future years. Incentive payments must be used in addition to, and not in lieu of, the base amount.

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The Ohio department of job and family services (ODJFS) shall distribute to the child support enforcement agency (CSEA) the funds identified in paragraph (D)(2) of rule 5101:12-1-54 of the Administrative Code based on each county’s collections base percentage.

Calculation of the county collections base percentage.

1. County collections base = (2 x (current assistance collections + former assistance collections + medicaid collections)) + never assistance collections + fees retained by other states.

2. Collections base percentage = county collections base divided by the sum of the collections base for all of the Ohio counties.

Corrective action plan.

In accordance with section 5101.24 of the Revised Code, and at the discretion of the office of child support (OCS), the CSEA may be asked to provide to OCS a corrective action plan (CAP) based on declining performance in any performance category.

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Twenty-five per cent of the child support enforcement agency (CSEA) incentive payment, calculated in accordance with rule 5101:12-1-54.1 of the Administrative Code, shall be distributed to the CSEA subject to the limitations described in this rule.

For the purposes of this rule, "self-assessment category" refers to the following child support program categories:

1. Case closure;
2. Establishment of paternity and support orders;
3. Enforcement of support orders;
4. Securing and enforcing medical support orders;
5. Review and adjustment of support orders (public assistance cases); and
6. Review and adjustment of support orders (non-public assistance cases).

Sampling methodology for the quality assurance (QA) sample.

1. For the purposes of this rule, the "quality assurance (QA) sample" refers to the case sample provided by the office of child support (OCS) to the CSEA, and used by the CSEA to complete the county self-assessment. The total statewide QA sample will be approximately one thousand cases per self-assessment category.

2. For the purposes of this rule, the "federal sample" refers to the case sample used by OCS to complete the federal self-assessment, as required by 45 C.F.R. part 308, as in effect on July 21, 2008. The minimum number of cases in the federal sample is five hundred in each self-assessment category. These cases are randomly selected from the statewide caseload.

3. Each county will receive a minimum of eleven cases in each self-assessment category. The federal sample will be distributed to each county in accordance with the process of random sample selection. The federal sample may be more or less than the eleven case minimum. If necessary, the remaining QA sample needed to meet the eleven case minimum will be randomly selected from the county caseload in each self-assessment category.

Timeframes for the county self-assessment.

1. OCS shall provide the QA sample to the CSEA by November fifteenth of each year.
2. The CSEA shall complete and return the self-assessment to OCS by February fifteenth of the subsequent year.

Completing and submitting the county self-assessment.

1. OCS shall develop the procedures for the CSEA to follow in order for the CSEA to complete a self-assessment. Periodically, OCS will modify the procedures as appropriate.

2. The CSEA is required to complete the county self-assessment, using the procedures as set forth by OCS, which includes but is not limited to meeting all of the following criteria:
   a. Using the software programs as designated by OCS to facilitate review and reporting procedures;
   b. Reviewing and evaluating each case in the QA sample;
   c. Applying an appropriate rating to each case in the QA sample; and
   d. Submitting the self-assessment to OCS, using the method for submission as designated by OCS, within the timeframe described in paragraph (D)(2) of this rule.
(3) Failure of the CSEA to submit a completed self-assessment to OCS by February fifteenth shall result in a twenty-five per cent reduction of the final reconciled CSEA incentive payment, as determined in accordance with paragraph (E) of rule 5101:12-1-54 of the Administrative Code.

(a) The twenty-five per cent reduction shall be imposed by reducing each monthly allocation during the calendar year following the calendar year in which the CSEA failed to submit the self-assessment to OCS.

(b) The amount of funds contained in the twenty-five per cent reduction shall be retained by ODJFS.

Five Year Review (FYR) Dates: 09/06/2016 and 09/06/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 09/06/2016

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**CSPMTL 99**

**Effective Date:** June 1, 2015

**Most Current Prior Effective Date:** May 1, 2012

(A) The following definitions apply to this rule:

1. "Assigned medical support" means the medicaid applicant, recipient, or participant has assigned the right to collect and retain medical support from an obligor or medical reimbursement from a third party to the Ohio department of job and family services (ODJFS).

2. "Third party" means any private medical insurer, individual, entity, or public or private medical program that is or may be liable to pay all or part of the cost of injury, disease, or disability on behalf of a medicaid applicant, recipient, or participant.

(B) When the child support enforcement agency (CSEA) is made aware of an accident or injury involving the medicaid applicant, recipient, or participant, the CSEA shall complete the JFS-06613, "Accident Injury Insurance Information" (rev. 6/2009) and send it to ODJFS, the Ohio department of medicaid (ODM), and send a copy to the county department of job and family services (CDJFS).

(C) When assigned medical support and assigned third party collections are received:

1. The child support enforcement agency (CSEA) is entitled to have fifteen percent of the total collection; and

2. ODJFS is entitled to have eighty-five percent of the total collection.

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This rule describes the support enforcement program services and IV-D services for which a child support enforcement agency (CSEA) may request federal financial participation (FFP) reimbursement. FFP reimbursement is available for reasonable and necessary CSEA expenditures for services and activities provided in a IV-D case and properly attributable to the operation of the support enforcement program. FFP reimbursement principles are based upon the general principles for determining allowable costs described in 2 C.F.R., subtitle A, chapter II, part 225 (8/31/2005) (circular A-87 of the federal office of management and budget). The current FFP reimbursement rate is sixty-six per cent.

The following definition applies to this rule and its supplemental rule:

"Arrest" means taking an individual into physical custody pursuant to a court-issued process and transporting that person to the court that ordered his or her arrest. It does not include incarceration, arraignment, and other activities that may occur as the result of an arrest.

CSEA expenditures for the following services are eligible for FFP reimbursement when provided in a IV-D case:

1. Support enforcement program services, which include:
   a. Location services;
   b. Establishment of parentage;
   c. Establishment and modification of child support orders and medical support orders;
   d. Enforcement of support orders;
   e. Collection of support obligations; and
   f. Any other actions appropriate to child support enforcement, which include but are not limited to:
      i. Monitoring the progress of program development and operations and evaluating the quality, efficiency, effectiveness, and scope of support enforcement program services available in the county;
      ii. The establishment of all necessary IV-D contracts with a private or governmental entity for the provision of IV-D services where the IV-D contract is established in accordance with rules 5101:12-1-80 to 5101:12-1-80.4 of the Administrative Code;
      iii. The direct cost of reasonable and essential short-term training provided to CSEA staff;
      iv. The development and maintenance of fiscal and program records and reports required to be made to the Ohio department of job and family services;
      v. Expenditures for general administrative costs (e.g., salaries, supplies, and equipment); and
      vi. The establishment and maintenance of case records.

2. IV-D services, which include:
   a. Federal income tax refund offset submittals for the collection of support arrears;
   b. Withholding of unemployment compensation for the payment of support;
   c. Requests to the internal revenue service for the disclosure of taxpayer information for use in establishing and collecting support obligations;
(d) Requests to the internal revenue service for the collection of delinquent support; and
(e) Requests to use the U.S. district courts when another state has failed to enforce an Ohio court support order.

(3) The purchase of IV-D services when the services are purchased under a IV-D contract in accordance with rules 5101:12-1-80 to 5101:12-10-80.4 of the Administrative Code, including but not limited to:

(a) Reasonable and essential short-term training of court and law enforcement staff assigned on a full- or part-time basis to support enforcement functions;
(b) Service of process and court filing fees when the court or law enforcement agency would normally be required to pay the cost of such fees;
(c) Costs incurred while making an arrest that is necessary to enforce a support obligation;
(d) Service of process fees, when the CSEA obtains written verification from the sheriff that the sheriff charges other agencies service of process fees; and
(e) Sheriff’s office personnel and equipment costs, when the costs are necessary to complete service of process activities.

(D) The CSEA shall comply with the rules set forth in division 5101:9 of the Administrative Code.

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This rule describes expenditures for which a child support enforcement agency (CSEA) shall not request federal financial participation (FFP) reimbursement.

CSEA expenditures for which FFP reimbursement is not available include but are not limited to:

1. Support enforcement program services provided in a non-IV-D case.
2. Charges assessed to the CSEA by a court or clerk of court that are not uniformly assessed to another agency or official that uses the services of the court or clerk of court.
3. Purchased IV-D services that are not purchased in accordance with or do not meet the requirements of rules 5101:12-1-80 to 5101:12-1-80.4 of the Administrative Code.
4. The following charges assessed to the CSEA under a IV-D contract:
   a. Service of process and court filing fees unless the court or law enforcement agency would normally be required to pay the cost of such fees;
   b. Costs of compensation (salary and fringe benefits) of judges;
   c. Costs of travel and training related to the judicial determination process incurred by judges;
   d. Office related costs, such as space, equipment, furnishings and supplies, incurred by judges;
   e. Compensation (salary and fringe benefits), travel and training, and office related costs incurred by administrative and support staffs of judges;
   f. Service of process fees unless the CSEA obtains written verification from the sheriff that the sheriff charges other agencies service of process fees;
   g. Sheriff's office personnel and equipment costs unless the costs are necessary to complete service of process activities;
   h. Costs that do not meet the definition of "allowable cost," as defined in rule 5101:12-1-80 of the Administrative Code;
   i. Costs that do not meet the definition of "reasonable cost," as defined in rule 5101:12-1-80 of the Administrative Code; and
   j. Hearings, portions of hearings, or other activities related to:
      i. Visitation, custody, or change of custody;
      ii. Establishment of spousal support orders;
      iii. Enforcement of spousal support orders if no child support order exists for the same parties;
      iv. Property settlements; and
      v. Civil protection orders or domestic violence cases.
5. Education and training programs and educational services, except short-term training of CSEA staff.
6. Activities related to administering the following public programs:
   a. Ohio works first (OWF);
   b. Medicaid and state children's health insurance program;
(c) Social services that are provided pursuant to section 5101.46 of the Revised Code; and
(d) Old-age assistance, aid to the blind, and aid to the permanently and totally disabled.

(7) Construction and major renovations.
(8) Charges that have been reimbursed by recovered fees.
(9) Functions performed by a caseworker who is also determining eligibility for OWF or performing social services functions pursuant to section 5101.46 of the Revised Code, unless alternative arrangements as described in 45 C.F.R. 303.20(e) (6/11/2003 12/29/2010) have been approved by the office of child support (OCS) in the Ohio department of job and family services (ODJFS).
(10) Medical support enforcement activities to pursue payments from a third party health insurer.
(11) Costs for the use of the federal parent locator service in parental kidnapping, child custody, or visitation cases.
(12) Costs for the incarceration of parents.
(13) Costs of counsel for indigent defendants.
(14) Costs of guardians ad litem.
(15) Services the CSEA is not authorized to perform under the rules set forth in division 5101:12 of the Administrative Code.

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This rule and its supplemental rules describe the process by which a child support enforcement agency (CSEA) enters into a IV-D contract with a governmental entity or a private entity to provide IV-D services and for the CSEA to receive federal financial participation (FFP) reimbursement to offset the cost of the purchase of the services under a IV-D contract. The principles of FFP reimbursement are described in rules 5101:12-1-60 and 5101:12-1-60.1 of the Administrative Code.

The following terms and definitions apply to this rule and its supplemental rules:

1. "Allowable cost" refers to a cost under a IV-D contract that meets the following general criteria:
   a. The cost is necessary and reasonable for the proper and efficient performance and administration of the IV-D contract.
   c. The cost is authorized or not prohibited under state or local laws or regulations.
   d. The cost conforms to any limitation or exclusion under the provisions of 2 C.F.R., subtitle A, chapter II, part 225.
   e. The cost is consistent with policies, regulations, and procedures of the support enforcement program.
   f. Unless otherwise provided for in 2 C.F.R., subtitle A, chapter II, part 225, the cost is determined in accordance with generally accepted accounting principles.

2. "Calendar quarter" means one of the following three-month time periods:
   a. January first through March thirty-first;
   b. April first through June thirtieth;
   c. July first through September thirtieth; or
   d. October first through December thirty-first.

3. "Contractor" refers to a private or governmental entity with whom the CSEA enters into a IV-D contract.

4. "Governmental entity" includes the following entities in the same county as the CSEA:
   a. A court;
   b. A prosecutor or other law enforcement official;
   c. A sheriff;
   d. A clerk of court;
   e. A recorder's office;
   f. A treasurer's office; or
   g. Any other public or governmental agency or official.

5. "Initiated by the CSEA" or "CSEA initiated" refers to an activity that is started by the CSEA, which includes but is not limited to:
   a. A complaint or motion filed by the CSEA, including a complaint or motion in which the CSEA requests to be joined as a party to the case; and
(b) A court hearing or other proceeding before a magistrate that is the result of a timely objection to an administrative recommendation, determination, decision, or order issued by the CSEA.

(6) "IV-D case" means a case that has been approved for IV-D services as described in rule 5101:12-10-01.1 of the Administrative Code.

(7) "IV-D contract" means a mutually binding, legal relationship obligating a private or governmental entity to provide IV-D services in a IV-D case or perform other administrative duties of the CSEA that pertain to a IV-D case in return for payment by the CSEA. A IV-D contract is executed through the JFS 07018, "IV-D Contract" (rev. 11/2012 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) and JFS 07037, "IV-D Contract Amendment" (rev. 2/2009 effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code).

(8) "IV-D contract documents" refers to the following forms (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code):

(a) JFS 01728, "Daily Time Sheet for Non-Dedicated Principal Staff" (2/2009);
(b) JFS 01729, "Monthly Time Sheet Summary for Non-Dedicated Principal Staff" (2/2009);
(c) JFS 01730, "Dedicated Principal Staff Exception Report" (2/2009);
(d) JFS 01731, "Monthly Time Summary for Governmental Contractor" (2/2009);
(e) JFS 01772, "IV-D Contract Cover Letter" (rev. 5/2013);
(f) JFS 02015, "IV-D Contract Time Study" (rev. 2/2009);
(g) JFS 02151, "IV-D Contract Evaluation" (rev. 5/2013);
(h) JFS 07015, "Certification of Compliance with Competitive Sealed Bid Requirements" (rev. 2/2009);
(i) JFS 07016, "IV-D Contract Security Addendum" (rev. 2/2009);
(j) JFS 07018;
(k) JFS 07020, "Governmental Contractor IV-D Contract Budget" (rev. 2/2009);
(l) JFS 07034, "Governmental Contractor Monthly Expense Report" (rev. 2/2009);
(m) JFS 07035, "IV-D Contract Invoice" (rev. 2/2009); and
(n) JFS 07037.

(9) "IV-D services" has the same meaning as in rule 5101:12-1-10.1 of the Administrative Code.

(10) "Law enforcement official" means district attorneys, attorneys general, and similar public attorneys and prosecutors and their staff.

(11) "Non-federal share" has the same meaning as in paragraph (A)(3)(a) of rule 5101:12-1-50 of the Administrative Code. The non-federal share is calculated by subtracting the current FFP reimbursement rate, as defined in rule 5101:12-1-60 of the Administrative Code, from one hundred per cent. The remaining percentage is the non-federal share.

(12) "Not initiated by the CSEA" or "non-CSEA initiated" refers to an activity that is not started by the CSEA, which includes but is not limited to:

(a) A court hearing or other proceeding held as a result of a complaint or motion filed by a private attorney or any entity other than the CSEA;

(b) An activity performed by the CSEA in response to an action filed by a private attorney or any other entity other than the CSEA including but not limited to witness testimony, preparation of guidelines calculations, or responding to subpoenas duces tecum; and
(c) An action taken by a CSEA when the CSEA has not requested to be but is joined as a party to the case.

(13) "Private entity" means a company, organization, or individual that does not meet the definition of "governmental entity."

(14) "Reasonable cost" in accordance with 2 C.F.R., subtitle A, chapter II, part 225, means a cost that by its nature and amount does not exceed the cost that would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Considerations include but are not limited to whether:

(a) The cost is generally recognized as an ordinary and necessary operating expense;
(b) Sound business practices and arms-length bargaining have been utilized;
(c) Market prices for comparable goods or services have been considered;
(d) The individuals involved in the IV-D contract process have acted with prudence considering the individuals' responsibilities to the CSEA; and
(e) The cost does not significantly deviate from established practices of the CSEA.

(15) "Total IV-D contract cost" means one hundred per cent of the cost of the services purchased or duties performed under a IV-D contract.

(C) IV-D contracts.

(1) In accordance with section 3125.14 of the Revised Code, the CSEA is required to enter into a IV-D contract with a court and law enforcement official in the same county as the CSEA to provide for the enforcement of a support order.

(2) If a court or law enforcement official declines or fails to enter into a IV-D contract with the CSEA, the CSEA must document any attempt to enter into a IV-D contract with the court or law enforcement official and retain the documentation in accordance with rule 5101:12-1-80.4 of the Administrative Code.

(D) Types of IV-D contracts.

The types of IV-D contracts that the CSEA may elect to enter into include but are not limited to:

(1) A IV-D contract with a prosecutor in the same county as the CSEA or a private attorney to provide legal services.

(2) A IV-D contract with a prosecutor in the same county as the CSEA to provide service of process, including warrants for arrest.

(3) A IV-D contract with the sheriff in the same county as the CSEA to provide service of process, including warrants for arrest.

The CSEA may enter into a IV-D contract with a person or private entity to provide service of process only when the CSEA determines that the sheriff is unable to provide the resources necessary for service of process in a timely manner.

(4) A IV-D contract with a private entity to provide service of process, excluding warrants for arrest.

(5) A IV-D contract with a court or a clerk of court in the same county as the CSEA to provide the duties of a clerk of court that are initiated by the CSEA.

(6) A IV-D contract with a court in the same county as the CSEA to provide magistrate services.

The CSEA may elect to purchase:

(a) Only CSEA initiated activities; or
(b) Both CSEA initiated and non-CSEA initiated activities.

(7) A IV-D contract with a court in the same county as the CSEA for probation officer services to provide enforcement duties that target only individuals placed on probation for non-payment of child support when the enforcement duties of the probation officer are:
(a) Specifically for the purposes of assuring regular and continuing payments of child support; and
(b) Not generally a part of a probation officer’s routine of monitoring the whereabouts and activities of an offender.

(8) A IV-D contract with a private entity to provide collection services.

In accordance with section 3125.30 of the Revised Code, the private entity shall forward any payments collected under the IV-D contract to child support payment central, within the office of office of child support (OCS), within the Ohio department of job and family services, no later than one day after the receipt of the payments.

(E) Requirements when the CSEA enters into a IV-D contract with a court for magistrate services and the CSEA elects to purchase both CSEA initiated and non-CSEA initiated activities.

(1) The court shall certify that all court hearings are conducted in compliance with Title IV-D of the Social Security Act, Pub. L. No. 93-647, 88 Stat. 2351 (1975), 42 U.S.C. 651 (8/22/1996), as amended up until the effective date of this rule, and the rules in division 5101:12 of the Administrative Code.

(2) A court hearing is defined as a hearing or other proceeding held as a result of a complaint or motion filed for the following reasons, including but not limited to:
   (a) Establishment of paternity;
   (b) Establishment and modification of a child support order or medical support order;
   (c) Enforcement of a support order; and
   (d) Collection of a support obligation.

(3) No party may be charged court costs for a court hearing unless the court costs are required by state law. If court costs are assessed and collected, the contractor shall report the collection as income on the JFS 07020.

(4) The CSEA shall certify that each case listed on the JFS 07035 was an active, open IV-D case on the date that the court hearing was held.

(F) Limitations when the CSEA intends to enter into or enters into a IV-D contract with a prosecutor or private attorney to provide legal services as described in section 3125.17 of the Revised Code:

(1) The CSEA shall not enter into a IV-D contract with a prosecutor or his or her employees as a private attorney during the prosecutor’s term of office.

(2) The prosecutor or private attorney shall not represent the CSEA on matters in which that prosecutor or private attorney participated as a CSEA administrative officer making administrative determinations or issuing administrative orders.

(G) Competitive sealed bid and proposal requirements for a IV-D contract with a private entity.

(1) A CSEA administered by a county department of job and family services (CDJFS) that intends to enter into a IV-D contract with a private entity may elect to use either the competitive sealed bid process described in section 307.86 of the Revised Code, or the competitive sealed proposal process described in section 307.862 of the Revised Code.

(2) A CSEA not administered by a CDJFS that intends to enter into a IV-D contract with a private entity shall use the competitive sealed bid process described in section 307.86 of the Revised Code.

(3) A CSEA that is not administered by a CDJFS or a CSEA that is administered by a CDJFS that elects to use the competitive sealed bid process shall comply with all competitive sealed bid requirements, including but not limited to the following:
(b) The standards for acquisition, county standards of conduct, contracting with small and minority business, women’s business enterprise, and labor surplus area firms, procurement methods, competition, and purchase threshold, as described in Chapter 5101:9-4 of the Administrative Code; and

(c) The standards for procurement, competition, acquisition threshold, contracting with small and minority business, women’s business enterprise, and labor surplus area firms, contract cost and price, awarding agency review, and bonding requirements, as described in 45 C.F.R. 92.36 (4/19/1995).

(4) The CSEA shall complete and submit to OCS the JFS 07015 to either certify that the CSEA is in compliance with applicable state and federal laws regarding the competitive sealed bid requirements or indicate that the CSEA, if administered by a CDJFS, has elected to use the competitive sealed proposal process.

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CSPMTL 80

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(A) The child support enforcement agency (CSEA) is responsible for the contents of the IV-D contract and all incorporated IV-D contract documents, regardless of whether the IV-D contract documents were prepared by the CSEA, the contractor, or another entity.

(B) The following IV-D contract terms must be agreed upon by the parties to the IV-D contract and completed by the CSEA, the contractor, or another entity:

(1) IV-D contract period.

The IV-D contract period is for twelve months or less. When the IV-D contract period is less than twelve months, the CSEA may amend the IV-D contract to extend the IV-D contract period through the remainder of the twelve-month period or enter into a new IV-D contract for a period of twelve months or less.

(2) Unit of service.

(a) The unit of service represents the product that the CSEA is purchasing from the contractor. The CSEA and contractor shall ensure that the unit of service is:

(i) Clearly defined in the IV-D contract;
(ii) Able to be accurately counted and measured;
(iii) Related to the objectives of the support enforcement program;
(iv) Eligible for federal financial participation (FFP) reimbursement; and
(v) Provided to, for, or on behalf of a IV-D case.

(b) In a IV-D contract with a court for magistrate services, the unit of service must be defined as:

(i) An hour;
(ii) A court order that has been filed with the clerk of court; or
(iii) A court hearing presided over by a magistrate.

(c) In a IV-D contract with a clerk of court, a unit of service must be defined as a filing of a CSEA initiated document.

(d) In a IV-D contract with a sheriff for services other than service of process, a unit of service must be defined as an hour.

(e) In a IV-D contract with a prosecutor or private attorney for legal services, a unit of service must be defined as an hour.

(f) In a IV-D contract with a private entity for a service other than legal services, a unit of service must be defined according to the standard definition of a unit of service for that industry.

(3) Optional purchase of non-CSEA initiated activities.

In a IV-D contract with a court to provide magistrate services, the CSEA may elect to purchase:

(a) Only CSEA initiated activities; or
(b) Both CSEA initiated activities and non-CSEA initiated activities.

(4) IV-D contract costs.

(a) Unit rate.
In a IV-D contract with a private entity, the unit rate is determined through the procurement process.

In a IV-D contract with a governmental entity:

(a) The governmental entity is prohibited from earning a profit or other increment above allowable costs from the IV-D contract.

(b) For purposes of calculating the unit rate, the following definitions apply:
   (i) "Dedicated unit" means the contractor has staff within a separately designated operational unit whose only duties are to perform activities under the IV-D contract.
   (ii) "Non-dedicated unit" means the contractor has staff whose duties include performing activities under the IV-D contract as well as other activities.
   (iii) "Program" means services provided by either a non-dedicated unit or a dedicated unit. Costs for the program consist of the total costs associated with the production of a unit of service by that non-dedicated or dedicated unit.

(c) In a IV-D contract with a governmental entity, the unit rate shall be calculated on the JFS 07020, "Governmental Contractor IV-D Contract Budget" (rev. 2/2009), by using an estimate of the contractor's annual costs that are eligible for federal financial participation (FFP) reimbursement and an estimate of the income generated by the provider of the program.

(d) The contractor shall calculate the unit rate on the JFS 07020 by:
   (i) Including one hundred per cent of the costs of the principal staff of the non-dedicated unit.
   (ii) Prorating the contractor’s costs for staff, operations, and equipment.
   (iii) Including an estimate of the income generated by the provider of the program.
   (iv) Including the estimated number of total operating units to be produced by the principal staff during the IV-D contract period.
   (v) Including the estimated number of units of service to be purchased during the IV-D contract period.

(b) Total IV-D contract cost.

(i) The total IV-D contract cost is calculated by multiplying the unit cost by the number of units of service expected to be purchased during the IV-D contract period.

(ii) The CSEA shall ensure that the total IV-D contract cost includes both the non-federal share and the FFP reimbursement.

(a) In a IV-D contract with a private entity:
   (i) The CSEA shall pay the non-federal share of the total IV-D contract cost;
   (ii) The contractor shall not contribute the non-federal share of the total IV-D contract cost, either in cash or in kind; and
   (iii) The FFP reimbursement shall not be considered as the total IV-D contract cost.

(b) In a IV-D contract with a governmental entity, the contractor may provide the non-federal share of the total IV-D contract cost.
(iii) The CSEA shall not pay the contractor more than the total IV-D contract cost.

(5) Availability of funds.
The CSEA shall identify the amount and source of non-federal funds, as described in rule 5101:12-1-50 of the Administrative Code, and the amount of FFP reimbursement that is expected to be available for the reimbursement of services to the contractor.

(6) Performance standards.
(a) The performance standards shall clearly describe the service or services that the CSEA is purchasing from the contractor and shall be:
   (i) In compliance with the requirements in 45 C.F.R. Part 303 (8/4/1989);
   (ii) Consistent with and no less stringent than the rules in division 5101:12 of the Administrative Code;
   (iii) Developed in consultation with the contractor;
   (iv) Sufficiently detailed to clearly define the expected performance;
   (v) Quantifiable; and
   (vi) Measurable and clearly specify the method and frequency of measurement.
(b) The CSEA shall attach a document to the JFS 07018, "IV-D Contract" (rev. 2/2009 rev. 11/2012) that describes the performance standards for the IV-D contract. When the contractor and CSEA are amending the performance standards of a IV-D contract, the CSEA shall attach a document to the JFS 07037, "IV-D Contract Amendment" (rev. 2/2009) that describes the amended performance standards.

(7) Access of program to public.
The CSEA and contractor shall describe when the contractor will provide services to the public.

(C) IV-D contract signatures.
(1) The JFS 07018 and JFS 07037 shall be signed and dated by:
   (a) The authorized representative of the CSEA;
   (b) The authorized representative of the contractor; and
   (c) The majority of the commissioners in the county or a person formally authorized by the commissioners to sign on their behalf.
(2) If required by the county, the prosecutor shall also sign the JFS 07018 and JFS 07037.

(D) Amending the IV-D contract.
(1) After a IV-D contract is in effect, the CSEA and contractor may agree to amend the IV-D contract terms as described in paragraph (B) of this rule at any time during the IV-D contract period by completing and submitting to the office of child support (OCS) the JFS 07037.
   (a) OCS shall review the IV-D contract amendment and determine whether the amendment is acceptable for purposes of FFP reimbursement.
   (b) OCS shall notify the CSEA of its determination.
(2) The CSEA shall amend the IV-D contract to increase the total IV-D contract cost when the total IV-D contract cost amount is insufficient to provide services for the entire IV-D contract period and the CSEA desires to continue to purchase services for the remainder of the IV-D contract period.

(E) Modifying the IV-D contract.
Language in the JFS 07018 and JFS 07037 shall not be modified, deleted, struck out, or added, except for the following:
(1) Before signing the IV-D contract or IV-D contract amendment, the CSEA or contractor may agree to modify the language contained in the IV-D contract or IV-D contract amendment.

   (a) The CSEA shall submit the proposed modifications to OCS.

   (b) OCS shall review the proposed modifications and determine whether the modifications are acceptable for purposes of FFP reimbursement.

   (c) OCS shall notify the CSEA of its determination.

(2) If the CSEA or contractor modifies the language in the IV-D contract or IV-D contract amendment without the agreement of both parties and acceptance from OCS, the modified IV-D contract or IV-D contract amendment will have no force or effect of law.

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Submission requirements.

(1) The child support enforcement agency (CSEA) and contractor shall not add any text to any of the IV-D contract documents, or make any modifications, deletions, or strike outs to the IV-D contract documents, whether to the face of or as an addenda to the IV-D contract documents with the following exceptions:

(a) The CSEA and contractor may agree to amend the IV-D contract in accordance with paragraph (D) of rule 5101:12-1-80.1 of the Administrative Code;

(b) The CSEA and contractor may agree to modify the IV-D contract in accordance with paragraph (E) of rule 5101:12-1-80.1 of the Administrative Code; or

(c) The CSEA and contractor may agree to modify the required information in the insertable fields contained in the IV-D contract documents.

(2) The CSEA shall retain the original, completed, and signed IV-D contract and all original completed IV-D contract documents and submit to the office of child support (OCS) a copy of the following completed IV-D contract documents, as applicable:

(a) For a IV-D contract between the CSEA and a private entity:

(i) The JFS 01772, "IV-D Contract Cover Letter" (rev. 2/2009 rev. 5/2013);

(ii) The JFS 07015, "Certification of Compliance with Competitive Sealed Bid Requirements" (rev. 2/2009);

(iii) The JFS 07016, "IV-D Contract Security Addendum" (rev. 2/2009);

(iv) The JFS 07018, "IV-D Contract" (rev. 2/2009 rev. 11/2012) and attached document that describes the performance standards;

(v) The resolution of the county commissioners that authorizes the IV-D contract expenditure or the minutes of the county commissioners meeting during which the IV-D contract was authorized, unless the county commissioners have delegated the authority to enter into the IV-D contract to the county department of job and family services (CDJFS). If such delegation of contracting authority has occurred, the CSEA shall submit the certification of available funds in accordance with section 5705.41 of the Revised Code; and

(vi) Any other documents as requested by OCS.

(b) For a IV-D contract between the CSEA and a governmental entity:

(i) The JFS 01772;

(ii) The JFS 07016;

(iii) The JFS 07018 and attached document that describes the performance standards;

(iv) The JFS 07020, "Governmental Contractor IV-D Contract Budget" (rev. 2/2009);

(v) The summary page from the county's cost allocation plan, if indirect costs are included in the calculation of the budget;

(vi) The resolution of the county commissioners that authorizes the IV-D contract expenditure or the minutes of the county commissioners meeting during which the IV-D contract was authorized, unless the county commissioners have delegated the authority to enter into the IV-D contract to the CDJFS. If such delegation of
contracting authority has occurred, the CSEA shall submit the certification of available funds in accordance with section 5705.41 of the Revised Code; and

(vii) Any other documents as requested by OCS.

(c) For a IV-D contract amendment between the CSEA and a private entity:

(i) The JFS 01772;

(ii) The JFS 07037, "IV-D Contract Amendment" (rev. 2/2009) and attached document that describes the amended performance standards, if applicable;

(iii) The resolution of the county commissioners that authorizes the IV-D contract expenditure or the minutes of the county commissioners meeting during which the IV-D contract was authorized, unless the county commissioners have delegated the authority to enter into the IV-D contract to the CDJFS. If such delegation of contracting authority has occurred, the CSEA shall submit the certification of available funds in accordance with section 5705.41 of the Revised Code; and

(iv) Any other documents, as requested by OCS.

(d) For a IV-D contract amendment between the CSEA and a governmental entity:

(i) The JFS 01772;

(ii) The JFS 07037 and attached document that describes the amended performance standards, if applicable;

(iii) The JFS 07020;

(iv) The resolution of the county commissioners that authorizes the IV-D contract expenditure or the minutes of the county commissioners meeting during which the IV-D contract was authorized, unless the county commissioners have delegated the authority to enter into the IV-D contract to the CDJFS. If such delegation of contracting authority has occurred, the CSEA shall submit the certification of available funds in accordance with section 5705.41 of the Revised Code; and

(v) Any other documents, as requested by OCS.

(B) Submission timeframe.

In order to ensure that the CSEA will have sufficient time to make any necessary corrections to the IV-D contract or IV-D contract amendment and be eligible to receive federal financial participation (FFP) reimbursement for the entire IV-D contract period, OCS recommends that the CSEA submit the IV-D contract or IV-D contract amendment to OCS no later than the last day of the first month of the calendar quarter for which the CSEA expects to receive FFP reimbursement.

(C) OCS review and acceptance of a IV-D contract or IV-D contract amendment.

(1) OCS shall conduct a review of a IV-D contract or IV-D contract amendment and all IV-D contract documents that shall not exceed thirty days from the receipt of the IV-D contract or IV-D contract amendment. OCS shall then make a determination of whether the IV-D contract or IV-D contract amendment appears to be valid and acceptable for purposes of FFP reimbursement in accordance with the following standards:

(a) Each IV-D contract cost appears to meet the definitions of "allowable cost" and "reasonable cost," as defined in paragraph (B) of rule 5101:12-1-80 of the Administrative Code.

(b) Each IV-D contract cost appears to be eligible for FFP reimbursement, in accordance with rules 5101:12-1-60 and 5101:12-1-60.1 of the Administrative Code.

(c) The unit of service appears to be eligible for FFP reimbursement, in accordance with rules 5101:12-1-60 and 5101:12-1-60.1 of the Administrative Code.
(d) The IV-D contract or IV-D contract amendment appears to comply with all applicable state and federal requirements.

(2) When OCS determines that a IV-D contract or IV-D contract amendment appears to be valid and acceptable for purposes of FFP reimbursement, OCS shall issue a IV-D contract acceptance letter to the CSEA.

(3) OCS shall not accept a IV-D contract or IV-D contract amendment when:

(a) The IV-D contract or IV-D contract amendment does not appear to be valid or acceptable for purposes of FFP reimbursement, in accordance with the standards described in paragraph (C)(1) of this rule.

(b) The CSEA or contractor have added text other than the required information in the insertable fields contained in any of the IV-D contract documents, or modified the IV-D contract documents, whether to the face of or as an addenda to the IV-D contract document, without the agreement of both parties to the IV-D contract and without the approval from OCS for the modifications.

OCS shall notify the CSEA when OCS determines that a IV-D contract or IV-D contract amendment does not appear to be valid and acceptable for purposes of FFP reimbursement. The CSEA may make any necessary corrections or submit to OCS a new IV-D contract or IV-D contract amendment, if appropriate.

(4) The OCS review is not intended to constitute an audit of the IV-D contract or IV-D contract amendment. The OCS review shall not replace any review or audit that may be conducted by the Ohio department of job and family services, or any other federal, state, or local entity.

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(A) Time study for a IV-D contract with a court for magistrate services.

(1) The time study is used to calculate the IV-D multiplier and identify the average length of time needed to:

   (a) Produce a court order, which must include the time spent preparing for and conducting a court hearing; or
   (b) Conduct a court hearing.

   The IV-D multiplier is a comparison of the average amount of time spent on activities that are reimbursable under the IV-D contract to the average amount of time spent on all recorded activities. The IV-D multiplier is also used to calculate the justified unit rate. The justified unit rate is used to determine the actual IV-D contract cost for invoicing purposes each month.

(2) A time study is required when the IV-D contract is with a court for magistrate services and all of the following conditions are met:

   (a) The unit of service is defined as a court order or a court hearing;
   (b) The IV-D contract is for child support enforcement agency (CSEA) initiated activities or both CSEA initiated activities and non-CSEA initiated activities; and
   (c) The court docket includes activities that are reimbursable and not reimbursable under the IV-D contract.

(3) The time study shall be conducted:

   (a) At least one time per year; and
   (b) During a twelve-month period of time before the signature date on the IV-D contract; and
   (c) For a total of four weeks during any calendar year. The four weeks can be:

      (i) Four consecutive weeks;
      (ii) One week per quarter; or
      (iii) Two consecutive weeks at two different intervals.

(4) Each magistrate who performs activities under the IV-D contract shall complete one JFS 02015, "IV-D Contract Time Study" (rev. 2/2009) for each day of the time study.

(5) The contractor shall submit to the CSEA all of the JFS 02015s upon completion of all of the time studies.

(6) The CSEA shall review each JFS 02015 and work with the contractor to resolve any discrepancies in accuracy or completeness, if any. The CSEA shall maintain documentation of the review of the JFS 02015s, the results of the review, and how any identified discrepancies were resolved.

(B) Time sheet and exception reporting.

(1) For purposes of completing a time sheet or exception report, the following definitions apply:

   (a) "Dedicated principal staff" means principal staff, as listed on the JFS 07020, "Governmental Contractor IV-D Contract Budget" (rev. 2/2009), who work one hundred per cent of the time on activities that are reimbursable under the IV-D contract.
(b) "Non-dedicated principal staff" means principal staff, as listed on the JFS 07020, who work less than one hundred per cent of the time on activities that are reimbursable under the IV-D contract.

(2) Time sheet requirement for a IV-D contract with a private entity.

(a) When the unit of service is defined as an hour, the contractor shall record the time spent each month on activities that are reimbursable under the IV-D contract on a time sheet that contains the following data elements and is signed by the contractor;

(b) Date;
(c) Description of activity;
(d) Time activity began;
(e) Time activity ended;
(f) Case number;
(g) Support enforcement tracking system (SETS) case number, if available; and
(h) Contractor's signature.

(3) Time sheet requirement for a IV-D contract with a governmental entity with non-dedicated principal staff.

When the unit of service is defined as an hour:

(a) The contractor shall record and certify on the JFS 01728, "Daily Time Sheet for Non-Dedicated Principal Staff" (2/2009) the time spent each day on both activities that are reimbursable and not reimbursable under the IV-D contract.

(b) The CSEA has the option to require the contractor to record and certify on the JFS 01729, "Monthly Time Sheet Summary for Non-Dedicated Principal Staff" (2/2009) the time spent each month on both activities that are reimbursable and not reimbursable under the IV-D contract. If the CSEA requires the contractor to record time on the JFS 01729, the CSEA shall include this requirement in the performance standards of the IV-D contract.

(c) The CSEA has the option to require the contractor to record on the JFS 01731, "Monthly Time Summary for Governmental Contractor" (2/2009) the time spent each month on both activities that are reimbursable and not reimbursable under the IV-D contract for each principal staff who completed a JFS 01728 for the month. If the CSEA requires the contractor to record time on the JFS 01731, the CSEA shall include this requirement in the performance standards of the IV-D contract.

(4) Exception report requirement for a IV-D contract with a governmental entity with dedicated principal staff.

When the unit of service is defined as an hour:

(a) The principal staff as listed on the JFS 07020 shall record and certify on the JFS 01730, "Dedicated Principal Staff Exception Report" (2/2009) the dates and time spent each month on both activities that are reimbursable and not reimbursable under the IV-D contract; and

(b) The CSEA has the option to require the contractor to record on the JFS 01731 the time spent each month on both activities that are reimbursable and not reimbursable under the IV-D contract for each principal staff who completed a JFS 01730 for the month. If the CSEA requires the contractor to record time on the JFS 01731, the CSEA shall include this requirement in the performance standards of the IV-D contract.

(C) Invoicing.

(1) Invoicing for a IV-D contract with a governmental entity.
(a) The contractor shall record the contractor's actual monthly costs on the JFS 07034, "Governmental Contractor Monthly Expense Report" (rev. 2/2009) to identify the justified unit rate. The contractor shall submit the JFS 07034 to the CSEA within thirty days of the last day of the month in which services were performed.

(b) The CSEA shall complete and submit to the office of child support (OCS) the JFS 07034 in the electronic spreadsheet format that is posted to the Ohio department of job and family services (ODJFS) innerweb within forty-five days of the last day of the month in which services were performed.

(c) The contractor shall complete and submit to the CSEA the JFS 07035, "IV-D Contract Invoice" (rev. 2/2009) no later than thirty days after the last day of the month in which services were performed.

(d) The contractor shall ensure that the cumulative amount invoiced to the CSEA during the IV-D contract period does not exceed the total IV-D contract cost.

(e) When the unit of service is defined as an hour, the contractor shall multiply the justified unit rate by the actual time spent on activities purchased under the IV-D contract during the month to determine the actual IV-D contract cost for the month.

(f) When the unit of service is not defined as an hour, the contractor shall multiply the justified unit rate by the number of units of service purchased during the month to determine the actual IV-D contract cost for the month.

(2) Invoice payment options for a IV-D contract with a governmental entity.

(a) The CSEA is responsible for paying the actual expenses as determined by the process described in paragraphs (C)(1)(a) to (C)(1)(f) of this rule.

(b) The CSEA may elect to pay the justified unit rate on a monthly basis as reported on the JFS 07034.

(c) The CSEA may elect to pay the unit rate as determined on the JFS 07020 and reconcile actual expenses to budgeted expenses on a quarterly basis. If the CSEA elects to reconcile actual expenses to budgeted expenses on a quarterly basis, the CSEA shall:

(i) Within forty-five days of the end of the calendar quarter, reconcile the actual expenses to the amount paid during the calendar quarter; and

(ii) Annually certify on the JFS 02151, "IV-D Contract Evaluation" (rev. 2/2009, rev. 5/2013) that the monetary reconciliation occurred for each calendar quarter during the IV-D contract period.

(3) Invoicing for a IV-D contract with a private entity.

(a) The contractor shall complete and submit to the CSEA the JFS 07035 no later than thirty days after the last day of the month in which services were performed.

(b) The contractor shall multiply the unit rate by the number of units of service provided during the month to determine the IV-D contract costs for the month.

(c) The contractor shall ensure that the cumulative amount invoiced to the CSEA during the IV-D contract period does not exceed the total IV-D contract cost.

(D) Invoice approval.

(1) Within thirty days of receipt of the JFS 07035, the CSEA shall:

(a) Review the JFS 07035; and,

(b) When the CSEA determines that the JFS 07035 is completed correctly, approve the JFS 07035 for payment.

(2) When the CSEA determines that the JFS 07035 is not completed correctly, the CSEA shall:

(a) Request the contractor amend the JFS 07035; and
(b) Within thirty days of receipt of an amended JFS 07035 that has been completed correctly, approve the amended JFS 07035 for payment.

(E) Monitoring.

(1) The CSEA shall:

(a) Monitor all activities performed under the IV-D contract to ensure that all support enforcement program requirements are met in accordance with the rules in division 5101:12 of the Administrative Code.

(b) Only reimburse the contractor for activities provided to, for, or on behalf of a case that was in open IV-D status at the time of the activity.

(c) Review the JFS 07034 that is submitted by the contractor each month in order to monitor any variation between the unit rate as listed on the JFS 07020 and the justified unit rate as calculated on the JFS 07034.

(d) Ensure that the cumulative amount reimbursed to the contractor does not exceed the total IV-D contract cost as listed on the JFS 07018, "IV-D Contract" (rev. 2/2009, rev. 11/2012) or the JFS 07037, "IV-D Contract Amendment" (rev. 2/2009).

(2) OCS shall:

(a) Review the JFS 07034 within thirty days from the date that OCS receives the JFS 07034 from the CSEA in order to monitor any variation between the unit rate as listed on the JFS 07020 and the justified unit rate as calculated on the JFS 07034.

(b) Ensure that the cumulative amount reimbursed to the contractor does not exceed the total IV-D contract cost as listed on the JFS 07018 or JFS 07037.

(F) Evaluation.

The CSEA shall:

(1) Evaluate a IV-D contract by completing a JFS 02151. The CSEA shall conduct the evaluation any time after the third quarter of the IV-D contract period but no later than ninety days after the conclusion of the IV-D contract period.

(2) Issue a copy of the JFS 02151 to the contractor and OCS within thirty days of completing the JFS 02151.

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**CSPMTL 80**

**Effective Date: February 15, 2009 (No Change)**

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(A) The child support enforcement agency (CSEA) and contractor shall retain all IV-D contract records:

1. For a period of three years after the final payment is made to the contractor and all matters relating to the IV-D contract are concluded; or

2. In accordance with the county records commission in the county in which the CSEA serves, when the county records commission requires a retention period of more than three years.

(B) IV-D contract records include but are not limited to:

1. Documents generated as a result of the procurement process, when applicable, including proof of formal advertising and the selection of the contractor;

2. A list of potential contractors contacted when the total IV-D contract cost is for an amount that is less than twenty-five thousand dollars or, when the county in which the CSEA serves has a contract threshold requirement that is less than twenty-five thousand dollars, the total IV-D contract cost is for an amount that is less than the local contract threshold requirement;

3. All IV-D contract documents;

4. Documentation of any attempt to enter into a IV-D contract with the court or law enforcement official;

5. Any documentation that the sheriff is unable to provide the resources necessary for service of process in a timely manner when the CSEA attempts to enter into a IV-D contract with a sheriff;

6. Any documentation from the sheriff that the sheriff charges other agencies service of process fees;

7. Financial records;

8. Statistical records;

9. Any documents or correspondence, including electronic correspondence, from the office of child support (OCS) or the federal office of child support enforcement regarding the IV-D contract; and

10. All other records regarding delivery of services under the IV-D contract.

(C) When an audit, litigation, or other action involving the IV-D contract is started before the end of the retention period, the CSEA and contractor shall retain the IV-D contract records until all issues are resolved.

(D) The CSEA and contractor shall make the IV-D contract records available to any authorized governmental representative during reasonable times. A governmental representative includes but is not limited to a representative from the:

1. United States department of health and human services;

2. Comptroller general of the United States;

3. State of Ohio;

4. County auditor; and

5. CSEA.

(E) The CSEA shall obtain approval from the county records commission before destroying the IV-D contract records.

R.C. 119.032 review dates: 04/26/2013 and 04/15/2018
The Ohio department of job and family services (ODJFS) may enter into a contract with a laboratory that performs legally and medically acceptable genetic testing (hereinafter referred to as "contractor") to perform genetic testing in IV-D cases.

ODJFS shall provide a list of laboratories that perform legally and medically acceptable genetic testing upon the request of a court, law enforcement official, child support enforcement agency (CSEA), or a member of the public.

A CSEA may participate in the statewide genetic testing contract (hereinafter referred to as "contract") by contacting the contractor to initiate services. Participation in the contract does not preclude the CSEA from contracting with another laboratory to perform genetic testing.

ODJFS shall pay the cost of genetic testing performed under the contract when the cost of genetic testing for the case is eligible for federal financial participation (FFP) and:

1. There is not a final and enforceable determination of paternity, as described in paragraph (A)(6) of rule 5101:12-40-05 of the Administrative Code;
2. A JFS 07038, "Acknowledgment of Paternity Affidavit" (rev. 12/2006) (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), was signed by the mother and father and an action was filed to rescind the JFS 07038 within sixty days of the signing of the JFS 07038, in accordance with paragraph (A)(1) (C) of rule 5101:12-40-17 of the Administrative Code; or
3. There is a final and enforceable determination of paternity and:
   a. An action was brought, pursuant to section 3111.28 of the Revised Code, by a man presumed to be the father of the child who did not sign the JFS 07038, either person who signed the JFS 07038, or a guardian or legal custodian of the child no later than one year after a JFS 07038 becomes final to rescind the JFS 07038 and the CSEA receives a court order to conduct genetic testing;
   b. A court has ordered the CSEA to conduct genetic testing as a result of one of the parties filing a motion under rule 60(B) (7/1/1970) of the Rules of Civil Procedure; or
   c. A person has filed a motion for relief from a determination of paternity or a support order in accordance with section 3119.961 of the Revised Code and:
      i. The CSEA has intervened in the action in order to defend the original paternity determination or the child support order; or
      ii. The CSEA receives a court order to conduct genetic testing.

Invoice procedures.

1. Each month, the contractor is required to submit an invoice to each CSEA for whom the contractor completed genetic testing or conducted partial testing. "Completed genetic testing" means the contractor issued genetic testing results on a case. "Partial testing" means the contractor could not complete genetic testing for a case because genetic testing samples for all the necessary parties were not received by the laboratory.
2. Within five business days of receipt of the invoice, the CSEA shall review, sign, and mail or electronically transmit a facsimile of the invoice, along with any attachments, to the contractor.
3. When there is a discrepancy on the invoice, the CSEA shall note the discrepancy and any necessary adjustment to the total amount billed on the invoice. A discrepancy exists when:
(a) The cost of completed genetic testing or partial testing was included on the invoice on a case that did not meet the requirements described in paragraph (C) of this rule; or

(b) Completed genetic testing was approved for payment in a previous invoice.

A CSEA that fails three times within the contract period to return the invoice to the contractor within five business days of receipt may be removed from participation in the contract for the remainder of the contract period. ODJFS shall notify the CSEA thirty days in advance of such removal.

(4) The contractor shall submit a final invoice and copies of approved or adjusted invoices and any attachments received from the CSEA to ODJFS.

(5) ODJFS shall pay the final invoice amount.

(E) The CSEA shall be responsible for paying for completed genetic testing or partial testing that was performed at the CSEA’s request and did not meet the requirements described in paragraph (C) of this rule.

(F) When reimbursement is received for genetic testing costs that were paid or will be paid by ODJFS, the CSEA shall ensure that the collection is disbursed to ODJFS. A CSEA that fails to ensure the proper disbursement of such collection may be removed from participation in the statewide genetic testing contract for the remainder of the contract period. ODJFS shall notify the CSEA thirty days in advance of such removal.

When reimbursement is received for genetic testing costs for which the CSEA paid the local share on or after October 1, 2006, the CSEA may recover the local share. In order to recover the local share the CSEA shall track such collections and report the collections to ODJFS on a monthly basis in the format designated by ODJFS. ODJFS shall make the appropriate financial adjustments.

(G) When a CSEA has been prohibited from participating in the contract, the CSEA shall secure a local genetic testing contract.

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Most Current Prior Effective Date: December 1, 2011


(B) The office of child support (OCS) in the Ohio department of job and family services (ODJFS) is authorized to enter into account information access agreements with financial institutions doing business in this state and with financial institutions doing business in other states.

OCS has joined an alliance of states for the purpose of participating in the financial institution data match (FIDM) program with financial institutions doing business in Ohio. The alliance facilitates the use of the FIDM program with a single state financial institution (SSFI) that does business in Ohio and with SSFIs in other states that do business only within the state in which they are located. A "single state financial institution" is a financial institution conducting business in only one state.

Five Year Review (FYR) Dates: 11/08/2016 and 11/08/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 11/08/2016

Promulgated Under: 119.03

Statutory Authority: 3121.78, 3125.25

Rule Amplifies: 3121.74, 3121.76, 3121.77, 3121.99, 3123.25, 3123.38

Prior Effective Dates: 8/17/99, 10/1/01, 10/2/06, 12/1/11
The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 01709, "Confidentiality of Information Reference Guide" (11/2011);
(B) JFS 01728, "Daily Time Sheet for Non-Dedicated Principal Staff" (2/2009);
(C) JFS 01729, "Monthly Time Sheet Summary for Non-Dedicated Principal Staff" (2/2009);
(D) JFS 01730, "Dedicated Principal Staff Exception Report" (2/2009);
(E) JFS 01731, "Monthly Time Summary for Governmental Contractor" (2/2009);
(F) JFS 01772, "IV-D Contract Cover Letter" (rev. 5/2013);
(G) JFS 02015, "IV-D Contract Time Study" (rev. 2/2009);
(H) JFS 02151, "IV-D Contract Evaluation" (rev. 5/2013);
(I) JFS 02750, "CFIS Local Agency Quarterly Financial Statement" (rev. 10/2011);
(J) JFS 04001, "Request for Case Information" (11/2011);
(K) JFS 04234, "Annual Full-Time Equivalent Report" (rev. 1/2008);
(L) JFS 07013, "Federal Tax Information Safeguarding Questionnaire" (rev. 4/2008);
(M) JFS 07014, "Tax Information Safeguarding Authorization Agreement" (rev. 4/2008);
(N) JFS 07015, "Certification of Compliance with Competitive Sealed Bid Requirements" (rev. 2/2009);
(O) JFS 07016, "IV-D Contract Security Addendum" (rev. 2/2009);
(P) JFS 07018, "IV-D Contract" (rev. 12/2013);
(Q) JFS 07019, "Federal Tax Information Item Tracking Log" (4/2008);
(R) JFS 07020, "Governmental Contractor IV-D Contract Budget" (rev. 2/2009);
(S) JFS 07034, "Governmental Contractor Monthly Expense Report" (rev. 2/2009);
(T) JFS 07035, "IV-D Contract Invoice" (rev. 2/2009);
(U) JFS 07037, "IV-D Contract Amendment" (rev. 12/2013);
(V) JFS 07038, "Acknowledgment of Paternity Affidavit" (5/2014);
(W) JFS 07072, "Safeguarding of Internal Revenue Service (IRS), Ohio Department Of Taxation (ODT), Federal Parent Locator Service (FPLS), and Unemployment Compensation (UC) Information" (rev. 2/2006);
(X) JFS 07078, "Code of Responsibility" (rev. 6/2009);
(Y) JFS 07700, "SETS User Access Application" (rev. 5/2008);
(Z) JFS 07713, "Child Welfare Agency Locate-Only Request" (5/2008);
(AA) ODM 06613, "Accident/Injury Insurance Information" (7/2014).
CSPMTL 132

Effective Date: March 1, 2012 (No Change)

Most Current Prior Effective Date: June 15, 2006

(A) This rule describes requests for support enforcement program services and IV-D services.

(1) Support enforcement program services include:

(a) Location of custodial or non-custodial parents or alleged fathers;

(b) Establishment of parentage;

(c) Establishment and modification of child support orders and medical support orders;

(d) Enforcement of support orders;

(e) Collection of support obligations; and

(f) Any other action appropriate to child support enforcement.

(2) IV-D services include:

(a) Federal income tax refund offset submittals for the collection of support arrears;

(b) Withholding of unemployment compensation for the payment of support;

(c) Requests to the internal revenue service for the disclosure of taxpayer information for use in establishing and collecting support obligations;

(d) Requests to the U.S. department of treasury for the administrative offset of certain federal payments other than federal income tax refund offset for the collection of delinquent support; and

(e) Requests for certification to the U.S. district court when another state has failed to act on an Ohio support order.

(B) Definition of terms used in this rule and its supplemental rule:

(1) "IV-D case" has the same meaning as in rule 5101:12-1-10 of the Administrative Code.

(2) "Non-IV-D case" has the same meaning as in rule 5101:12-1-10 of the Administrative Code.

(3) "Recipient of IV-D services" means:

(a) The person who signed an approved IV-D application with a CSEA; or

(b) The parent or caretaker of a child for whom the CSEA received and approved a IV-D referral, as described in paragraphs (C)(3) to (C)(5) of this rule.

(C) A request for services is initiated when a CSEA receives:

(1) A referral of a support order from a court;

(2) A signed application for IV-D services;

(3) A referral from a county department of job and family services that resulted from an application for OWF or medicaid benefits;

(4) A referral from a Title IV-E agency that resulted from a determination of eligibility for Title IV-E foster care maintenance benefits; or

(5) A Uniform Interstate Family Support Act interstate petition in accordance with 42 U.S.C. 666(f) (12/14/1999) from the Ohio interstate central registry.

(D) The CSEA shall provide support enforcement program services in response to a request initiated under:

(1) Paragraph (C)(1) of this rule and no IV-D application is received by the CSEA; or
(2) Paragraph (C)(5) of this rule when the interstate petition requests services that are described in paragraph (A)(1) of this rule.

(E) The CSEA shall provide support enforcement program services and IV-D services when it has received and approved a request for services initiated under paragraphs (C)(2) to (C)(4) of this rule, and paragraph (C)(5) of this rule when the interstate petition indicates that it is for an IV-D case.

Five Year Review (FYR) Dates: 11/3/2017 and 11/03/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 11/03/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.05, 3125.06, 3125.10, 3125.11, 3125.27, 3125.36

CSPMTL 132

Effective Date: March 1, 2012 (No Change)

Most Current Prior Effective Date: June 15, 2006

(A) IV-D application.

(1) The child support enforcement agency (CSEA) shall make IV-D applications readily accessible to the public. The CSEA shall provide a IV-D application to an individual requesting services on the day the individual makes a request in person or send a IV-D application to the individual within five working days of a written or telephone request.

The CSEA shall not require an individual who is a recipient of IV-D services in another state to sign a IV-D application. The CSEA shall not require an individual for whom it has received a IV-D referral to sign a IV-D application unless, after receipt of the IV-D referral, IV-D services were terminated in accordance with rule 5101:12-10-70 of the Administrative Code.

(2) The IV-D application may be filed by an applicant who is not receiving Ohio works first (OWF), medicaid, or Title IV-E foster care maintenance (FCM) benefits and for whom one of the following conditions applies:

(a) The applicant resides in the same county as the CSEA;
(b) The applicant is either the obligee or obligor in a support order for which the CSEA has administrative responsibility; or
(c) The applicant resides in a state other than Ohio or in a foreign country and is not a recipient of IV-D services in his or her state or country of residence.

(3) The CSEA shall charge a one dollar IV-D application fee when an individual files a IV-D application. The CSEA may require the applicant to pay the IV-D application fee or may absorb the IV-D application fee.

(4) The CSEA shall accept a completed and signed IV-D application as filed on the day the IV-D application was received by the CSEA and the application fee was received or absorbed by the CSEA.

(5) When IV-D services were previously terminated, the individual must file a new IV-D application and be charged an application fee unless:

(a) The CSEA receives a IV-D referral; or
(b) The CSEA is required to reopen the IV-D case for administrative reasons.

(B) A IV-D referral may be received from:

(1) A county department of job and family services (CDJFS) as a result of an application for OWF or medicaid benefits;
(2) A Title IV-E agency that resulted from a determination of eligibility for FCM benefits; or
(3) The Ohio interstate central registry as a result of the receipt of a Uniform Interstate Family Support Act interstate petition in accordance with 42 U.S.C. 666(f) (12/14/1999) for a IV-D case.

When IV-D services were previously terminated and the CSEA receives a new IV-D referral from a CDJFS, medicaid, or Title IV-E agency, the CSEA shall conduct a thorough investigation, which may include a face-to-face interview, phone contact with the recipient of services, or other form of investigation, within the twenty day time frame. If the facts underlying the termination of IV-D services have not changed and are documented in the case record and no new information is available to help provide IV-D services, then the case does not need to be reopened.

(C) The CSEA shall approve a completed and signed IV-D application or a IV-D referral for IV-D services unless the IV-D application or IV-D referral meets a denial criteria described in paragraph (D) of this
The CSEA shall provide all appropriate support enforcement program services to a case in which IV-D services were denied.

(D) The CSEA shall deny IV-D services to a IV-D application or a IV-D referral when:

1. The non-custodial parent is seeking to locate a child;
2. The parent who has been granted custody of a child is seeking to locate and recover that child who may have been removed by the non-custodial parent (in this circumstance the CSEA should refer to rule 5101:12-20-10 of the Administrative Code concerning location services for parental kidnapping and child custody cases);
3. An adult child is seeking to locate a parent;
4. A child is attempting to reunite with a sibling;
5. The applicant is requesting reimbursement for medical costs that have not been reduced to a dollar amount in a court order;
6. The applicant requests services that are not available from the CSEA (in this circumstance, the CSEA is responsible for determining, based on the facts and circumstances of the application, whether the requested service is or is not available);
7. The referral is for a pregnant woman with no other child;
8. The case has already been approved for IV-D services; or
9. The child has attained the age of majority unless:
   
   a. The child is attending an accredited high school on a full-time basis and has not attained the age of nineteen;
   b. A court order has made special provisions that would extend the duty of support beyond the child's minority;
   c. IV-D services are requested to establish paternity and the child has not attained the age of twenty-three; or
   d. IV-D services are requested to collect arrears.

Five Year Review (FYR) Dates: 11/3/2017 and 11/03/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 11/03/2017
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.11, 3125.36, 3125.37
A Within twenty days of receipt of a request for services, as described in rule 5101:12-10-01 of the Administrative Code, the child support enforcement agency (CSEA) shall:

(1) Initiate a IV-D case, in response to the receipt of a IV-D application or IV-D referral, or a non-IV-D case, in response to a request initiated under:

(a) Paragraph (C)(1) of rule 5101:12-10-01 of the Administrative Code when no IV-D application is received by the CSEA; or

(b) Paragraph (C)(5) of rule 5101:12-10-01 of the Administrative Code when the interstate petition indicates that it is for a non-IV-D case;

(2) Establish a case record, as described in rule 5101:12-10-05 of the Administrative Code;

(3) Assess the referral or application for completeness and accuracy and determine the appropriate support enforcement program service to be provided;

(4) Determine if there is enough location information to proceed with the case and, if not, request additional information or refer the case for additional location attempts;

(5) Issue the following forms to the applicant for services:

(a) JFS 07647, "Notice of Case Status Application" (rev. 04/1996 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code);

(b) JFS 07012, "Rights and Responsibilities of Parents Receiving Child Support Services" (rev. 09/2001 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code); and

(c) JFS 04059, "Explanation of State Hearing Procedures" (rev. 04/2008 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code); and

(6) Determine which county has administrative responsibility for the case in accordance with rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code and, if appropriate, transfer the case to the CSEA with administrative responsibility.

B The CSEA may, but is not required to, conduct an interview with the applicant for services in order to obtain information necessary for the establishment or enforcement of a support order. The interview may be a face-to-face or group interview or by telephone. When an interview is conducted, the following items may be covered, as appropriate:

(1) An explanation of the support enforcement program including rights to a state hearing;

(2) A review of the information contained in the IV-D referral or IV-D application for accuracy and completeness;

(3) The responsibilities of the individual receiving services and any action that would be taken as a result of the individual's failure to carry out those responsibilities;

(4) The right to claim good cause as a reason for refusing to cooperate when the applicant is a recipient of Ohio works first, medicaid, or Title IV-E foster care maintenance benefits; and

(5) A review of any legal documents the caretaker may possess which establishes paternity or the support obligation. These must be supplied to the CSEA. The CSEA shall secure copies of the documents for the CSEA record.

Effective: 2/1/2018

Five Year Review (FYR) Dates: 11/3/2017 and 11/03/2022

Certification: CERTIFIED ELECTRONICALLY
Date: 01/09/2018
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.11, 3125.15
This rule describes which child support enforcement agency (CSEA) has administrative responsibility for a case. Administrative responsibility for intergovernmental cases is described in rule 5101:12-10-04 of the Administrative Code. The CSEA with administrative responsibility shall provide all support enforcement program services.

General principles regarding administrative responsibility.

1. When a CSEA receives a request for services pursuant to rule 5101:12-10-01 of the Administrative Code, the CSEA shall have administrative responsibility unless a legal basis exists which precludes that CSEA from assuming administrative responsibility.

   (a) For the purpose of this rule "legal basis" means that the CSEA has determined, based on the facts and circumstances of the case, that no legal authority exists which will allow the CSEA to provide support enforcement program services and requires the CSEA to proceed in accordance with paragraph (F) of this rule.

   (b) In making the determination regarding the CSEA's authority to proceed, the CSEA shall be bound by the administrative responsibility provisions of paragraphs (C), (D), and (E) of this rule.

2. When administrative responsibility for a case has not been determined or is disputed and a CSEA is willing to accept the administrative responsibility and such acceptance would ensure that state and federal program requirements are met, then that CSEA shall be considered the CSEA with administrative responsibility.

3. When administrative responsibility for a case is disputed and based on the facts and circumstances of the case, any of the CSEAs involved may have administrative responsibility, these CSEAs shall collaborate to resolve which CSEA has administrative responsibility.

4. When administrative responsibility for a case is disputed and not addressed by this rule, a CSEA may request the office of child support (OCS) to resolve which CSEA has administrative responsibility. The CSEA shall provide to OCS the following:

   (a) Verification that an attempt has been made to resolve the dispute, and

   (b) Written description of the facts and circumstances that have led to the dispute.

Administrative responsibility for the determination of the existence or non-existence of a father and child relationship.

1. When an action to determine the existence or non-existence of a father and child relationship is pending before a court, the CSEA in the same county as the court has administrative responsibility.

   (a) When the court dismisses the action without issuing a paternity determination, the CSEA in the county in which the child or the legal guardian or custodian of the child resides has administrative responsibility.

   (b) When the court relinquishes or transfers jurisdiction to a court in another Ohio county and the court in the other county has accepted jurisdiction, the CSEA in the other county has administrative responsibility.

   (c) When the court relinquishes or transfers jurisdiction to a court in another Ohio county and the court in the other county does not accept jurisdiction, the CSEA retains administrative responsibility.
When there is not a pending action to determine the existence or non-existence of a father and child relationship before a court, the CSEA in the county in which the child or the child's guardian or legal custodian resides has administrative responsibility.

When the child or the child's guardian or legal custodian moves to another Ohio county and the CSEA:

(a) Has successfully completed service of process on the alleged father and the mother of the child, the CSEA retains administrative responsibility.

(b) Has not successfully completed service of process on the alleged father and the mother of the child, the CSEA in the county in which the child or the child's guardian or legal custodian resides has administrative responsibility.

(D) Administrative responsibility for the establishment of a child support order.

(1) When an action to establish a child support order is pending before a court, the CSEA in the same county as the court has administrative responsibility.

(a) When the court dismisses the action without issuing a child support order, the CSEA in the county in which the parent, guardian, or custodian of the child resides or the person with whom the child resides has administrative responsibility.

(b) When the court relinquishes or transfers jurisdiction to a court in another Ohio county and the other court accepts jurisdiction, the CSEA in the other county has administrative responsibility.

(c) When the court relinquishes or transfers jurisdiction to a court in the same county and the other court does not accept jurisdiction, the CSEA retains administrative responsibility.

(2) When a juvenile court has jurisdiction over a child, the CSEA in the same county as the juvenile court has administrative responsibility.

(a) When the juvenile court dismisses the action without issuing a child support order, the CSEA in the county in which the parent, guardian, or custodian of the child resides or the person with whom the child resides has administrative responsibility.

(b) When the juvenile court relinquishes or transfers jurisdiction to a court in another Ohio county and the other court accepts jurisdiction, the CSEA in the other county has administrative responsibility.

(c) When the juvenile court relinquishes or transfers jurisdiction to a court in the same county and the other court accepts jurisdiction, the CSEA retains administrative responsibility.

(d) When the juvenile court relinquishes or transfers jurisdiction to a court in another Ohio county and the other court does not accept jurisdiction, the CSEA retains administrative responsibility.

(e) If the juvenile court that has jurisdiction over a child subsequently determines that it does not have jurisdiction to establish a child support order, the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(2) When a child support order had been issued for the same parties and child but is now terminated or dismissed and no balances are owed, then the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(4) When a child support order had been issued for the same parties and child and is now terminated but balances are still owed, the CSEA in the county in which the support order was
issued retains administrative responsibility to collect the remaining balances. When either party requests the establishment of a new support order, the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(5) When the CSEA brings an action to establish a child support order before the court and the court subsequently determines that it does not have jurisdiction to establish a child support order, the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(6) When a child support order has never been issued and the duty of support is based on a final and enforceable determination of paternity or a presumption of paternity other than a JFS 07038, "Acknowledgment of Paternity Affidavit" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(a) When the applicant for services moves to another Ohio county and the CSEA:
   (i) Has successfully completed service of process on the parties, the CSEA retains administrative responsibility.
   (ii) Has not successfully completed service of process on the parties, the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has moved has administrative responsibility.

(b) When the CSEA brings an action to establish a child support order before a court and the court subsequently determines that it does not have jurisdiction to establish a child support order, the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(7) When the presumption of paternity is based on a JFS 07038, the CSEA in the county in which the parent who signed the JFS 07038 and is the applicant for services resides has administrative responsibility.

(a) When the applicant for services moves to another Ohio county and the CSEA:
   (i) Has successfully completed service of process on the parties, the CSEA retains administrative responsibility.
   (ii) Has not successfully completed service of process on the parties, the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(b) When the CSEA brings an action to establish a child support order before a court and the court subsequently determines that it does not have jurisdiction to establish a child support order, the CSEA in the county in which the parent, guardian, or custodian of a child resides or the person with whom a child resides has administrative responsibility.

(E) Administrative responsibility for the enforcement of a support order or modification of a child support order.

(1) When an Ohio court has issued a support order, adopted an administrative child support order, or accepted jurisdiction of a support order from another Ohio court, the CSEA in the same county as the court has administrative responsibility.

(a) When the applicant for services moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the court support order is terminated and balances are still owed, the CSEA retains administrative responsibility.

(c) When the court relinquishes or transfers jurisdiction of the support order to a court in another Ohio county, the CSEA in the same county as the court that accepted jurisdiction has administrative responsibility.
(d) When the court relinquishes or transfers jurisdiction of the support order to a court in another Ohio county and the other court does not accept jurisdiction, the CSEA retains administrative responsibility.

(2) When a CSEA has issued an administrative child support order, that CSEA has administrative responsibility.

(a) When the applicant for services moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the administrative child support order is terminated and balances are still owed, the CSEA retains administrative responsibility.

(F) Case transfer.

(1) The CSEA that completed case intake or most recently had administrative responsibility shall transfer a case to another CSEA in accordance with this rule.

(2) "Case transfer" includes electronically transferring the case in the support enforcement tracking system (SETS). "Case transfer" also includes mailing any hard-copy documents contained in the case record that are necessary to provide support enforcement program services to the CSEA with administrative responsibility.

When the CSEA mails hard-copy documents, the CSEA shall include a cover letter that identifies the parties, the reason the hard-copy documents are being mailed, and the name and telephone number of a contact person in the CSEA that mailed the hard-copy documents.

(3) The CSEA shall complete the case transfer within ten days of determining that another CSEA has administrative responsibility for the case.
Effective Date: June 1, 2014

(A) This rule describes which child support enforcement agency (CSEA) has administrative responsibility for an intergovernmental case. Administrative responsibility for a non-intergovernmental case is described in rule 5101:12-10-03 of the Administrative Code. The CSEA with administrative responsibility shall provide all support enforcement program services.

(B) General principles regarding administrative responsibility.

(1) When a CSEA receives a request for services pursuant to rule 5101:12-10-01 of the Administrative Code, the CSEA shall have administrative responsibility unless a legal basis exists, which precludes that CSEA from assuming administrative responsibility.

(a) For the purpose of this rule "legal basis" means that the CSEA has determined, based on the facts and circumstances of the case, that no legal authority exists, which will allow the CSEA to provide support enforcement program services and requires the CSEA to proceed in accordance with paragraph (F) of this rule.

(b) In making the determination regarding the CSEA's authority to proceed, the CSEA shall be bound by the administrative responsibility provisions of paragraphs (C), (D), and (E) of this rule.

(2) When administrative responsibility for a case has not been determined or is disputed and a CSEA is willing to accept the administrative responsibility and such acceptance would ensure that state and federal program requirements are met, then that CSEA shall be considered the CSEA with administrative responsibility.

(3) When administrative responsibility for a case is disputed and based on the facts and circumstances of the case, any of the CSEAs involved may have administrative responsibility, these CSEAs shall collaborate to resolve which CSEA has administrative responsibility.

(4) When administrative responsibility for a case is disputed and not addressed by this rule, a CSEA may request the office of child support (OCS) to resolve which CSEA has administrative responsibility. The CSEA shall provide to OCS the following:

(a) Verification that an attempt has been made to resolve the dispute, and

(b) Written description of the facts and circumstances that have led to the dispute.

(C) Administrative responsibility for an initiating CSEA.

(1) Administrative responsibility for the determination of the existence or non-existence of a father and child relationship.

(a) The CSEA where the applicant for services resides has administrative responsibility.

(b) When the applicant for services moves to another Ohio county and the CSEA:

(i) Is preparing a Uniform Interstate Family Support Act (UIFSA) petition and the applicant for services has completed and submitted all documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.

(ii) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the UIFSA petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(2) Administrative responsibility for the establishment of a child support order.

(a) The CSEA where the applicant for services resides has administrative responsibility.

(b) When the applicant for services moves to another Ohio county and the CSEA:
(i) Is preparing a UIFSA petition and the applicant for services has completed and submitted all documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.

(ii) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the UIFSA petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(3) Administrative responsibility for the enforcement of a support order.

(a) When an applicant for services requests the enforcement of an Ohio support order, the CSEA in the county in which the court or CSEA that issued the support order retains administrative responsibility for enforcement.

(b) When an applicant for services requests the enforcement of an order from another state or jurisdiction, the CSEA in the county in which the applicant for services resides has administrative responsibility to initiate a UIFSA petition to another jurisdiction.

When the applicant moves to another Ohio county and the CSEA:

(i) Is preparing a UIFSA petition and the applicant for services has completed and submitted all documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.

(ii) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the UIFSA petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(4) Administrative responsibility for the modification of a support order.

(a) When an applicant for services requests the modification of an Ohio order, the CSEA in the county in which the court or CSEA that issued the support order has administrative responsibility for modification.

When the applicant for services moves to another county, the court or CSEA that issued the support order retains administrative responsibility.

(b) When an applicant for services requests the modification of an order from another state or jurisdiction, the CSEA in the county in which the applicant for services resides has administrative responsibility to initiate a UIFSA petition to another state or jurisdiction.

(i) New case that is not already existing in support enforcement tracking system (SETS). When the applicant moves to another Ohio county and the CSEA:

(a) Is preparing a UIFSA petition and the applicant for services has completed and submitted all the documents necessary for the UIFSA petition, the CSEA retains administrative responsibility.

(b) Is preparing a UIFSA petition and the applicant for services has not completed and submitted all documents necessary for the UIFSA petition, the CSEA in the county in which the applicant for services resides has administrative responsibility.

(ii) Existing open case in SETS.

The initiating CSEA has administrative responsibility.

(D) Administrative responsibility for a responding CSEA.

(1) Administrative responsibility for the determination of the existence or non-existence of a father and child relationship.

When the CSEA receives a UIFSA petition to determine the existence or non-existence of a father and child relationship, the CSEA in the county in which the respondent resides has administrative responsibility.
(a) When the CSEA has successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the CSEA has not successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA in the county in which the respondent resides has administrative responsibility.

(2) Administrative responsibility for the establishment of a child support order.

When the CSEA receives a request to establish a child support order from another state or jurisdiction, the CSEA in the county in which the respondent resides has administrative responsibility.

(a) When the CSEA has successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the CSEA has not successfully completed service of process on the respondent and the respondent moves to another Ohio county, the CSEA in the county in which the respondent resides has administrative responsibility.

(3) Administrative responsibility for the enforcement of a support order.

(a) When the CSEA receives a UIFSA petition to enforce an Ohio support order, the CSEA with administrative responsibility is the CSEA:

(i) In the same county as the court that issued the court support order.

(ii) In the same county as the court that adopted the administrative child support order.

(iii) That issued the administrative child support order and the court has not adopted the administrative child support order.

When the obligor moves to another Ohio county, the CSEA retains administrative responsibility.

(b) When the CSEA receives a UIFSA petition from another state or jurisdiction to enforce the other state support order, the CSEA in the county in which the obligor resides has administrative responsibility.

When the obligor moves to another Ohio county and the CSEA has:

(i) Successfully completed service of process on the obligor, the CSEA retains administrative responsibility.

(ii) Not successfully completed service of process on the obligor, the CSEA in the county in which the obligor resides has administrative responsibility.

(4) Administrative responsibility for the modification of a support order.

(a) When the CSEA receives a UIFSA petition to modify an Ohio support order, the CSEA with administrative responsibility is the CSEA:

(i) In the same county as the court that issued the court support order.

(ii) In the same county as the court that adopted the administrative child support order.

(iii) That issued the administrative child support order and the court has not adopted the administrative child support order.

(b) When the CSEA receives a UIFSA petition from another state or jurisdiction to register the support order for modification purposes when the issuing state has lost continuing exclusive jurisdiction (CEJ) and the non-requesting party is in Ohio, the CSEA in the county in which the non-requesting party resides has administrative responsibility.
When the non-requesting party moves to another Ohio county and the case is:

(i) New to SETS:
   (a) When the CSEA has successfully completed service of process on the non-requesting party, the CSEA retains administrative responsibility.
   (b) When the CSEA has not successfully completed service of process on the non-requesting party, the CSEA in the county in which the non-requesting party resides has administrative responsibility.

(ii) Existing open case in SETS.
The CSEA that is enforcing the support order retains administrative responsibility regardless if the non-requesting party moves to another county.

(iii) Closed SETS case.
When a case closes pursuant to the request of an initiating agency, and the CSEA receives a subsequent request for modification, the CSEA in the county in which the non-requesting party resides has administrative responsibility despite the existence of a prior case, which has been closed.

(E) Other state order when all parties reside in Ohio.

(1) When the CSEA receives a UIFSA petition or a request for services to enforce a support order from another state or jurisdiction when all the parties reside in Ohio, the CSEA in the county where the obligor resides has administrative responsibility.
When the obligor moves to another county and the CSEA has:
   (a) Successfully completed service of process of the registration on the obligor, the CSEA retains administrative responsibility.
   (b) Not successfully completed service of process of the registration on the obligor, the CSEA in the county in which the obligor resides has administrative responsibility.

(2) When the CSEA receives a UIFSA petition or a request for services to modify a support order from another state or jurisdiction when all parties reside in Ohio, the CSEA in the county where the obligor resides has administrative responsibility.
   (a) For a case that is new to SETS, the CSEA in the county in which the obligor resides has administrative responsibility.
When the obligor moves to another county and the CSEA has:
   (i) Successfully completed service of process of the registration on the obligor, the CSEA retains administrative responsibility.
   (ii) Not successfully completed service of process of the registration on the obligor, the CSEA in the county in which the obligor resides has administrative responsibility.

(b) For a case that is open in SETS and the case is:
   (i) Open responding and the case is registered with the court, the CSEA retains administrative responsibility even if the obligor moves.
   (ii) Open initiating, the CSEA in the county where the obligor resides has administrative responsibility.

(c) If a case closes pursuant to the request of an initiating agency and a subsequent request is received, the CSEA in the county in which the obligor resides has administrative responsibility despite the existence of a prior responding case.

(F) Case transfer.
(1) The CSEA that completed case intake or most recently had administrative responsibility shall transfer a case to another CSEA in accordance with this rule.

(2) "Case transfer" includes electronically transferring the case in SETS. "Case transfer" also includes mailing any hard-copy documents contained in the case record that are necessary to provide support enforcement program services to the CSEA with administrative responsibility. When the CSEA mails hard-copy documents, the CSEA shall include a cover letter that identifies the parties, the reason the hard-copy documents are being mailed, and the name and telephone number of a contact person in the CSEA that mailed the hard-copy documents.

(3) The CSEA shall complete the case transfer within ten days of determining that another CSEA has administrative responsibility for the case.

Replaces: Part of 5101:12-10-03
Effective: 06/01/2014
R.C. 119.032 review dates: 06/01/2019
Certification: CERTIFIED ELECTRONICALLY
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Statutory Authority: 3125.25
Rule Amplifies: 3125.03
Prior Effective Dates: 11/1/94, 6/2/01, 1/1/05, 1/1/06, 9/1/08
The child support enforcement agency (CSEA) shall maintain a case record for each case for which it has administrative responsibility. The case record shall principally be maintained in the support enforcement tracking system (SETS), in accordance with rule 5101:12-1-15 of the Administrative Code, and as necessary on paper, microfilm or other electronic format, or a combination thereof.

The case record shall contain any document or information that pertains to the case. A summary notation in the physical or electronic record, regardless of whether the notation is entered by the CSEA worker or generated automatically by an automated system, meets the case records requirement. Information required to be in the case record includes but is not limited to:

1. The referral from the county department of job and family services (CDJFS) in a case in which an individual receives Ohio works first (OWF) or medicaid, or the referral document from a public children services agency (PCSA), or a county agency that is administering a Title IV-B or the Title IV-E agency program, in a case in which an individual receives Title IV-E foster care maintenance benefits, when applicable.

2. The signed application for IV-D services, when applicable.

3. A copy of the support order, when applicable. The support order may be summarized as long as the summary notation indicates where the support order is maintained.

4. Data regarding the non-custodial parent or alleged father including but not limited to:
   a. First, middle, and last name;
   b. Social security number;
   c. Date of birth;
   d. Place of birth;
   e. Mother’s full name, including her maiden name;
   f. Father’s full name;
   g. Current or last known residential and mailing address; and
   h. Current or last known employer.

5. A record of the date of, reason for, and results of any contacts with any individual in the case.

6. A narrative that chronologically traces support enforcement program activities.

7. A record of efforts to utilize local locate resources and the dates and the results of those efforts, when applicable.

8. A record of any actions taken to establish paternity or support obligations and to enforce or modify support obligations, including the dates and results of such actions, when applicable.

9. A record of communications with a CDJFS, the Ohio department of job and family services, office of child support, or any other state child support agency concerning support enforcement program services.

10. A record of accrued arrears, when applicable.

11. A record of the collection and disbursement of support payments, when applicable.

12. A record of all case status changes including case referral, case opening, application for and approval of IV-D services, termination of IV-D services, case closure and, when appropriate, the reason for the change in case status.
When a CSEA receives a referral but does not initiate a case, a record that summarizes the referral information and the reason the case was not initiated.

When an individual received a support payment from the obligor, court, or child support agency while receiving OWF benefits and did not forward the support payment to the CSEA, a record of the following:

(a) Facts that led to the discovery of the retained payment;
(b) Documentation, such as a cancelled check, from the obligor, court, or child support agency that such payment was actually made to the obligee;
(c) Documentation of the date and amount of every retained payment; and
(d) When applicable, documentation that the obligee does not have the ability to pay the retained payment to the CSEA.

When a case has been closed and support enforcement program services have been terminated in accordance with rule 5101:12-10-70 of the Administrative Code, and the records retention period has expired in accordance with rule 5101:12-1-25 of the Administrative Code but a balance remains on the case, the CSEA may destroy any non-essential case records that are not maintained by SETS. The CSEA shall maintain any case records that are essential in reopening the case in the future. Records of the case that are essential include but are not limited to:

(1) Genetic testing records;
(2) IV-D application;
(3) Copy of the order terminating the support obligation;
(4) Summary of records regarding the collections and disbursement of support; and
(5) Any other record that the CSEA determines to be essential.

All case records shall be maintained in the format described in paragraph (A) of this rule.

The CSEA shall follow the procedures of retention, disposal, and destruction of case records in accordance with rule 5101:12-1-25 of the Administrative Code.

Effective: 09/01/2016

Five Year Review (FYS) Dates: 05/03/2016 and 09/01/2021

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Date: 07/08/2016

Promulgated Under: 119.03

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This rule and its supplemental rule describe the family violence indicator (FVI). The FVI reflects that there is reasonable evidence that a case participant is subject to family violence or there is reason to believe that the release of information regarding a case participant may result in family violence.

The office of child support (OCS) within the Ohio department of job and family services (ODJFS) is required to:

1. Identify and maintain information that indicates whether a case participant is subject to family violence or child abuse; and
2. Send information regarding whether a case participant is subject to family violence as part of a referral to the federal case registry (FCR).

When the child support enforcement agency (CSEA) determines that there is reasonable evidence that a case participant is subject to family violence or has reason to believe that the release of information about a case participant may result in family violence to the case participant, the CSEA shall display an FVI for the case participant in the support enforcement tracking system (SETS). "Reasonable evidence" includes but is not limited to:

1. A civil protection order under section 3113.31 of the Revised Code or a criminal temporary protection order under section 2919.26 of the Revised Code has been issued to protect the case participant.
2. Written documentation from a third party that indicates a case participant is being subjected to domestic violence, as defined in rule 5101:12-10-32 of the Administrative Code. A third party includes but is not limited to:
   a. Police, courts, and other governmental entities;
   b. Shelters and legal, religious, medical, and other professionals from whom a case participant sought assistance in dealing with domestic violence;
   c. County departments of job and family services (CDJFS); or
   d. Other persons with knowledge of the domestic violence.
   When the case participant is unable to provide written documentation regarding domestic violence from a third party, the CSEA shall accept a written statement from the case participant, unless the CSEA has an independent, reasonable basis to find the allegation in the case participant's written statement not credible.
3. Written documentation from a medical professional, law enforcement agency, or vital records agency that indicates that the child was conceived as a result of incest or rape.

The CSEA shall maintain documentation regarding the family violence in the case record.

The FVI should remain effective as long as the circumstances leading to the determination of the existence of family violence continue to exist.

The CSEA shall establish and maintain a confidential caseload in SETS. When a case displays an FVI, the CSEA shall transfer the case to and retain the case in a confidential caseload.

The CSEA shall ensure that a contractor who provides location or collection services does not have responsibility for a case that displays an FVI. The CSEA shall require the contractor to return a case displaying an FVI.

The FCR will not return information regarding a case participant who has an FVI on the SETS case.
SETS will suppress the case participant's address and social security number on forms generated by SETS when the case participant displays an FVI.

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Statutory Authority: 3125.25
Rule Amplifies: 3113.31
Prior Effective Dates: 10/14/2001, 02/01/2005, 05/15/2008
Effective Date: May 15, 2008 (No Change)

Most Current Prior Effective Date: May 15, 2008 (No Change)

(A) When a person listed in the federal case registry (FCR) has a family violence indicator (FVI), the child support enforcement agency (CSEA) shall ensure that no information about a case participant will be released in response to a locate request, an FCR query, or as part of the proactive matching functionality. Courts have the ability to order a one-time override of the FVI if certain requirements are met. Should a court be asked to consider an override of the FVI, a CSEA shall, upon request, provide the court with evidence it maintained regarding the family violence. If the court determines that information can be released by the FCR, the court will submit a request for the release of information for forwarding to the federal parent locator service (FPLS).

(B) When, in response to a request for locate processing or an FCR query, the FCR notifies the office of child support (OCS) that disclosure is prohibited in a case, OCS shall notify the CSEA. If the CSEA decides to pursue the restricted information, the CSEA must request a court in its county to authorize OCS to commence the process to obtain a one-time override of the FVI. Should the court order an override of the FVI, the CSEA shall submit the order to OCS, which shall submit the request to FCR.

(C) Following receipt and approval of an FVI override request, the federal office of child support enforcement (OCSE) will return the locate information via specialized delivery service to OCS. The returned information will include detailed locate information from each requested locate source and the identity of the state(s) that placed the FVI. The identity of the state(s) placing the indicator may assist the requesting state’s court in making its decision about whether to release the information to the requester.

(D) The OCS shall not release or retain a copy of any of the FVI override information. Upon receipt, OCS must submit the information to the court that authorized the override or, pending the court’s final determination regarding the release of the information, follow that court’s instructions regarding the maintenance of the information. The court must make the determination as to whether further disclosure could be harmful to the parent or child. If the court determines that further disclosure could be harmful, the court is not to disclose the information to the requester.

(E) When the requester is a CSEA or the FCR and the court makes the determination to disclose the information, the court will return the information to the CSEA. The CSEA must ensure that the information received for the protected person is safeguarded and used solely for child support purposes.

Five Year Review (FYR) Dates: 3/1/2018 and 03/01/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 03/01/2018

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3113.31

Prior Effective Dates: 10/14/2001, 02/01/2005, 05/15/2008
(A) This rule describes when support is assigned to the Ohio department of job and family services (ODJFS) due to the receipt of Ohio works first (OWF), medical assistance, or Title IV-E foster care maintenance (FCM) benefits.

(B) The following definition applies to rules in division 5101:12 of the Administrative Code:

"Assigns" means the transfer of rights or property from a person to ODJFS.

(C) The following definitions are specific to this rule:

1. "Assistance group" means, in accordance with section 5107.02 of the Revised Code, a group of individuals treated as a unit for purposes of determining eligibility for and the amount of assistance provided under Ohio works first.

2. "Authorized representative" means, in accordance with rule 5101:1-2-01 of the Administrative Code, an individual who is age eighteen or older who stands in the place of and acts on behalf of the members of an OWF assistance group.

3. "Medical assistance" includes, in accordance with section 5101.5715160.35 of the Revised Code, medicaid, and the children's health insurance program, and the disability medical assistance program.

4. "Medical support" means support specified as support for the purpose of medical care by order of a court or administrative agency, which includes:
   a. Current cash medical support;
   b. Current medical support obligations;
   c. Cash medical support arrears that accrued while the person received medical assistance; and
   d. Medical support arrears that accrued while the person received medical assistance.

5. "Minor child" means, in accordance with section 5107.02 of the Revised Code:
   a. An individual who has not attained the age of eighteen; or
   b. An individual who has not attained the age of nineteen and is a full-time student in a secondary school or in the equivalent level of vocational or technical training.

6. "Obligee" means the person who is or may be entitled to receive support under the terms of a support order.

7. "Obligor" means the person who is or may be required to pay support under the terms of a support order.

8. "Person" means a parent, caretaker, authorized representative, or entity.

(D) Assignment of support in an OWF case.

1. In accordance with section 5107.20 of the Revised Code, an OWF applicant assigns the right to support of any obligee who participates in OWF as a result of that application for OWF benefits.

2. When a person applies for OWF benefits for a minor child who resides with that person or is temporarily absent from the home of that person, as defined in rule 5101:1-3-04 of the Administrative Code, and:
   a. Both the minor child and the person receive OWF benefits, then:
(i) Any child support for which that person is the obligee and the minor child is the subject of the support order is assigned.

(ii) Any spousal support for which that person is the obligee is assigned.

(iii) Any child support for which the minor child is the obligee and the minor child's child, who is receiving OWF benefits, is the subject of the support order is assigned.

(iv) Any spousal support for which the minor child is the obligee is assigned.

(b) Only the minor child receives OWF benefits, then:

(i) Any child support for which that person is the obligee and the minor child is the subject of the support order is assigned.

(ii) Any spousal support for which the person is the obligee is not assigned to ODJFS.

(iii) Any child support for which the minor child is the obligee and the minor child's child is the subject of the support order is assigned.

(iv) Any spousal support for which the minor child is the obligee is assigned.

(c) Only the person receives OWF benefits, then:

(i) Any child support for which that person is the obligee and the minor child is the subject of the support order is not assigned to ODJFS.

(ii) Any spousal support for which that person is the obligee is assigned.

(d) A parent of the person receives OWF benefits as a result of the person's application for OWF benefits, then:

(i) Any child support for which that parent of the person is the obligee and the person is the subject of the support order is assigned.

(ii) Any spousal support for which that parent of the person is the obligee is assigned.

(E) Assignment of medical support in a medical assistance case.

In accordance with section 5401.595160.38 of the Revised Code, a medical assistance applicant assigns medical support upon application for or acceptance of medical assistance benefits.

(1) If a person does not receive medical assistance benefits for himself or herself but a child who resides with that person receives medical assistance benefits, then the medical support for which that person is the obligee and that child is the subject of the medical support order is assigned.

(2) If a person receives medical assistance benefits for himself or herself and a child who resides with that person receives medical assistance benefits, then the medical support for which that person is the obligee and the obligee or the child is the subject of the medical support order is assigned.

(3) If a person receives medical assistance benefits for himself or herself but a child who resides with that person does not receive medical assistance benefits, then the medical support for which that person is the obligee and that person is the subject of the medical support order is assigned to ODJFS.

(4) If a person receives medical assistance benefits for himself or herself but a child who resides with that person does not receive medical assistance benefits, then the medical support for which that person is the obligee and the child is the subject of the medical support order is not assigned to ODJFS.

(F) Assignment of support in an FCM case.

The Title IV-E agency assigns any child support for which the Title IV-E agency is the obligee and a child who is eligible to receive FCM benefits is the subject of the support order.
The rules and policies of the OWF, medical assistance, and IV-E programs describe the effective date of the assignment of support.

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R.C. 119.032 review dates: 10/03/2013 and 01/01/2019
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Rule Amplifies: 5160.35, 5160.38, 5107.20
Prior Effective Dates: 8/1/82, 5/1/87, 12/1/87, 7/15/88, 4/1/89, 8/1/90, 4/11/91 (Emer), 7/1/91, 7/1/96, 10/1/97 (Emer), 12/30/97, 2/1/05, 12/1/08
This rule describes the requirement for an applicant for or a recipient of Ohio works first (OWF), medicaid, or Title IV-E foster care maintenance (FCM) benefits to cooperate with the child support enforcement agency (CSEA) in establishing paternity or in establishing, modifying, or enforcing a support order.

The following definitions and terms apply to this rule:

1. "Caretaker" means:
   a. The parent, adult, or minor head of household with whom a child who receives OWF or medicaid resides; or
   b. The Title IV-E agency that has custody of a child who receives FCM benefits.

2. "Charter county" means a county that has, pursuant to Section 3 of Article X of the Ohio Constitution (11/5/1957), adopted a charter that permits the county to provide a different form of government from that which is required under Ohio law for counties in general.

3. "Medical support" means support specified as support for the purpose of medical care by order of a court or administrative agency.

Cooperation requirements for OWF recipients.

1. In accordance with rule 5101:1-3-10 of the Administrative Code, a caretaker who is a member of the OWF assistance group of a child who receives OWF benefits shall cooperate with the CSEA, unless the CSEA approves a good cause waiver of cooperation. OWF assistance group means a group of individuals treated as a unit for purposes of determining eligibility for and the amount of OWF benefits.

2. A caretaker is considered cooperative when the caretaker:
   a. Provides any available information, through reasonable and diligent efforts, that is sufficient to identify or locate a parent of a child who receives OWF. Information may include but is not limited to the following about the child's mother or father or each man alleged to be the child's father:
      i. Name;
      ii. Past or present address;
      iii. Telephone number;
      iv. Date of birth;
      v. Social security number;
      vi. Past or present place of employment;
      vii. Past or present schools attended;
      viii. Names, addresses, and telephone numbers of family and friends; and
      ix. Other information determined necessary by the CSEA.
   b. Submits to or has the child submit to genetic tests ordered by a CSEA or court to determine the existence or non-existence of a father and child relationship.
   c. Appears at a scheduled appointment or hearing to:
      i. Locate or identify a parent of a child who receives OWF;
      ii. Establish the existence or non-existence of a father and child relationship; or
(iii) Establish or modify a child support order, including medical support provisions contained in the child support order, or to enforce a support order.

(3) A caretaker is considered non-cooperative when the caretaker has been notified to comply with paragraph (C)(2) of this rule on two or more separate occasions by the CSEA in a county other than a charter county. The CSEA in a county other than a charter county shall consider a caretaker non-cooperative when the caretaker fails to comply with paragraph (C)(2) of this rule on two or more consecutive occasions. After the first instance of a determination of non-cooperation, the CSEA shall consider a caretaker non-cooperative when the caretaker fails to comply with paragraph (C)(2) of this rule on one occasion.

The CSEA in a charter county shall consider a caretaker non-cooperative when the caretaker fails to:

(a) Comply with paragraph (C)(2) of this rule; or

(b) Attend any court or administrative hearing to determine the existence or non-existence of a father and child relationship or to establish or modify a child support order, including medical support provisions contained in the child support order, or to enforce a support order.

(D) Cooperation requirements for medicaid recipients.

(1) The caretaker of a child who receives medicaid benefits shall cooperate with the CSEA unless:

(a) The CSEA approves a good cause waiver of cooperation; or

(b) The caretaker meets one of the following exceptions to cooperation:

(i) The child receives medicaid benefits and is not receiving OWF or FCM benefits and the caretaker is not receiving OWF or medicaid benefits.

(ii) The caretaker is pregnant or is no more than sixty days post-partum and receives medicaid benefits.

(iii) The caretaker is receiving transitional medicaid benefits.

(2) A child will not lose medicaid benefits when the caretaker does not cooperate with the CSEA.

(3) A caretaker is considered cooperative when the caretaker:

(a) Provides any available information, through reasonable and diligent efforts, that is sufficient to identify or locate a parent of a child who receives medicaid. Information may include but is not limited to the following about the child's mother or father or each man alleged to be the child's father:

(i) Name;

(ii) Past or present address;

(iii) Telephone number;

(iv) Date of birth;

(v) Social security number;

(vi) Past or present place of employment;

(vii) Past or present schools attended;

(viii) Names, addresses, and telephone numbers of family and friends; and

(ix) Other information determined necessary by the CSEA.

(b) Submits to or has the child submit to genetic tests ordered by a CSEA or court to determine the existence or non-existence of a father and child relationship.

(c) Appears at a scheduled appointment or hearing to:

(i) Locate or identify a parent of a child who receives medicaid;
(ii) Establish the existence or non-existence of a father and child relationship; or
(iii) Establish, modify or enforce the medical support provisions contained in a child support order.

(d) Completes a JFS 06613, "Accident/Injury Insurance Information" (rev. 6/2009) an ODM 06613, "Accident/Injury Insurance Information" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), when required by the CSEA.

(e) Fully discloses any health insurance coverage or third party coverage that the medicaid recipient has or for which the medicaid recipient may be eligible.

(f) Provides any available information that is necessary for identification and collection of potential third party payments.

(4) The CSEA shall consider a caretaker non-cooperative when the caretaker fails to comply with paragraph (D)(3) of this rule on two or more consecutive occasions. After the first instance of a determination of non-cooperation, the CSEA shall consider a caretaker non-cooperative when the caretaker fails to comply with paragraph (D)(3) of this rule on one occasion.

(E) Cooperation between the CSEA and a Title IV-E agency.

A Title IV-E agency that has custody of a child who receives FCM benefits shall request services from the CSEA in accordance with rule 5101:2-47-08 of the Administrative Code. Unless the CSEA approves a good cause waiver of cooperation, the Title IV-E agency has a requirement to cooperate with the CSEA. When such a request for services has been made, the Title IV-E agency has a requirement to cooperate with the CSEA unless the CSEA approves a good cause waiver of cooperation. Cooperation from the Title IV-E agency includes:

(1) Sending the CSEA any court order that pertains to the child in the custody of the Title IV-E agency, such as initial custody of the child, termination of parental rights, or termination of custody.

(2) Notifying the CSEA upon verification of changes in the circumstances of the child or the child's parent.

(3) Submitting the child to genetic tests ordered by a CSEA or court to determine the existence or non-existence of a father and child relationship.

(4) Appearing at a scheduled appointment or hearing to:
   (a) Locate or identify a parent of a child for whom the CSEA receives a referral;
   (b) Establish the existence or non-existence of a father and child relationship; or
   (c) Establish or modify a child support order, including medical support provisions contained in the child support order, or to enforce a support order.

(F) Notification to the county department of job and family services (CDJFS) regarding cooperation.

(1) When a caretaker who has an OWF or a medicaid cooperation requirement does not cooperate with the CSEA, the CSEA shall notify the CDJFS via the support enforcement tracking system (SETS) within five days of the caretaker not cooperating. The CDJFS will determine whether or not to terminate benefits.

(2) When a caretaker who previously did not cooperate with the CSEA begins to cooperate, the CSEA shall notify the CDJFS via SETS within five days of the caretaker cooperating. The CDJFS will determine whether or not to reinstate benefits.

Effective: 06/01/2015
Five Year Review (FYR) Dates: 03/12/2015 and 06/01/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 05/19/2015
A caretaker of a child who has a requirement to cooperate with the child support enforcement agency (CSEA) due to the receipt of Ohio works first (OWF), medicaid, or Title IV-E foster care maintenance (FCM) benefits may request a good cause waiver of the requirement to cooperate with the CSEA. When the CSEA determines that cooperation from the caretaker is not in the best interests of the child or would make it more difficult for the caretaker or child to escape domestic violence, the CSEA shall approve a good cause waiver. This rule describes the good cause waiver process.

The following terms and definitions apply to this rule:

1. "Caretaker" means:
   a. The parent, adult, or minor head of household with whom a child who receives OWF or medicaid resides; or
   b. The Title IV-E agency who has custody of a child who receives FCM benefits.

2. "Domestic violence" means, in accordance with section 5107.02 of the Revised Code, a caretaker or child is being subjected to any of the following:
   a. Physical acts that resulted in, or threatened to result in, physical injury to the individual;
   b. Sexual abuse;
   c. Sexual activity involving a dependent child;
   d. Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
   e. Threats of, or attempts at, physical or sexual abuse;
   f. Mental abuse, including emotional harm; or
   g. Neglect or deprivation of medical care.

3. "Permanent good cause waiver" means that no CSEA will require a caretaker to cooperate with the CSEA as long as the CSEA has administrative responsibility for the case.

4. "Temporary good cause waiver" means that the CSEA will not require a caretaker to cooperate with the CSEA for a specified period of time.

5. "Third party" includes but is not limited to:
   a. Police, courts, and other governmental entities;
   b. Shelters and legal, religious, medical, and other professionals from whom a caretaker sought assistance in dealing with domestic violence;
   c. County departments of job and family services (CDJFS); or
   d. Other persons with knowledge of the domestic violence.

The caretaker may request a good cause waiver from the CSEA by:

1. Completing the JFS 07092, "Notice to Individuals Applying for or Participating in Ohio Works First (OWF) Regarding Cooperation with the Child Support Enforcement Agency (CSEA)" (rev. 04/200803/2009), provided by the CDJFS and submitting it to the CSEA; or

2. Completing the JFS 04008, "Request for Good Cause Waiver" (01/2008), provided by the CSEA and submitting it to the CSEA.

When the CSEA receives an oral or a written request for a good cause waiver from the caretaker, the CSEA shall issue the JFS 04008 to the caretaker.
When the CSEA receives a JFS 07092 or JFS 04008, the CSEA shall determine whether to approve or deny a good cause waiver.

When the caretaker provides an alternate address or telephone number on the JFS 07092, JFS 04008, or JFS 04011, "Good Cause Waiver Renewal" (01/2008), the CSEA shall send all written correspondence regarding the good cause waiver to the alternate address and contact the caretaker at the alternate phone number as specified on the JFS 07092, JFS 04008, or JFS 04011.

Written documentation.

When written documentation is not received within forty-five days of the date the CSEA received the JFS 07092 or JFS 04008, the CSEA shall deny the good cause waiver and shall issue the JFS 04010, "Denial of Good Cause Waiver" (01/2008), to the caretaker.

Permanent good cause waiver.

Upon receipt of a completed JFS 07092 or JFS 04008 and acceptable written documentation, the CSEA shall approve a permanent good cause waiver and shall issue the JFS 04009, "Approval of Good Cause Waiver" (01/2008), to the caretaker when the child was conceived as a result of incest or rape and the CSEA determines that requiring cooperation from the caretaker would not be in the best interests of the child.

Written documentation is acceptable when the source of the written documentation is a medical professional, law enforcement agency, or vital records agency.

Temporary good cause waiver.

Upon receipt of a completed JFS 07092 or JFS 04008 and acceptable written documentation, the CSEA shall approve a temporary good cause waiver and shall issue the JFS 04009 to the caretaker when:

1. The caretaker or child is being subjected to domestic violence and the CSEA determines that requiring cooperation from the caretaker would not be in the best interests of the child or would make it more difficult for the caretaker or child to escape domestic violence.
   - Written documentation is acceptable when the source of the written documentation is a third party. When the caretaker is unable to provide acceptable written documentation from a third party, the CSEA shall accept a written statement from the caretaker, unless the CSEA has an independent, reasonable basis to find the allegation in the caretaker's written statement not credible.
   - A temporary good cause waiver based on domestic violence is for a period not to exceed twelve months. The CSEA may approve a temporary good cause waiver for longer than twelve months when a legal document exists that justifies the extension.

2. Legal adoption proceedings regarding the child are pending before a court and the CSEA determines that requiring cooperation from the caretaker would not be in the best interests of the child.
   - Written documentation is acceptable when the source of the written documentation is a court, child protective or social services agency, or an attorney for one of the parties involved in the adoption proceedings.
   - A temporary good cause waiver based on pending adoption is for the period during which the adoption is pending before the court.
   - If the adoption proceedings are finalized or dismissed, the CSEA shall terminate the temporary good cause waiver and shall issue the JFS 04012, "Termination of Good Cause Waiver" (01/2008), to the caretaker.

3. The question of whether to place the child for adoption is under active consideration and the CSEA determines that requiring cooperation from the caretaker would not be in the best interests of the child.
(a) Written documentation is acceptable when the source of the written documentation is a child protective or social services agency or an attorney for one of the parties involved in the adoption proceedings.

(b) A temporary good cause waiver based on active consideration of adoption is for a period not to exceed three months. The CSEA may renew a temporary good cause waiver after three months when the written documentation verifies that the adoption is still under active consideration.

(c) If the adoption discussions are terminated, the CSEA shall terminate the temporary good cause waiver and shall issue the JFS 04012 to the caretaker.

(J) Renewing a temporary good cause waiver.

At least forty-five days before the expiration of the temporary good cause waiver, the CSEA shall issue the JFS 04011 to the caretaker.

(1) When the caretaker submits the JFS 04011 requesting a renewal of the good cause waiver to the CSEA and the CSEA receives acceptable written documentation within forty-five days of the date the JFS 04011 was issued by the CSEA, as described in paragraph (H) or (I) of this rule, the CSEA shall renew the good cause waiver and shall issue a JFS 04009 to the caretaker.

(2) When the caretaker submits the JFS 04011 requesting a renewal of the good cause waiver to the CSEA, the CSEA shall deny the good cause waiver and shall issue a JFS 04010 to the caretaker when:

   (a) Acceptable written documentation is not received by the CSEA within forty-five days of the date the JFS 04011 was issued; or

   (b) The CSEA receives written documentation within forty-five days of the date the JFS 04011 was issued and determines that the written documentation is not acceptable, as described in paragraph (H) or (I) of this rule.

(3) The CSEA shall terminate the temporary good cause waiver and shall issue the JFS 04012 to the caretaker when:

   (a) The caretaker fails to complete and submit the JFS 04011 to the CSEA within forty-five days of the date the JFS 04011 was issued; or

   (b) The caretaker submits the JFS 04011 to the CSEA and the JFS 04011 indicates that the caretaker no longer wants a good cause waiver.

(K) When the caretaker or child receives OWF benefits, the CSEA shall notify the CDJFS, either electronically or in writing, within five days of the CSEA issuing the JFS 04009, JFS 04010, or JFS 04012 to the caretaker. When the caretaker or child receives medicaid or FCM benefits, the CSEA may notify the CDJFS or PCSA public children services agency (PCSA) when the CSEA issues a JFS 04009 to the caretaker.

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R.C. 119.032 review dates: 04/01/2013 and 07/01/2018
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This rule describes the conditions that must exist and the process a child support enforcement agency (CSEA) shall use to terminate IV-D services or to terminate support enforcement program services (i.e., case closure).

Terms used in this rule.

1. "Alleged father," as used in this rule, means a man who alleges or is alleged to be the father of a child.

2. "Caretaker," as used in this rule, means the custodial parent, individual, or agency that is or may become the beneficiary of a support order.

3. "Case closure" means the termination of support enforcement program services.

4. "Duty to provide support enforcement program services" means the responsibility, imposed pursuant to section 3125.11 of the Revised Code, to enforce support orders in the county the CSEA services.

5. "IV-D case" is defined in rule 5101:12-10-01 of the Administrative Code.

6. "IV-D services" are identified in rule 5101:12-10-01 of the Administrative Code and also include support enforcement program services.

7. "Non-custodial parent" or "NCP" means an individual who is or may become obligated to pay support.

8. "Non IV-D case" is defined in rule 5101:12-10-01 of the Administrative Code.

9. "Non-public assistance case" or "NPA case," for the purposes of this rule, is a IV-D case in which:
   a. The CSEA approved a IV-D application;
   b. The CSEA received a IV-D referral but the Ohio works first (OWF), medicaid, or Title IV-E foster care maintenance (FCM) benefits have terminated. There may or may not be assigned arrears; or
   c. The CSEA received a IV-D referral and the child is currently receiving medicaid benefits and one of the following exists:
      i. The caretaker with whom the child resides is not receiving medicaid benefits; or
      ii. The caretaker with whom the child resides is receiving medicaid benefits and the caretaker meets one of the exceptions to cooperation in accordance with paragraph (D) of rule 5101:12-10-31 of the Administrative Code.

10. "Public assistance case" or "PA case," for the purposes of this rule, means a IV-D case in which the CSEA received a IV-D referral and:
   a. The child is currently receiving OWF or FCM benefits; or
   b. The child is currently receiving medicaid benefits, the caretaker with whom the child resides is receiving medicaid benefits, and the caretaker is required to cooperate with the CSEA in accordance with paragraph (D) of rule 5101:12-10-31 of the Administrative Code.

11. "Recipient of IV-D services," for the purposes of this rule, means:
   a. The individual who signed the approved IV-D application; or
   b. The caretaker in a IV-D referral.
"Support enforcement program services" are identified in rule 5101:12-10-01 of the Administrative Code.

(C) When the phrase "terminate services" is used in this rule, it refers to the decision made by the CSEA to either terminate all services or to terminate IV-D services but continue to provide support enforcement program services. The decision made by the CSEA must be made based on one of the criteria described in paragraph (D) of this rule. To further clarify, when the CSEA elects to terminate services, then:

(1) In a IV-D case:
   (a) IV-D services terminate but the CSEA shall continue to provide support enforcement program services when the CSEA has a duty to provide support enforcement program services. The case is then considered a non-IV-D case.
   (b) Case closure shall occur when IV-D services have been terminated and the CSEA has no duty to provide support enforcement program services.

(2) In a non-IV-D case, case closure shall occur when the CSEA has no duty to provide support enforcement program services.

(D) A CSEA may terminate services when the case record contains verification that the case meets one of the following criteria:

(1) There is no current support obligation owed to the caretaker and one of the following applies:
   (a) The child is no longer in the home of the caretaker and there is no support order or no arrears are owed under a terminated support order.
       Use of this criterion shall result in case closure.
   (b) There is no duty of support, as described in section 3103.03 of the Revised Code, owed to the caretaker, and paternity establishment is not required.
       Use of this criterion shall result in case closure.
   (c) The court or administrative support order has been terminated and there are no arrears or the total of all arrears is less than five hundred dollars and a payment has not been received on the case within the preceding six months.
       Use of this criterion shall result in a non-IV-D case when there are arrears or case closure when there are no arrears.
   (d) The court or administrative support order has been terminated, the arrears are unenforceable under state law, and a payment has not been received on the case within the preceding six months.
       Use of this criterion shall result in a non-IV-D case.
   (e) The child has reached the age of majority, the NCP is entering or has entered long-term care arrangements (such as a residential care facility or home health care), and the NCP has no available income or assets above the subsistence level that could be levied or attached for support.
       Use of this criterion shall result in a non IV-D case when there are arrears, or case closure when there are no arrears.

(2) The NCP has died and no further support enforcement program services, including a levy against the estate, can be provided.
    Use of this criterion shall result in case closure.

(3) The CSEA cannot establish paternity because:
   (a) The child is twenty-three years of age or older and the action to establish paternity is barred by statute of limitations as specified in section 3111.05 of the Revised Code;
(b) Genetic testing has excluded the alleged father;
(c) There is a final and enforceable determination of paternity that determines that the alleged father is not the father of the child or that another man is the father of the child;
(d) The CSEA has determined that it would not be in the best interest of the child to establish paternity in a case involving incest or forcible rape or where legal proceedings for adoption are pending; or
(e) The identity of the biological father is unknown and cannot be identified after diligent efforts, including at least one interview by the CSEA with the recipient of IV-D services.

Use of this criterion shall result in case closure.

(4) The NCP’s location is unknown, the CSEA has made diligent efforts to locate the NCP using multiple sources, as described in rules 5101:12-20-05 to 5101:12-20-05.3 of the Administrative Code, and all efforts have been unsuccessful over a period of:

(a) Three years when there is sufficient information to initiate an automatic locate effort; or
(b) One year when there is sufficient information to initiate an automatic locate effort, but locate interfaces are unable to verify a social security number; or
(b)(c) One year when there is not sufficient information to initiate an automatic locate effort.

Use of this criterion shall result in a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(5) The NCP has no available income or assets above the subsistence level that could be levied or attached for support and cannot pay support for the duration of the child’s minority, or after the child has reached the age of majority because:

(a) The NCP is institutionalized in a psychiatric facility;
(b) The NCP is incarcerated with no chance for parole; or
(c) The NCP has a medically verified total and permanent disability with no evidence of support potential.

Use of this criterion shall result in a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(6) The NCP’s sole income is from supplemental security income (SSI) payments, and paternity has been established.

Use of this criteria shall result in a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(6)(7) The NCP is a citizen of and lives in a foreign country and:

(a) Does not work for the federal government or a company with headquarters or offices in the United States;
(b) Has no reachable domestic income or assets; and
(c) Ohio has been unable to establish there is no federal or state treaty or reciprocity with that country.

Use of this criterion shall result in a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(7)(8) The case was opened for location services only, location services have been completed, and a final location response has been sent to the caretaker.

This criterion shall only be used in an NPA case or a Title IV-E, non-FCM case when the case was opened as a result of a request for location services only. Use of this criterion shall result in
a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(8)(9) The recipient of IV-D services requests that the CSEA terminate IV-D services.

(a) This criterion shall only be used in a case when there are no assigned arrears and the CSEA:

(i) Approved a IV-D application; or

(ii) Received a IV-D referral but the OWF, medicaid, or FCM benefits have terminated.

(b) Use of this criterion shall result in a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(9)(10) The CSEA has:

(a) Approved a good cause waiver or determined other exceptions to cooperation; and

(b) Determined that no support enforcement services may be provided without risk of harm to the child or caretaker.

This criterion shall only be used in a PA case. Use of this criterion shall result in case closure.

(10)(11) The CSEA is unable to contact the recipient of IV-D services within a sixty day period despite an attempt of at least one letter sent by first class mail to the last known address of a good faith effort made the recipient of IV-D services through at least two different methods, one of which shall be a letter sent by first class mail to the last known address. Other methods may include attempted contact by: email, telephone, the state services portal (SSP), or other method. The two methods of contact shall be documented in the case record.

This criterion shall only be used in an NPA case when there are no assigned arrears. Use of this criterion shall result in a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(11)(12) The CSEA documents the circumstances of non-cooperation by the recipient of IV-D services and an action by the recipient of IV-D services is essential for the next step in providing services.

This criterion shall only be used in an NPA case when there are no assigned arrears. Use of this criterion shall result in a non-IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(13) Another assistance program, including Title IV-A, Title IV-E, supplemental nutrition assistance program (SNAP), and medicaid, has referred a case to the CSEA that is inappropriate to establish a child support order, enforce a child support order, or continue to enforce a child support order, and the caretaker or NCP has not applied for IV-D services, when:

(a) The child is living in the home of an intact two parent household; or

(b) The caretaker is no longer receiving services from an assistance program that requires cooperation with the CSEA.

The CSEA shall make reasonable efforts to establish paternity prior to use of this criterion.

Use of this criterion shall result in a non IV-D case when there is a support order or arrears, or in case closure when there is no support order or arrears.

(14)(12) The CSEA documents that the initiating state has failed to take an action after repeated requests from the CSEA for additional information or documents, that is essential for the CSEA to take the next step in providing services.

Use of this criterion shall result in case closure if there is no Ohio controlling order on the case, or there are no assigned arrears owed to Ohio. If there is an Ohio controlling order, or if there are assigned arrears owed to Ohio, the use of this criterion shall result in a non-IV-D case.
The initiating agency has notified the CSEA that the initiating state has closed its case. The CSEA shall close the case within ten business days of receiving the notification.

Use of this criterion shall result in case closure if there is no Ohio controlling order on the case, or there are no assigned arrears owed to Ohio. If there is an Ohio controlling order, or if there are assigned arrears owed to Ohio, the use of this criterion shall result in a non-IV-D case.

The initiating agency has notified the CSEA that the CSEA's intergovernmental services are no longer needed. The CSEA shall close the case within ten business days of receiving the notification.

Use of this criterion shall result in case closure if there is no Ohio controlling order on the case, or there are no assigned arrears owed to Ohio. If there is an Ohio controlling order, or if there are assigned arrears owed to Ohio, the use of this criterion shall result in a non-IV-D case.

The case has been transferred to a tribal IV-D agency and the CSEA has complied with the following before transferring and closing the case with Ohio:

(a) The recipient of services has requested the CSEA to transfer the case to the tribal IV-D agency and close their case with Ohio;

(b) The CSEA has notified the recipient of services of its intent to transfer the case to the tribal IV-D agency and close their case with Ohio, and the recipient did not respond to the notice; or

(c) The tribal IV-D agency has a state-tribal agreement approved by the federal office of child support enforcement (OCSE) to transfer and close cases, with the consent from the recipient of services.

Use of this criterion shall result in case closure.

In a non-IV-D case, a court has, in accordance with section 3121.441 of the Revised Code, permitted the obligor to make spousal support payments directly to the obligee instead of to the office of child support when:

(a) The obligee and obligor have no minor children born as a result of their marriage; and

(b) The obligee has not assigned the spousal support amounts to the Ohio department of job and family services.

This criterion shall only be used in a non-IV-D case. Use of this criterion shall result in case closure.

The case was opened in error or another administrative reason exists to close the case. Use of this criterion shall result in case closure.

In an IV-D case, the CSEA shall make reasonable efforts to establish paternity or a child support order, when appropriate, prior to terminating IV-D services.

A CSEA shall terminate services when the case record contains verification that the case meets the following criteria:

(1) The child is eligible for health care services from the Indian health service (IHS); and

(2) The case was opened because of a medicaid referral based solely upon health care services, including the purchased/referred care program, provided through an IHS.

Use of this criterion shall result in case closure.

Notice of termination of services.

(1) Sixty days prior to terminating services, the CSEA shall issue a JFS 07046, "Pending Case Closure Notice" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), to:
(a) The recipient of IV-D services when services are proposed for termination pursuant to paragraphs (D)(1) to (D)(6)(7), (D)(10), or (D)(11), or (D)(12) of this rule.

(b) The initiating state in an interstate case when services are proposed for termination pursuant to paragraph (D)(12)(14) of this rule.

(2) The IV-D case must remain open when, if, during the sixty day period:

(a) Contact is reestablished with the recipient of IV-D services and the case was proposed for termination pursuant to paragraph (D)(10)(11) of this rule;

(b) In response to the JFS 07046, the recipient of IV-D services or the initiating state supplies information that could lead to any of the following:

   (i) Establishment of paternity;

   (ii) Establishment of a child support order; or

   (iii) Enforcement of a child support order.

(G)(H) Termination of support enforcement program services in a non-IV-D case with an existing arrears balance.

(1) The CSEA may terminate support enforcement program services and close a non-IV-D case when the support order has been terminated and:

   (a) The total of all arrears is less than one hundred fifty dollars; or

   (b) There has been no collection received on the case during the past three years and all manual and automated location or enforcement methods have been unsuccessful.

(2) When the CSEA proposes to terminate support enforcement program services and close a non-IV-D case, the CSEA shall issue a notice to the last known address of the parties to the support order that contains the following information:

   (a) The arrears balances, when applicable;

   (b) Either party to the support order may request that the CSEA continue providing support enforcement program services by contacting the CSEA in writing within sixty days of the date on the notice;

   (c) After the case has been closed, either party to the support order may contact the CSEA at any time and request that the CSEA resume providing support enforcement program services or IV-D services; and

   (d) The CSEA will reopen the case at a later date when a collection is received on the case.

(3) The CSEA may close the non-IV-D case when neither party has contacted the CSEA within sixty days of the date of the notice described in paragraph (G)(2)(H)(2) of this rule to request that the CSEA continue to provide services.

(4) When the CSEA closes the non-IV-D case, the arrears balances that display on the support enforcement tracking system (SETS) must accurately reflect the arrears balances owed on the case.

(5) When the CSEA has closed a non-IV-D case, the CSEA shall reopen the case in accordance with rule 5101:12-10-02 of the Administrative Code or when a collection is received on the case.

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Rule Amplifies: 3121.441, 3123.12, 3125.11

Within five business days of being notified that a family is no longer eligible for Ohio works first, medicaid, or Title IV-E foster care maintenance benefits, the support enforcement tracking system will issue a JFS 07607, "Case Continuation Notice" (rev. 04/1996 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), to the last known address of the custodial parent or caretaker.

The child support enforcement agency shall continue to provide IV-D services and support enforcement program services until such time as the case meets one of the criteria to terminate IV-D services described in rule 5101:12-10-70 of the Administrative Code.
Federal law at 42 U.S.C. 653a (4/21/2012) requires the implementation of a new hire reporting program in each state to accomplish the purpose of locating parents, establishing paternity, and establishing and enforcing support obligations of parents. This rule and its supplemental rules describe the Ohio new hire reporting program.

The following definitions shall be used in this rule and its supplemental rules.

(1) "Contractor" means an individual who provides services to an employer as an independent contractor for compensation that is reported as income other than wages and who is an individual, the sole shareholder of a corporation, or the sole member of a limited liability company. "Contractor" does not include any of the following:
   (a) An individual performing intelligence or counterintelligence functions for a state agency if the head of the agency has determined that reporting pursuant to this section could endanger the safety of the individual or compromise an ongoing investigation or intelligence mission;
   (b) A professionally licensed person who is providing services to the employer under that license; or
   (c) An individual who will receive for the services provided under the contract compensation of less than two thousand five hundred dollars per year.

(2) "Employee" means an individual who is employed to provide services to an employer for compensation that is reported as income from wages. "Employee" does not include an individual performing intelligence or counterintelligence functions for a state agency, if the head of the agency has determined that reporting pursuant to this paragraph could endanger the safety of the employee or compromise an ongoing investigation or intelligence mission.

(3) "Employer" means any person or government entity other than the federal government for which an individual performs any service, of whatever nature, as the employee or contractor of such person, except that:
   (a) If the person for whom the individual performs services does not have control of the payment of compensation for the services, employer means the person having control of the payment of the compensation.
   (b) In the case of a person paying compensation on behalf of a nonresident alien individual, foreign partnership, or foreign corporation not engaged in trade or business within the United States, "employer" means the person paying the compensation.
   (c) In the case of compensation paid to a contractor, "employer" does not include any person or entity that lacks a federal employer identification number.

(4) "Newly hired employee" means an employee who:
   (a) Has not previously been employed by the employer; or
   (b) Was previously employed by the employer but has been separated from such prior employment for at least sixty consecutive days.

(5) "Professionally licensed person" has the same meaning as in section 2925.01 of the Revised Code.

The new hire reports required by this rule and its supplemental rules shall not be considered public records for purposes of section 149.43 of the Revised Code. Ohio department of job and family services (ODJFS) may disclose information in the new hire reports to any agent of the department or
child support enforcement agency (CSEA) that is under contract with ODJFS for the purposes listed in paragraph (E) of rule 5101:12-10-90.2 and paragraph (D) of rule 5101:12-10-90.3 of the Administrative Code. ODJFS may submit to the bureau of workers' compensation a copy of any new hire report it receives.

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Every employer shall make a new hire report to the Ohio department of job and family services (ODJFS) regarding, a newly hired employee as defined in rule 5101:12-10-90 of the Administrative Code or a contractor of a person who resides, works, or will be assigned to work in this state to whom the employer anticipates paying compensation.

An employer with employees or contractors in two or more states that transmits new hire reports magnetically or electronically may make the new hire report to another state if the employer does both of the following:

1. Notifies ODJFS and the United States secretary of health and human services in writing that the employer has designated another state as the state to which the employer will transmit the report; and
2. Transmits the report to that state in compliance with federal law.

An employer shall include all of the following in each new hire report:

1. For each employee, the employee's name, address, date of birth, social security number, and date of hire;
2. The date services were first performed by the employee for pay;
3. For each contractor, the contractor's name, address, social security or tax identification number, the date payments begin, and the length of time the contractor will be performing services for the employer; and
4. The employer's name, address, and identification number.

An employer may make a new hire report by submitting a copy of the United States internal revenue service form W-4 (employee's withholding allowance certificate) for the employee, a form provided by ODJFS, or any other hiring document or data storage device or mechanism ODJFS authorizes. An employer may make the new hire report by mail, fax, magnetic or electronic means, or other means ODJFS authorizes. If an employer makes a new hire report by mail, the date of making the report is the postmark date if the report is mailed in the United States with first-class postage and is addressed as ODJFS authorizes. An employer shall make the new hire report no later than twenty days after the date on which the employer hires an employee or the date on which the employer engages or re-engages the contractor or the contractor resumes providing services under the contract.

Pursuant to section 3121.8910 of the Revised Code, an employer that fails to make a new hire report shall be liable to ODJFS for a civil penalty of twenty-five dollars for each failure to make a report. If the failure to make a new hire report is the result of a conspiracy between the employer and the employee not to supply the report or to supply a false or incomplete report, the employer shall be liable for a civil penalty of five hundred dollars for each such failure.

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The Ohio department of job and family services (ODJFS) shall, within five days of receipt of a new hire report from an employer regarding an employee, enter the information described in division (A)(1) of section 3121.892 of the Revised Code into the new hire directory of employees, which shall be part of or accessible to the automated data processing system required pursuant to section 3125.07 of the Revised Code.

ODJFS shall make comparisons of the social security numbers obtained pursuant to division (A)(1) of section 3121.892 of the Revised Code and the social security numbers appearing in the case registry maintained pursuant to sections 3121.81 to 3121.86 of the Revised Code.

If the comparison conducted by ODJFS described in paragraph (B) of this rule results in a match, the support enforcement tracking system (SETS) will automatically generate, within two business days, a JFS 04047, "Order/Notice to Withhold Income for Child and Spousal SupportIncome Withholding for Support" (rev. 5/2012 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), to the employer pursuant to section 3121.03 of the Revised Code, unless the employee's income is not subject to withholding, and shall take any other appropriate action under Chapters 3119., 3121., 3123., and 3125. of the Revised Code.

Within three business days after information is entered into the new hire directory, ODJFS shall furnish the information to the national directory of new hire. ODJFS shall furnish to the national directory of new hire on a quarterly basis such information contained in the records of the department as is required by state and federal law.

ODJFS shall use the new hire reports it receives to locate individuals for the purposes of establishing paternity; for establishing, modifying, and enforcing support orders being administered by child support enforcement agencies in this state; and to detect fraud in any program administered by ODJFS, make available to any state agency responsible for administering any of the following programs for purposes of verifying program eligibility:

1. Any Title IV-A program as defined in section 5101.80 of the Revised Code;
2. The medicaid program;
3. The unemployment compensation program authorized by Chapter 4141. of the Revised Code;
4. The supplemental nutrition assistance program authorized by section 5101.54 of the Revised Code;
5. Any other program authorized in 42 U.S.C. 1320b-7(b) (2/2014).
(A) When the Ohio department of job and family services (ODJFS) receives a new hire report from an employer regarding an independent contractor, ODJFS shall enter the information described in division (A)(2) of section 3121.89.23121.892 of the Revised Code into the new hire directory of independent contractors.

(B) ODJFS shall make comparisons of the social security numbers obtained pursuant to division (A)(2) of section 3121.89.23121.892 of the Revised Code and the social security numbers appearing in the case registry maintained pursuant to sections 3121.81 to 3121.86 of the Revised Code.

(C) If the comparison conducted by ODJFS described in paragraph (B) of this rule results in a match, ODJFS shall notify each child support enforcement agency (CSEA) with administrative responsibility for the case in which the social security number matches that of the obligor and provide the CSEA with the reported information regarding the contractor.

(D) The CSEA shall use the new hire reports it receives to locate individuals for the purposes of establishing paternity and for establishing, modifying, and enforcing support orders being administered by child support enforcement agencies in this state.

Effective: 09/01/2015

Five Year Review (FYR) Dates: 05/29/2015 and 09/01/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 08/05/2015

Promulgated Under: 119.03

Statutory Authority: 3121.8911, 3125.25

Rule Amplifies: 3121.891, 3121.892, 3121.895, 3121.896, 3121.898, 3125.03

Prior Effective Dates: 10/1/97 (Emer), 12/30/97, 12/1/01, 9/1/05
The forms in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 04008, "Request for Good Cause Waiver" (1/2008);
(B) JFS 04009, "Approval of Good Cause Waiver" (1/2008);
(C) JFS 04010, "Denial of Good Cause Waiver" (1/2008);
(D) JFS 04011, "Good Cause Waiver Renewal" (1/2008);
(E) JFS 04012, "Termination of Good Cause Waiver" (1/2008);
(F) JFS 04047, "Income Withholding for Support" (rev. 7/2015);
(G) JFS 04059, "Explanation of State Hearing Procedures" (rev. 1/2015);
(H) JFS 07012, "Explanation of State Hearing Procedures (Rights and Responsibilities of Parents Receiving Child Support Services)" (rev. 9/2001);
(I) JFS 07046, "Pending Termination of Services NoticeCase Closure Notification" (rev. 6/2015);
(J) JFS 07092, "Notice to Individuals Applying for or Participating in Ohio Works First (OWF) Regarding Cooperation with the Child Support Enforcement Agency (CSEA)" (rev. 3/2009);
(K) JFS 07607, "Case Continuation Notice" (rev. 4/19969/2016) and;
(L) JFS 07647, "Notice of Case Status Application" (rev. 4/1996).

Effective: 09/01/2016

Five Year Review (FYR) Dates: 09/01/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 06/27/2016

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.25

Prior Effective Dates: 9/1/15
This rule and its supplemental rules describe the requirements that shall be followed by a child support enforcement agency (CSEA) for the location of an individual for the purpose of providing support enforcement program services and the location sources that are available for this purpose.

The CSEA shall provide location services when:

(1) The residential address or employment of an individual is unknown; or
(2) A request for location-only services is received.

The CSEA shall accept a request for location-only services when filed by a resident parent, legal guardian, attorney, or agent of a child who is not a recipient of Ohio works first, medicaid, or Title IV-E foster care maintenance benefits.

The CSEA shall access all appropriate location sources within seventy-five days of determining that location is necessary. The CSEA shall access, validate, and utilize the information received from every appropriate location source to take the next step required to provide support enforcement program services.

When information received from the location source is deemed unreliable, or when otherwise appropriate, the CSEA shall verify the information.

Five Year Review (FYR) Dates: 09/06/2016 and 09/06/2021
Certification: CERTIFIED ELECTRONICALLY
Date: 09/06/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.06, 3125.08
Prior Effective Dates: 9/1/76, 12/1/78, 8/1/82, 11/11/88, 8/1/90, 5/22/92 (Emer), 8/1/92, 12/21/92, 4/1/93, 6/2/01, 6/15/06
The child support enforcement agency (CSEA) shall interact with the support enforcement tracking system (SETS) to perform all location functions when those location functions are available in SETS.

A CSEA shall use appropriate child support enforcement network (CSENet) transactions to request information about an individual who is believed to reside or be employed in a state other than Ohio when that state has quick locate capability with Ohio.

When the state in which the individual is believed to reside or be employed does not have CSENet capability with Ohio and the individual for whom the information is being sought is a custodial parent, the CSEA shall use the OMB-0970-0085, "Locate data sheet" in accordance with paragraph (A)(7) of rule 5101:12-70-05.11 of the Administrative Code.

Five Year Review (FYR) Dates: 09/06/2016 and 09/06/2021
Certification: CERTIFIED ELECTRONICALLY
Date: 09/06/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03
Prior Effective Dates: 9/1/76, 12/1/78, 8/1/82, 11/11/88, 8/1/90, 5/22/92 (Emer), 8/1/92, 12/21/92, 4/1/93, 6/2/01, 6/15/06, 1/1/08, 7/1/13
The office of child support within the Ohio department of job and family services maintains a state parent locator service (SPLS) to collect location information about individuals. SPLS is accessed through the support enforcement tracking system (SETS).

When the location of an individual is unknown, SETS automatically accesses SPLS in order to determine the location or employment of the individual.

SPLS will receive location information from the following sources:

1. The Ohio bureau of motor vehicles;
2. The Ohio new hire registry; and
3. Other information that is available through data exchange between various entities and the office of management information services within the Ohio department of job and family services. When a child support enforcement agency (CSEA) receives location information through the data exchange, and the information is federal tax information (FTI) as described in rule 5101:12-1-20 of the Administrative Code and its supplemental rules, the CSEA shall separately verify the FTI prior to its use.
(A) The federal parent locator service (FPLS) is a national location system operated by the federal office of child support enforcement to assist states in locating individuals for the purpose of providing support enforcement program services. FPLS is accessed through the support enforcement tracking system (SETS).

(B) When no location information regarding an individual is obtained from the state parent locator service after sixty days, SETS automatically submits the individual to FPLS.

(C) FPLS accesses multiple location sources including but not limited to:
   (1) The national directory of new hire;
   (2) The social security administration;
   (3) The internal revenue service;
   (4) The department of defense;
   (5) The federal bureau of investigation; and
   (6) The department of veterans affairs.

(D) FPLS continues to access these location sources every sixty days until the location and employment of the individual are verified.

Effective: 01/01/2017

Five Year Review (FYR) Dates: 09/06/2016 and 01/01/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 11/18/2016

Promulgated Under: 119.03

Statutory Authority: 3125.08, 3125.25

Rule Amplifies: 3125.03, 3125.08, 4141.22

Prior Effective Dates: 9/1/76, 12/1/78, 8/1/82, 11/11/88, 8/1/90, 5/22/92 (Emer), 8/1/92, 12/21/92, 4/1/93, 6/2/01, 6/15/06
(A) This rule describes the use of the federal parent locator service (FPLS) to locate an individual for parental kidnapping, child custody, or visitation purposes, pursuant to 45 C.F.R. 303.15, effective October 1, 2010, which may be viewed at: http://www.gpo.gov/fdsys/www.ecfr.gov. This rule also describes the procedures a child support enforcement agency (CSEA) shall follow upon receipt of a request to use FPLS for this purpose.

(B) The following definitions apply to this rule:

1. "Authorized person" means:
   a. Any agent or attorney of any state who has the authority or duty to enforce child custody or visitation orders;
   b. Any court or agent of a court with jurisdiction to make or enforce child custody or visitation determination; or
   c. Any agent or attorney of the United States or of a state who has the authority to investigate, enforce, or prosecute the unlawful taking or restraint of a child.

2. "Authorized purpose" means:
   a. To enforce any state or federal law with respect to the unlawful taking or restraint of a child; or
   b. To determine the whereabouts of a parent or child to make or enforce a custody or visitation determination.

3. "Custody or visitation determination" means a judgment, decree, or other order of a court providing for custody or visitation of a child and includes initial, permanent, and temporary orders and modifications.

4. "Individual" means:
   a. A parent; or
   b. A child.

(C) An authorized person may petition a court to use FPLS to obtain the current residential address or name and location of employment of an individual when the information requested will be used for an authorized purpose. When the court determines that the authorized purpose is valid, it will send to the CSEA in the county where the court is located a court order that requests access to FPLS for this purpose.

(D) A law enforcement agency may submit a direct request document for the use of FPLS to the CSEA.

(E) The court order or direct request document should contain the following:
   1. The full name of the individual;
   2. The birth date of the individual;
   3. The social security number of the individual; and
   4. The signature of the judge or other official authorizing the request.

(F) Upon receipt of a court order or direct request document, the CSEA shall forward the court order or request document to the office of child support (OCS).

The CSEA shall not create a case as a result of the receipt of a court order or direct request document.
The court order or direct request document shall constitute the basis for OCS to access FPLS for this purpose and shall be the only record maintained by OCS.

The following is the information that OCS may disclose about the parent or child:

1. Address;
2. Employer's name; and
3. Employer's address.

Any information OCS receives from FPLS will be sent to the CSEA. The CSEA shall submit the information to the court or law enforcement agency that made the request. Upon submission of the information to the court or law enforcement agency, the CSEA shall destroy all records and information related to the request and the CSEA's involvement shall be considered concluded.

Restrictions on information disclosure:

1. Information regarding federal tax information (FTI) shall not be disclosed.
2. Information regarding multistate financial institution data match (MSFIDM) or single state financial institution data match (SSFIDM) shall not be disclosed.
3. Information shall not be disclosed when there is reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or child as described in rule 5101:12-10-20 of the Administrative Code.
4. Information shall not be disclosed when the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data.

Effective: 01/01/2017
Five Year Review (FYR) Dates: 09/06/2016 and 01/01/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 11/18/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.06, 3125.24
Prior Effective Dates: 6/1/86, 6/2/89, 8/1/90, 5/22/92 (Emer), 8/1/92, 4/1/93, 4/1/95, 6/2/01, 6/15/06, 3/1/12
CSPMTL 133

Effective Date: February 1, 2013 (No Change)

Most Current Prior Effective Date: February 1, 2013

(A) Pursuant to section 5101.37 of the Revised Code:

(1) The office of child support (OCS) in the Ohio department of job and family services and each child support enforcement agency (CSEA) may make any investigations that are necessary in the performance of their duties and, to that end, they shall have the same power as a judge of a county court to administer oaths and to enforce the attendance and testimony of witnesses and the production of books and papers;

(2) OCS and the CSEA shall keep a record of their investigations. The record may include the time, place, charges or subject, witnesses summoned and examined, and its conclusions;

(3) The issuance of an administrative subpoena by OCS or a CSEA to enforce attendance and testimony of witnesses and the production of books or papers at a hearing is discretionary and the department or agency is not required to pay the fees of witnesses for attendance and travel. The fees of witnesses for attendance and travel shall be the same as in the court of common pleas; and

(4) OCS or the CSEA may request any judge of any division of the court of common pleas to compel, by a judgment for contempt or otherwise, the attendance of witnesses, the production of books or papers, and the giving of testimony.

(B) Pursuant to section 3123.43 of the Revised Code, an obligor who fails, after receiving appropriate notice, to comply with provisions of an administrative subpoena may be subject to a license suspension as specified in sections 3123.41 to 3123.63 of the Revised Code.

Five Year Review (FYR) Dates: 11/6/2017 and 11/06/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 11/06/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 5101.37

Service of process is the formal, legal notice to a party involved in an action brought by the child support enforcement agency (CSEA) that explains the purpose of the action and the party's legal rights and obligations. Receipt of notice by a party permits the CSEA, in some circumstances, to proceed with the intended action and to impose obligations on the party even if that party fails to exercise his or her right to appear or object. Therefore, it is critical that the CSEA comply with laws and regulations governing service of process. This rule is intended to provide guidance regarding service of process in administrative actions initiated by the CSEA.

(A) Service of process is the formal, legal notice to a party involved in an action brought by the child support enforcement agency (CSEA) that explains the purpose of the action and the party’s legal rights and obligations. Receipt of notice by a party permits the CSEA, in some circumstances, to proceed with the intended action and to impose obligations on the party even if that party fails to exercise his or her right to appear or object. Therefore, it is critical that the CSEA comply with laws and regulations governing service of process. This rule is intended to provide guidance regarding service of process in administrative actions initiated by the CSEA.

(B) Administrative actions to establish paternity or a support order require service of process in accordance with the Ohio Rules of Civil Procedure.

(1) Section 3111.421 of the Revised Code requires that the notice to a mother and any alleged father regarding an order for genetic testing shall be sent in accordance with the Rules of Civil Procedure that govern service of process, except to the extent that the provisions of the Rules of Civil Procedure are clearly inapplicable and except that references in the provisions of the Rules of Civil Procedure to the court or to the clerk of the court shall be construed as being references to the child support enforcement agency or the administrative officer. In accordance with rules 4 (7/1/2008) and 4.1 (7/1/2016) of the Rules of Civil Procedure, service of the genetic testing notice and order shall be made by United States certified or express mail, as evidenced by return receipt signed by any person, or by personal service. As an alternative to service made by the United States certified or express mail, the service may be made by a commercial carrier utilizing any form of delivery requiring a signed receipt.

(a) If the certified, express, or commercial carrier mail is returned to the CSEA because it was unclaimed or refused by the person to be served, the CSEA shall issue the genetic testing notice and order by ordinary, first class mail to the same address to which the certified, express, or commercial carrier mail was sent.

(b) If the certified, express, or commercial carrier mail is returned indicating the addressee is unknown or that the address is invalid, the CSEA may not use ordinary mail service but must make diligent efforts to obtain a valid address for certified, express, or commercial carrier mail service.

(c) If a party for whom service of process was not completed or was unsuccessful appears for genetic testing, the CSEA shall require that party to sign a waiver of service of notice and order to appear for genetic testing. A signed waiver indicates the party has given up his or her right to service of process under the Rules of Civil Procedure and is submitting to the authority of the CSEA for purposes of the proposed action. By signing the waiver, the party also acknowledges his or her rights and responsibilities regarding the proposed action. The CSEA may then proceed with genetic testing and, if appropriate, the establishment of a support order.

(2) Section 3111.46 of the Revised Code requires that an order finding paternity or non-paternity based on the results of genetic testing be issued and sent to parties in accordance with the Rules of Civil Procedure. In accordance with rule 5 (7/1/2012) of the Rules of Civil Procedure, service of the order finding paternity or non-paternity shall be made by ordinary, first class mail to the last known address of the person to be served.

(3) Section 3111.80 of the Revised Code requires that the notice of the administrative hearing to determine child support and the provision for health care is to be sent in accordance with the Rules of Civil Procedure, except to the extent that the provisions of the Rules of Civil Procedure are clearly inapplicable and except that references in the provisions of the Rules of Civil
Procedure to the court or to the clerk of the court shall be construed as being references to the child support enforcement agency or the administrative officer.

(a) In accordance with section 3111.80 of the Revised Code, if the notice of the administrative hearing to determine child support is attached to the administrative order establishing paternity, service shall be made by ordinary, first class mail to the last known address of the person to be served as allowed by section 3111.46 of the Revised Code.

(b) In accordance with section 3111.80 of the Revised Code, if the notice of the administrative hearing to determine child support is not attached to an administrative paternity order but is instead issued as a result of a request made under section 3111.29 or 3111.78 of the Revised Code, service shall be made by certified, express, or commercial carrier mail, as evidenced by return receipt signed by any person, or by personal service.

(i) If the certified, express, or commercial carrier mail is returned to the CSEA because it was unclaimed or refused by the person to be served, the CSEA shall issue the notice and order by ordinary, first class mail to the same address to which the certified, express, or commercial carrier mail is sent.

(ii) If the certified, express, or commercial carrier mail is returned indicating the addressee is unknown or that the address is invalid, the CSEA may not use ordinary mail service but must make diligent efforts to obtain a valid address for certified mail service.

(iii) If a party for whom service of process was not completed or was unsuccessful appears for the administrative hearing to determine child support, the CSEA shall require that party to sign a waiver of service of notice and order to appear for administrative support hearing. A signed waiver indicates the party has given up his or her right to service of process under the Rules of Civil Procedure and is submitting to the authority of the CSEA for purposes of the proposed action. By signing the waiver, the party also acknowledges his or her rights and responsibilities regarding the proposed action. The CSEA may then proceed with the establishment of a support order.

(C) The CSEA shall maintain evidence of proof of service or, if applicable, the signed waiver of service of notice to appear for genetic testing or administrative support hearing.

(D) In accordance with rule 4.2 (7/1/2017) of the Rules of Civil Procedure, service may be made upon the following:

1. An individual other than a person under sixteen years of age or an incompetent person.

2. The individual's guardian or any of the following persons with whom the individual resides if he/she is under sixteen years of age: the father, mother, a parent or his/her caretaker; or by serving such person if he/she neither has a guardian nor lives or resides with a parent or a caretaker.

3. An incompetent person's guardian or an individual of authority of an institution if the incompetent person is institutionalized. Service shall be made upon an incompetent person if he/she has neither a guardian nor is institutionalized.

4. An individual confined to a penal institution of the state or of a subdivision of the state, except when the individual is under sixteen years of age. If the individual is under sixteen years of age, the provisions outlined in paragraph (D)(2) of this rule are applicable.

5. Service of process upon any other entity or individual shall be made in accordance with paragraphs (F) to (O) of rule 4.2 of the Rules of Civil Procedure (7/1/2017).

(E) Service of process pursuant to rules 4 through 4.6 of the Ohio Rules of Civil Procedure, except service by publication as provided in rule 4.4(A), may be made upon an individual who is a certified participant
of the secretary of state address confidentiality program authorized by section 111.42 of the Revised Code, by serving the secretary of state.

(E)(F) Pursuant to section 3121.23 of the Revised Code, except when a provision of the Revised Code specifically authorizes or requires service by other means, service of any notice on any party, a financial institution, or payor, for purposes of Chapters 3119., 3121., 3123., and 3125. of the Revised Code, shall be made by ordinary first class mail directed to the addressee at the last known address or, in the case of a corporation, at its usual place of doing business. A notice shall be considered to have been served when it is mailed.

(F)(G) The CSEA shall make diligent efforts for service of process as follows:

1. Determine whether the action is for the establishment of paternity or a support order, modification of an existing order, enforcement of the support order;
2. Determine the appropriate service of process method under this rule;
3. Utilize the most time-efficient means available to serve process; and
4. When service is not accomplished initially, it should be attempted periodically;
   a. When service has failed but location information exists, the CSEA must document each service attempt; or
   b. When service fails because the noncustodial parent is not at the most current address, the CSEA shall document this in the case file and resubmit the case for location.

(G)(H) When an action to establish or enforce a support order is dismissed by the court without prejudice, the CSEA shall review the reason for dismissal and determine when it is appropriate to pursue establishment or enforcement in the future. The date, reason of dismissal, and the anticipated date the CSEA will pursue establishment or enforcement of a support order shall be documented in the case record.

(H)(I) Once service of process is achieved, the time frames specified in rule 5101:12-45-05 of the Administrative Code apply.

Effective: 2/1/2018
Five Year Review (FYR) Dates: 11/6/2017 and 11/06/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 01/11/2018
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.25
5101:12-30-25 Role of the CSEA Administrative Officer

CSPMTL 64

Effective Date: January 1, 2012 (No Change)

Most Current Prior Effective Date: January 1, 2012

(A) The child support enforcement agency (CSEA) shall employ an administrative officer, contract with another entity to provide an administrative officer, or contract with an individual to serve as an administrative officer. If the CSEA contracts with another entity or individual to serve as an administrative officer, the CSEA must comply with the contract requirements as set forth in rules 5101:12-1-80 to 5101:12-1-80.4 of the Administrative Code.

(B) An administrative officer shall:

(1) Be a notary public;

(2) Possess the ability to research, analyze, and apply:

   (a) Federal and state laws and regulations relating to the establishment of paternity and the establishment, modification, and enforcement of support orders; and

   (b) Administrative practices and procedures;

(3) Have no personal or professional interest that conflicts with the ability to be objective; and

(4) Be able to conduct hearings that are subject to judicial review.

(C) The administrative officer’s duties shall include, but are not limited to:

(1) Issuing administrative orders requiring a child, mother, and alleged father to submit to genetic testing;

(2) Issuing administrative orders determining the existence or nonexistence of a father and child relationship; and

(3) Conducting administrative hearings and issuing administrative orders to establish the payment of child support and the method of providing for the child's medical support.

(D) The administrative officer may schedule and conduct conferences and administrative hearings related to issues of paternity and the payment of support including the administrative adjustment hearing, mistake of fact hearings, and other duties as determined by the CSEA director or administrator.

(E) When an administrative hearing is held, the administrative officer shall compile a record of the proceedings that includes copies of all documents and exhibits submitted. The record shall be maintained at the CSEA in a manner that would make it acceptable and accessible for court use.

Five Year Review (FYR) Dates: 03/29/2017 and 03/29/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 03/29/2017

Promulgated Under: 119.03

Statutory Authority: 3111.53, 3125.25

Rule Amplifies: 3111.53

Prior Effective Dates: 7/15/92, 6/12/96, 1/1/98, 12/1/01, 10/2/06, 1/1/12
A) In accordance with sections 3111.32 and 3111.33 of the Revised Code, the Ohio department of job and family services (ODJFS) shall make the "Unmarried Parents: The Acknowledgement of Paternity Brochure" JFS 08079, "Paternity and Acknowledgement of Paternity Affidavit Brochure" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) and the JFS 07038, "Acknowledgement of Paternity Affidavit" (rev. 12/06)(effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), available to the Ohio department of health, to each hospital ODJFS has a contract with pursuant to section 3727.17 of the Revised Code, and to any individual that requests a pamphlet.

B) In accordance with section 3111.33 of the Revised Code, ODJFS shall make the JFS 07038 available to each child support enforcement agency (CSEA) and any other agency that requests a JFS 07038.
The following terms and definitions apply throughout division 5101:12 of the Administrative Code:

1. "Alleged father" means a man who is believed to be or believes himself to be the natural father of a child but a final and enforceable determination of paternity regarding that man and child does not exist.

2. "Birth record" has the same meaning as in section 3705.01 of the Revised Code.

3. "Central paternity registry" (CPR) is the birth registry maintained by the office of child support (OCS) in the Ohio department of job and family services (ODJFS) in accordance with section 3111.64 of the Revised Code.

4. "Determine the existence or non-existence of a father and child relationship" refers to the administrative or judicial process that will determine whether or not a man is the natural father of a child when there is not a final and enforceable determination of paternity.

5. "Disestablish paternity" means to attempt to overturn or reverse a final and enforceable determination of paternity.

6. A "final and enforceable determination of paternity" exists when:

   a. In accordance with section 3111.25 of the Revised Code, the mother and father signed a JFS 07038, "Acknowledgment of Paternity Affidavit" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) which has been entered into the birth registry, and neither the mother nor the father brought an action under section 3111.27 of the Revised Code within sixty days of the signing to request the JFS 07038 be rescinded;

   b. In accordance with section 3111.49 of the Revised Code, a child support enforcement agency (CSEA) issued a JFS 07774, "CSEA Administrative Order Establishment of Paternity" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), or JFS 07771, "CSEA Administrative Order Non-existence of Father and Child Relationship" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), and neither the mother, alleged father, nor guardian or legal custodian of the child brought an action under sections 3111.01 to 3111.18 of the Revised Code within thirty days of the issuance of the administrative order to object to the administrative order;

   c. A court issued an order determining that the man is the father of the child, or that the child was born as a product of the marriage, and neither party to the order objected to the order;

   d. In accordance with section 3111.821 of the Revised Code, an administrative child support order was issued or, in accordance with section 2151.232 of the Revised Code, a court support order was issued and neither party to the order raised the issue of the existence or non-existence of a father and child relationship although paternity was presumed pursuant to division (A)(3) of section 3111.03 of the Revised Code and as described in rule 5101:12-40-10 of the Administrative Code;

   e. In accordance with section 3111.95 of the Revised Code, the husband of a married woman consented to artificial insemination; or

   f. Another state or country has established a final and enforceable determination of paternity under the laws of that state or country, regardless of whether the determination of paternity was made pursuant to a voluntary acknowledgment of paternity, an
administrative proceeding, or a court proceeding. The CSEA shall give full faith and credit to a final and enforceable determination of paternity made by another state or country.

(7) "Genetic testing" and "genetic tests" mean: tissue or blood tests, including tests that identify the presence or absence of common blood group antigens, the red blood cell antigens, human lymphocyte antigens, serum enzymes, serum proteins, or genetic markers; or deoxyribonucleic acid typing of blood or buccal cell samples. "Genetic test" and "genetic testing" may include the typing and comparison of deoxyribonucleic acid derived from the blood of one individual and buccal cells of another.

(8) "Integrated perinatal health information system" (IPHIS): IPHIS is an electronic system maintained by the Ohio department of health (ODH) that provides the functionality to process and store data for vital statistics purposes.

(a) Individuals with access to IPHIS have the responsibility to maintain the confidentiality of and to safeguard all information contained in a person's case record, whether the information is contained on paper, film, computer, or any other electronic medium in accordance with rule 5101:12-1-20 of the Administrative Code.

(b) In accordance with section 3125.99 of the Revised Code, anyone who discloses information to any person or for any purpose not specifically permitted by rule 5101:12-1-20 of the Administrative Code or its supplemental rules is subject to a fine of up to five hundred dollars or a prison term of up to six months or both.

(B) The following forms are referenced throughout division 5101:12 of the Administrative Code:

(1) JFS 07038, "Acknowledgment of Paternity Affidavit" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) - A voluntary affidavit that may be signed by the mother of a child and a man alleging himself to be the natural father of the child.

(2) JFS 04070, "Addendum to the Administrative Order to Modify the Birth Record - Child Surname" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) - An addendum that may be signed by the mother of a child and a man alleging himself to be the father indicating an agreement by the parties to change the child's surname, if and only if the alleged father is found to be the natural father. If this agreement is signed by both parties and genetic testing indicates paternity is established it will be incorporated by reference into and become part of the administrative order establishing paternity.

(3) JFS 07774, "CSEA Administrative Order Establishment of Paternity" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) - Order indicating through genetic testing that a father and child relationship exists.

(4) JFS 07771, "CSEA Administrative Order Non-Existence of Father and Child Relationship" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) - Order indicating through genetic testing that a father and child relationship does not exist.

(5) JFS 07773, "CSEA Administrative Order Paternity Finding Inconclusive" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) - Order indicating that a party failed to submit to genetic testing and the results are inconclusive.

(6) JFS 04070-I, "Instructions for Completing the JFS 04070, Addendum to the Administrative Order to Modify the Birth Record - Child Surname" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) - Instructions for parents wishing to complete the JFS 04070 to change their child's surname during the administrative paternity process.

(7) JFS 07754, "Notice of Request for Paternity Determination and Order to Appear for Genetic Tests" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) - Notice issued to the natural mother, each man presumed to be the father of the child, and each man alleged to be the father of the child ordering that the parties submit to genetic testing.
In accordance with Chapter 3111. of the Revised Code, the CSEA shall determine the existence or non-existence of a father and child relationship when:

1. The child was born out-of-wedlock and:
   a. The CSEA receives a referral for a child who receives Ohio works first (OWF), Title IV-E foster care maintenance, or medicaid benefits in the same county as the CSEA; or
   b. The CSEA receives a request to determine the existence or non-existence of a father and child relationship, as described in rule 5101:12-40-20 of the Administrative Code, by:
      i. The child's mother or her personal representative;
      ii. A man alleged or alleging himself to be the father of the child or his personal representative;
      iii. The child or the child's personal representative; or
      iv. The court pursuant to division (D) of section 3111.381 of the Revised Code.

2. There is a presumption of paternity and:
   a. The CSEA receives a request to determine the existence or non-existence of a father and child relationship, as described in rule 5101:12-40-20 of the Administrative Code, by:
      i. The child's mother or her personal representative;
      ii. A man alleged or alleging himself to be the father of the child or his personal representative;
      iii. The child or the child's personal representative.
   b. Either the mother or the presumed father who are party to a request to establish an administrative support order dispute paternity. The CSEA shall proceed as if a request had been made to determine the existence or non-existence of a father child relationship in accordance with this rule.

In accordance with section 3111.38 of the Revised Code, the CSEA in the county in which the child or the guardian or legal custodian of the child resides shall determine the existence or non-existence of a father and child relationship.

In accordance with section 3111.39 of the Revised Code, when more than one CSEA receives a request to determine the existence or non-existence of a father and child relationship concerning the same child that meets the requirements described in this paragraph, the CSEA that receives the request first shall act on the request. When a CSEA that receives a request is not the appropriate CSEA for the filing of the request, the CSEA shall forward the request to the CSEA in which the child or the guardian or legal custodian of the child resides.

Pursuant to section 3111.381 of the Revised Code, the CSEA shall attempt to determine the existence or non-existence of a father and child relationship through an administrative action and, when the administrative action is unsuccessful, by bringing a court action.

Pursuant to division (E) of section 3111.381 of the Revised Code, if the alleged father of a child is deceased and proceedings for the probate of the estate of the alleged father have been or can be
commenced, the court with jurisdiction over the probate proceedings shall retain jurisdiction to
determine the existence or non-existence of a father and child relationship between the alleged father
and any child without an administrative determination being requested from a CSEA.

(F) Pursuant to section 3111.05 of the Revised Code, an action to determine the existence or non-
existence of a father and child relationship may be brought up to and including the child's twenty-third
birthday.

(G) Disestablishing paternity.

(1) When the CSEA knows or the CSEA should have known that there is a final and enforceable
determination of paternity, the CSEA:

(a) Shall not assist either party in an action to disestablish paternity;

(b) Shall intervene in an action to disestablish paternity in order to defend support collections
assigned to ODJFS; and

(c) May intervene in an action to disestablish paternity in order to defend a paternity
determination or a support order.

(2) Except as provided in paragraph (C)(3) of rule 5101:12-1-85 of the Administrative Code, ODJFS
shall not pay the cost of genetic testing performed under the statewide genetic testing contract
when the CSEA knew or should have known that there was a final and enforceable
determination of paternity before genetic testing was conducted.

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3111.27, 3111.38, 3111.381, 3111.39, 311.49, 3111.78, 3111.821, 3111.95, 3119.61, 3125.03, 3125.36,
3125.99
Prior Effective Dates: 8/1/82, 8/1/90, 7/15/92, 9/1/93, 7/1/96, 1/1/97, 1/1/98, 7/1/02, 4/18/03, 2/1/05, 12/15/06
In accordance with division (A) of section 3111.03 of the Revised Code, a man is presumed to be the natural father of a child when a final and enforceable determination of paternity does not exist and:

1. The man and the child's mother are married to each other and the child is born during the marriage;
2. The man and the child's mother are married to each other and the child is born after the man and the child's mother file a separation agreement in court;
3. The man and the child's mother have been married to each other and the child is born within three hundred days after the marriage is terminated by death, annulment, divorce, or dissolution;
4. The man and the child's mother attempted, before the child's birth, to marry each other by a marriage that was solemnized in apparent compliance with the law of the state in which the marriage took place, the marriage is or could be declared invalid, and either of the following applies:
   a. The marriage can only be declared invalid by a court and the child is born during the marriage or within three hundred days after the termination of the marriage by death, annulment, divorce, or dissolution; or
   b. The attempted marriage is invalid without a court order and the child is born within three hundred days after the termination of cohabitation; or
5. A JFS 07038, "Acknowledgment of Paternity Affidavit" (rev. 12/2006)(effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), has been filed with the central paternity registry and the JFS 07038 has not become final under former section 3111.211 or 5101.314 or section 2151.232, 3111.25, or 3111.821 of the Revised Code.

In accordance with division (C) of section 3111.03 of the Revised Code, certain presumptions that existed in law prior to March 22, 2001, and were subsequently removed from the statute remain valid on and after that date unless rebutted. These presumptions include:

1. Between June 24, 1982, and December 31, 1997, a man, with his consent, is named as the child's father on the birth certificate or signs the child's birth certificate as an informant as provided in section 3705.14 of the Revised Code and a final and enforceable determination of paternity has not been issued; and
2. Between April 11, 1991, and December 31, 1997, genetic testing results indicated a probability of paternity of ninety-five per cent or greater but less than ninety-nine per cent that a man is the biological father of the child and a final and enforceable determination of paternity has not been issued.

A presumption of paternity can only be rebutted by clear and convincing evidence that includes the results of genetic testing. In accordance with division (B) of section 3111.03 of the Revised Code, a presumption that arises when the husband of a married woman consented to artificial insemination or embryo donation is conclusive and cannot be rebutted, pursuant to section 3111.95 or 3111.97 of the Revised Code.

If two or more conflicting presumptions arise and there is not a final and enforceable determination of paternity as described in rule 5101:12-40-05 of the Administrative Code, the child support enforcement agency (CSEA) shall request the court to determine which presumption controls.
The mother of a child and a man alleging himself to be the natural father of the child may sign a JFS 07038, "Acknowledgment of Paternity Affidavit" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code) acknowledging that the child is the child of the man that signed the acknowledgment. A JFS 07038 may be filed, in person or by mail, with the central paternity registry (CPR) by any of the following:

1. The natural mother, the man acknowledging that he is the natural father, or the other custodian or guardian of a child, or a child support enforcement agency (CSEA) in accordance with section 3111.23 of the Revised Code;
2. A local registrar of vital statistics pursuant to section 3705.091 of the Revised Code; or
3. A hospital staff person pursuant to section 3727.17 of the Revised Code.

When the mother and man alleging himself to be the natural father sign the JFS 07038 at the CSEA they may have their signatures notarized outside of each other's presence. The CSEA shall provide a notary public to notarize the JFS 07038. Prior to notarizing the JFS 07038 the CSEA shall determine whether there is a man presumed to be the father of the child or if the child is subject to a known existing final and enforceable determination of paternity. Resources for determining the existence of a presumed father or final and enforceable determination of paternity include, but are not limited to:

1. The integrated perinatal health information system (IPHIS);
2. Paternity information in the client registry system-enhanced (CRIS-E);
3. CPR; and
4. The support enforcement tracking system (SETS).

No later than ten days after a JFS 07038 has been signed and notarized at the CSEA, the CSEA shall send the JFS 07038 to the CPR. The CPR shall within three business days of determining that the JFS 07038 is completed correctly, enter the information on the JFS 07038 in the birth registry and send the JFS 07038 to the Ohio department of health (ODH).

When the CSEA knows a man is presumed to be the father of a child and that a man other than the presumed father signed the JFS 07038 with respect to the child, the CSEA shall not notarize the JFS 07038 or send the JFS 07038 to the CPR. The CSEA shall inform the parties seeking to notarize the affidavit that the CSEA cannot complete the notarization and shall inform the parties of their right to establish paternity through the administrative process as described in rule 5101:12-40-20 of the Administrative Code and it supplemental rules.

When the CSEA determines the child is subject to an existing final and enforceable determination of paternity as described in paragraph (A)(6) of rule 5101:12-40-05 of the Administrative Code, the CSEA shall inform the parties seeking to notarize the affidavit that the CSEA cannot assist the parties in establishing paternity as a final and enforceable determination of paternity already exists.

The CSEA shall not initiate action to overturn or withdraw a JFS 07038 that has been filed with the CPR when a man presumed to be the father of a child was not the man who signed the JFS 07038. When one of the parties brings an action to rescind the JFS 07038, the CSEA shall proceed as described in rule 5101:12-40-17 of the Administrative Code.

In accordance with section 3111.25 of the Revised Code, a JFS 07038 is final and enforceable without ratification by a court when the JFS 07038 has been filed with the CPR, the information on the JFS 07038 has been entered in the birth registry, and the JFS 07038 has not been rescinded and is not subject to rescission as described in paragraph (C) of rule 5101:12-40-17 of the Administrative Code.
In accordance with section 3111.821 of the Revised Code, a JFS 07038 that has not become final shall be considered final as of the date of the issuance of an administrative support order and neither party to the administrative order raised the issue of the existence or non-existence of a father and child relationship.

(H) When the JFS 07038 becomes final and enforceable, the man who signed the JFS 07038 assumes the parental duty of support.

(I) In accordance with section 3111.30 of the Revised Code, when a JFS 07038 becomes final as described in paragraph (G) of this rule, the CPR shall notify ODH that the JFS 07038 is final and enforceable.

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Rescinding an Acknowledgment of Paternity

CSPMTL 89

Effective Date: May 1, 2014

Most Current Prior Effective Date: December 15, 2006

(A) The administrative process to rescind a JFS 07038, "Acknowledgment of Paternity Affidavit" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), shall be initiated at the child support enforcement agency (CSEA) in accordance with this rule. An acknowledgment is considered rescinded when an order is issued determining the existence or non-existence of a parent child relationship, in accordance with section 3111.27 of the Revised Code, and this rule.

(B) In accordance with section 3111.38 of the Revised Code, the CSEA in the county in which the child resides or in which the guardian or legal custodian of the child resides shall determine the existence or non-existence of a father and child relationship between an alleged father and the child.

(C) In accordance with section 3111.27 of the Revised Code and except as provided in section 2151.232 or 3111.821 of the Revised Code, one of the persons who signed a JFS 07038 that has been filed with the central paternity registry (CPR) may initiate an action to rescind the JFS 07038 not later than sixty days after the date of the latest signature on the JFS 07038.

(1) To initiate the process to rescind the JFS 07038, the person requesting the rescission must do both of the following:

(a) Request that the CSEA make an administrative determination of the existence or non-existence of a father and child relationship by completing the administrative determination process as described in rules 5101:12-40-20 to 5101:12-40-20.2 of the Administrative Code, between the man who signed the JFS 07038 and the child who is the subject of it; and

(b) Complete a JFS 07029, "Request for Paternity Determination and Notification to Central Paternity Registry" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code).

(2) The CSEA that receives the JFS 07029 shall:

(a) Submit the JFS 07029 to the CPR within three business days of receipt;

(b) Proceed with determining the existence or non-existence of a father and child relationship; and

(c) Issue an order in accordance with 5101:12-40-20 of the Administrative Code and its supplemental rules determining the existence or non-existence of a father and child relationship between the man that signed the acknowledgment and the child.

(3) When one of the parties fails to submit to genetic testing resulting in the issuance of an administrative order stating that it is inconclusive whether the alleged father is the natural father of the child, the CSEA shall:

(a) In accordance with section 3111.54 of the Revised Code, request the court with jurisdiction in the county in which the CSEA is located to find the person in contempt pursuant to section 2705.02 of the Revised Code, or

(b) In accordance with section 3111.04 of the Revised Code, request the court make a determination in establishing the existence or non-existence of a father and child relationship.

(D) In accordance with section 3111.821 of the Revised Code, if a person who has made a request pursuant to section 3111.78 of the Revised Code to establish support based on a presumption arising from the completion of a JFS 07038 that has not become final raises the issue of the existence or non-existence of a father and child relationship the CSEA shall follow procedures for a request to rescind as described in paragraph (A) of rule 5101:12-45-05.2 of the Administrative Code. The person raising
the issue of the existence or non-existence of a father and child relationship shall follow the
administrative process to rescind the JFS 07038 as described in paragraph (C) of this rule.

(E) The following judicial actions to rescind a JFS 07038 may be brought by one of the persons specified
in paragraph (C) of this rule. The CSEA shall not initiate these judicial actions to rescind a JFS 07038.

(1) In accordance with section 3111.28 of the Revised Code, no later than one year after the JFS
07038 becomes final, a man presumed to be the father of the child pursuant to section 3111.03
of the Revised Code who did not sign the JFS 07038, either person who signed the JFS 07038,
or a guardian or legal custodian of the child may bring an action to rescind the acknowledgment
on the basis of fraud, duress, or material mistake of fact. The action may be brought in a
juvenile court or the domestic relations division of the court of common pleas that has
jurisdiction in the county in which the child, the guardian or custodian of the child, or either
person who signed the acknowledgment resides.

(2) In accordance with section 3119.961 of the Revised Code, a person may file a motion for relief
from a JFS 07038 that determines that the person or male minor referred to in division (B) of
section 3109.19 of the Revised Code is the father of a child. The person is required to file the
motion in the juvenile court or other court with jurisdiction of the county in which the person or
the child who is the subject of the JFS 07038 resides.

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This rule and its supplemental rules describe the process by which a child support enforcement agency (CSEA) shall administratively determine the existence or non-existence of a father and child relationship.

In accordance with section 3125.36 of the Revised Code, the CSEA shall make a IV-D application available to all persons who request the CSEA determine the existence or non-existence of a father and child relationship. Pursuant to division (D) of section 3111.381 of the Revised Code, when a court requests the CSEA to determine the existence or non-existence of a father and child relationship a IV-D application must be completed and delivered to the CSEA.

Pursuant to section 3111.40 of the Revised Code, a request for an administrative determination of the existence or non-existence of a father and child relationship shall contain all of the following information:

1. The name, birth date, current address of the alleged father of the child;
2. The name, social security number, and current address of the mother of the child;
3. The name and last known address of the alleged father of the child; and
4. The name and birth date of the child.

Certification: CERTIFIED ELECTRONICALLY

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(A) Upon receipt of a request for the determination of the existence or non-existence of a father and child relationship that contains the information described in paragraph (C) of rule 5101:12-40-20 of the Administrative Code, the child support enforcement agency (CSEA) shall assign an administrative officer to consider the request.

(B) The CSEA shall schedule genetic tests for a date that is no later than forty-five days after the administrative officer has been assigned.

(C) In accordance with rule 5101:12-30-10 of the Administrative Code, the CSEA shall send the JFS 07754, "Notice of Request for Paternity Determination and Order to Appear for Genetic Tests" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) to the natural mother of the child, each man presumed to be the father of the child, and each man alleged to be the father of the child.

(D) The CSEA may change the child's surname as part of the administrative order establishing paternity. When requested by the natural mother, presumed father or alleged father, the CSEA shall make available the JFS 04070, "Addendum to the Administrative Order to Modify the Birth Record - Child's Surname" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code).

(E) In accordance with sections 3111.58 and 3705.09 of the Revised Code when a presumed or alleged father is found to be the natural father of the child and the determination would result in a variance with the child's birth record, the CSEA is required to include the change to the birth record as part of the administrative order establishing paternity.

(F) Pursuant to section 3111.44 of the Revised Code, after issuing a JFS 07754, the administrative officer may schedule a conference with the mother and the alleged father to provide information. If a conference is scheduled and no other man is presumed to be the father of the child, the administrative officer shall provide the mother and alleged father the opportunity to sign a JFS 07038, "Acknowledgment of Paternity Affidavit" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code). Should the mother and alleged father sign the JFS 07038, the administrative officer shall cancel the genetic testing order the officer had issued. Regardless of whether a conference is held, when the mother and alleged father do not sign a JFS 07038 or when the JFS 07038 cannot be notarized or filed because another man is presumed to be the father of the child, the child, the mother, and the alleged father shall submit to genetic testing in accordance with the order issued by the administrative officer.

(G) In accordance with section 3111.43 of the Revised Code, when a CSEA is unable to obtain service of process of the JFS 07754 on the presumed father, alleged father, or natural mother of the child within the timeframe prescribed in paragraph (B) of this rule, the CSEA shall proceed with collecting genetic testing samples from all of those persons who are present on the date the genetic testing is scheduled.

When service of process has not been obtained on the presumed father, alleged father, or natural mother of the child and that party appears for genetic testing, the CSEA shall have the parties complete one of the following:

1. A JFS 01716, "Waiver of Service of Notice and Order to Appear for Genetic Testing" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), accompanied by hand delivery of the JFS 07754, or

2. A waiver of service form created by the CSEA that contains the following statement: "I have previously received a copy or have been provided a copy today of the JFS 07754, "Notice of Request for Paternity Determination and Order to Appear for Genetic Tests", and I voluntarily waive the right to receive the JFS 07754 by certified mail".
A qualified examiner who is authorized by the court or the Ohio department of job and family services (ODJFS) shall conduct the genetic testing. Upon completion of the genetic testing, the examiner shall send a complete report of the genetic testing results to the CSEA.

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This rule describes the process that shall be followed when the child support enforcement agency (CSEA) changes the child's surname as part of the administrative order. This process shall be followed by a mother and alleged father when they agree to change the surname of a child if genetic testing shows a ninety-nine per cent or greater probability that the alleged father is the father of the child.

When the JFS 07754, "Notice of Request for Paternity Determination and Order to Appear for Genetic Tests" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) is issued to the parties they are advised that they may request the JFS 04070, "Addendum to the Administrative Order to Modify the Birth Record - Child's Surname" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) from the CSEA if they are in agreement to change the child's surname. The natural mother and presumed or alleged father shall complete the JFS 04070 to agree to change the surname of the child.

By completing the JFS 04070, the mother and presumed or alleged father indicate their agreement to change the child's surname only if the CSEA orders that a father and child relationship exists between the man and the child, in accordance with rule 5101:12-40-20.3 of the Administrative Code. The JFS 04070 shall be submitted to the CSEA on or before the date the genetic test results were received by the CSEA. When the parties submit the JFS 04070 to the CSEA, the change will be included in the administrative order only if the alleged father is determined to be the father of the child.

The JFS 04070 is not an acknowledgment of paternity by either party and may not be construed as such in any subsequent action.

The JFS 04070 is considered to be complete when:

1. It is an original JFS 04070 signed by both parties;
2. All requested information has been provided and is legible;
3. There are no alterations to the information provided;
4. Signatures and any handwritten information is in dark blue or black ink; and
5. Both parents' signatures are properly notarized.

The CSEA shall reject a JFS 04070 if it is incomplete or if the CSEA believes the JFS 04070 is fraudulent.

When the CSEA issues a JFS 07771, "CSEA Administrative Order Non-existence of Father and Child Relationship" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), or JFS 07773, "CSEA Administrative Order Paternity Finding Inconclusive" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), the JFS 04070 is null and void.
CSPMTL 89

Effective Date: May 1, 2014

(A) Issuing an establishment order.

Upon receipt of genetic testing results that show a ninety-nine per cent or greater probability that the alleged father is the father of the child, the administrative officer shall prepare and issue a JFS 07774, "CSEA Administrative Order Establishment of Paternity" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), ordering that a father and child relationship exists between the man and the child. The child support enforcement agency (CSEA) shall attach the genetic testing results report to the JFS 07774. The CSEA shall not attach chain of custody documents.

(1) Name changes.

(a) The CSEA may allow the parties to change the surname of the child as part of the administrative order. To change the child's surname the parties shall file a JFS 04070, "Addendum to the Administrative Order to Modify the Birth Record - Child's Surname" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) with the CSEA on or before the date the genetic test results were received by the CSEA. The administrative officer shall include the JFS 04070 as an addendum to the administrative order to change the child's surname and check the appropriate box on the JFS 07774.

(b) The CSEA shall first review the integrated perinatal health information system (IPHIS) to compare the father's information with the information contained in the birth record for this child. In accordance with section 3111.58 of the Revised Code, if the man determined to be the child's father is a man other than the man named in the child's birth record as the father or is otherwise at variance with the child's birth record, the administrative officer shall check the appropriate box on the JFS 07774.

(c) If no changes are to be made to the child's surname, or the CSEA determines the father's information on the child's birth record (as indicated in IPHIS) does not need to be modified, the CSEA will indicate no changes to the birth record are ordered by checking the appropriate box on the JFS 07774.

(2) In accordance with section 3111.51 of the Revised Code, unless the CSEA has reason to believe that a person named in the JFS 07774 is a potential victim of domestic violence, the JFS 07774 shall contain the full names, addresses, and social security numbers of the mother and father of the child who is the subject of the order and the full name and address of the child.

(3) In accordance with rule 5101:12-45-05.1 of the Administrative Code, the administrative officer shall schedule an administrative child support hearing by issuing the JFS 07782, "Notice of Administrative Hearing to Establish a Support Order" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), in conjunction with the JFS 07774.

(B) Issuing an exclusion order.

Upon receipt of genetic testing results that show a less than ninety-nine per cent probability that the alleged father is the natural father of the child, the administrative officer shall prepare and issue a JFS 07771, "CSEA Administrative Order Non-existence of Father and Child Relationship" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code). The CSEA shall attach the genetic testing results report to the JFS 07771. The CSEA shall not attach chain of custody documents.

(1) The CSEA shall review the IPHIS system to compare the name of the man excluded as the father of the child with the name of the man identified as the father in the birth record for this child.
In accordance with section 3111.58 of the Revised Code, if the man excluded as the child’s father is the man named in the child’s birth record as the father, the administrative officer shall indicate in the administrative order that the man shall be removed from the birth record by checking the appropriate box on the JFS 07771.

If the man excluded does not appear on the child’s birth record, the CSEA shall indicate no changes to the birth record are ordered by checking the appropriate box on the JFS 07771.

Issuing an inconclusive order.

When the alleged father or the mother willfully fails to submit to genetic testing or when either the mother, alleged father, or any person who is the custodian or guardian of the child willfully fails to submit the child to genetic testing, the CSEA shall issue the JFS 07773, "CSEA Administrative Order Paternity Finding Inconclusive" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code).

When the alleged father or mother willfully fails to submit to genetic testing or when the mother, alleged father, or any person who is the custodian or guardian of the child willfully fails to submit the child to genetic testing, the CSEA may proceed with one of the following actions:

(a) In accordance with section 3111.54 of the Revised Code request the court with jurisdiction in the county in which the agency is located to find the person in contempt pursuant to section 2705.02 of the Revised Code, or

(b) In accordance with section 3111.04 of the Revised Code, request the court make a determination in establishing the existence or non-existence of a parent child relationship.

Parties' rights to bring action.

The mother, alleged father, and the guardian or legal custodian of the child have the right to object to the JFS 07774 or the JFS 07771 by bringing an action under sections 3111.01 to 3111.18 of the Revised Code within thirty days after the date the administrative officer issues the JFS 07774 or the JFS 07771.

When an action is not brought within thirty days of the issuance of the JFS 07774 or the JFS 07771, the JFS 07774 or JFS 07771 is final and enforceable by a court and may not be challenged in an action or proceeding under Chapter 3111. of the Revised Code.

Any of the parties may bring an action under sections 3111.01 to 3111.18 of the Revised Code after a JFS 07773 has been issued.

After the objection period has expired, the CSEA shall send the original or a certified copy of the JFS 07771 or JFS 07774 and the JFS 04070 if applicable, to the central paternity registry (CPR).

Replaces: 5101:12-40-20.2
Effective: 05/01/2014
R.C. 119.032 review dates: 05/01/2019
Certification: CERTIFIED ELECTRONICALLY
Date: 03/17/2014
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3111.46, 3111.47, 3111.49, 3111.51, 3111.54
Prior Effective Dates: 8/1/82, 8/1/90, 7/15/92, 9/1/93, 6/21/96, 1/1/97, 1/1/98, 8/1/98, 12/1/01, 4/18/03, 9/1/05, 12/15/06, 3/26/10
Court Order for Genetic Testing

CSPMTL 140

Effective Date: May 1, 2014 (No Change)

Most Current Prior Effective Date: May 1, 2014 (No Change)

(A) In accordance with section 3111.09 of the Revised Code, in any action instituted under sections 3111.01 to 3111.18 of the Revised Code, the court, upon its own motion, may order and, upon the motion of any party to the action, is required to order the child's mother, the child, the alleged father, and any other person who is a defendant in the action to submit to genetic testing.

(B) Instead of or in addition to genetic testing ordered pursuant to section 3111.09 of the Revised Code, the court may use a deoxyribonucleic acid (DNA) record of the child's mother, the child, the alleged father, or any other defendant that is stored in the DNA database, as described in section 109.573 of the Revised Code, to determine the existence of a parent and child relationship between the child and the child's mother, the alleged father, or another defendant. When the court orders the superintendent of the bureau of criminal identification and investigation to disclose information regarding a DNA record stored in the DNA database, the superintendent is required to send the information to the child support enforcement agency (CSEA) when the CSEA is a party to the action.

(C) When the CSEA is made a party to a judicial action instituted under sections 3111.01 to 3111.18 of the Revised Code and the court orders the CSEA to conduct genetic testing, the CSEA shall schedule the genetic testing to be conducted on a date that is no later than forty-five days after the CSEA receives the court order. The CSEA shall notify the court of the date and time of the genetic testing and the name of the laboratory that will conduct the genetic testing. If any party fails to submit to genetic testing on the scheduled date, the CSEA shall notify the court immediately of the failure.

(D) The genetic testing is required to be made by qualified examiners who are authorized by the court or the Ohio department of job and family services (ODJFS).

(E) When the CSEA receives the genetic testing results or a DNA record, the CSEA shall mail a copy of the report or information to the attorney of record for each party or, if a party is not represented by an attorney, to the party. The CSEA shall include a notice that the party may object to the admission into evidence of the report or DNA record by filing a written objection as described in division (D) of section 3111.12 of the Revised Code with the court that ordered the tests or ordered the disclosure of the information no later than fourteen days after the report or information was mailed to the attorney of record or to the party.

(F) In accordance with section 3111.09 of the Revised Code, any fees charged for genetic testing shall be paid by the party that requests the genetic testing, unless the custodian of the child is represented by the CSEA in its role as the IV-D agency, is a recipient of Ohio works first (OWF) for the benefit of the child, or the defendant in the action is found to be indigent, in which case the CSEA shall pay the costs of genetic testing.

When there is a dispute as to who shall pay the costs of genetic testing, the CSEA shall pay the costs. Neither the court nor the CSEA shall delay genetic testing due to a dispute as to who shall pay the costs.

Five Year Review (Fyr) Dates: 7/25/2018 and 07/25/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 07/25/2018

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3111.09

In accordance with section 3111.64 of the Revised Code, the central paternity registry (CPR) in the office of child support in the Ohio department of job and family services (ODJFS) shall maintain a birth registry.

The birth registry shall contain the following information, when that information is included in a JFS 07038, "Acknowledgment of Paternity Affidavit" (effective or revised effective date as identified in rule 5101:12-1-99 of the Administrative Code), an order issued pursuant to section 3111.13 of the Revised Code on or after January 1, 1998, a JFS 07774, "CSEA Administrative Order Establishment of Paternity" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), or a JFS 07771, "CSEA Administrative Order Non-existence of Child - Parent Relationship" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) that has been filed with the CPR:

1. The names of the parents of the child subject to the JFS 07038 or order;
2. The name of the child; and
3. The resident address of each parent and each parent's social security number.

Administrative order establishing paternity.

1. No later than two business days after receipt of an order issued pursuant to section 3111.13 of the Revised Code, the JFS 07774, the CPR shall enter the required information in the birth registry.
   a. When a JFS 07774 indicates that a change is ordered to the birth record the CPR will send the order to the Ohio department of health (ODH). In accordance with section 3111.58 of the Revised Code, ODH shall prepare a new birth record consistent with the agency's determination and substitute the new record for the original birth record. In accordance with section 3705.09 of the Revised Code, upon the issuance of a new birth record, the original birth record shall cease to be a public record and the original record and any documentary evidence supporting the new registration of birth shall be placed in an envelope which shall be sealed by the department and shall not be open to inspection or copy unless so ordered by a court of competent jurisdiction.
   b. When a JFS 07774 does not order a change to the birth record the CPR will destroy the JFS 07774.
   c. When a JFS 04070, "Addendum to the Administrative Order to Modify the Birth Record - Child's Surname" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code) is attached to the administrative order as an addendum the CPR will send the order and addendum to ODH.

2. When the CPR receives a JFS 07774 or a JFS 04070 that is incomplete or not an original or certified copy, the CPR shall return it to the CSEA no later than two business days after receipt. Along with the JFS 07774 or the JFS 04070, the CPR shall send a notice stating what needs to be corrected.

Administrative order excluding paternity.

1. No later than two business days after receipt of an order issued pursuant to section 3111.13 of the Revised Code, the JFS 07771, the CPR shall enter the required information in the birth registry.
   a. When a JFS 07771 indicates that a change is ordered to the birth record the CPR will send the order to ODH. In accordance with section 3111.58 of the Revised Code, ODH...
shall prepare a new birth record consistent with the agency's determination and substitute the new record for the original birth record. In accordance with section 3705.09 of the Revised Code, upon the issuance of a new birth record, the original birth record shall cease to be a public record and the original record and any documentary evidence supporting the new registration of birth shall be placed in an envelope which shall be sealed by the department and shall not be open to inspection or copy unless so ordered by a court of competent jurisdiction.

(b) When a JFS 07771 does not order a change to the birth record the CPR will destroy the JFS 07771.

(2) When the CPR receives a JFS 07771 that is incomplete or not an original or certified copy, the CPR shall return it to the CSEA no later than two business days after receipt. Along with the JFS 07771 the CPR shall send a notice stating what needs to be corrected.

(D) Acknowledgment of paternity.

(1) No later than five days after receipt of a JFS 07038, the CPR shall examine the JFS 07038 to determine whether it is completed correctly.

(a) The filed JFS 07038 is considered to be completed correctly when:

(i) It is an original JFS 07038 as provided by ODJFS (brown, legal sized paper) and not a copy;

(ii) All of the following required information has been provided on the JFS 07038 by the parties:

(a) The names of the parents of the child subject to the acknowledgment,

(b) The name and place of birth of the child,

(c) The resident address of each parent and the child,

(d) The date of birth of each parent and the child,

(e) The social security number of each parent,

(iii) Information provided is clear and legible;

(iv) Signatures and any handwritten information is in dark blue or black ink;

(v) The child's and parents' information appear correct in light of the other information on the JFS 07038 (e.g., the child's date of birth is not after the date the parties signed the JFS 07038 or before the parents' dates of birth); and

(vi) Both parents signed the JFS 07038 and their signatures are properly notarized.

(b) When the JFS 07038 has not been completed correctly, the CPR shall return the JFS 07038 to the person or entity that filed the JFS 07038. In addition to the JFS 07038, the CPR shall send a notice indicating the required corrections. The person or entity in receipt of the returned JFS 07038 has ten days from the date of the notice to submit a replacement JFS 07038 to the CPR.

(c) When the corrected JFS 07038 has been returned to the CPR, the CPR shall examine the JFS 07038 again. When the JFS 07038 has not been completed correctly, the JFS 07038 is invalid. The CPR shall return an invalid JFS 07038 to the person or entity that filed it and shall not enter the JFS 07038 into the birth registry. In addition to the JFS 07038, the CPR shall send a notice identifying the errors contained within the JFS 07038, and inform the person or entity that the JFS 07038 is invalid.

(2) Within three business days of determining that the JFS 07038 is completed correctly, the CPR shall:

(a) Enter the information on the JFS 07038 in the birth registry; and

(b) Send the JFS 07038 to ODH.
When a JFS 07038 becomes final as described in paragraph (G) of rule 5101:12-40-15 of the Administrative Code, the CPR shall notify ODH that the JFS 07038 is final and enforceable.

Rescission request.

Upon receipt of a JFS 07029, "Request for Paternity Determination and Notification to Central Paternity Registry" (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), the CPR shall contact the CSEA indicated on the JFS 07029 to verify compliance with paragraph (C)(1) of rule 5101:12-40-17 of the Administrative Code.

When the CPR verifies compliance, the CPR shall note in its record the date the JFS 07029 was received and that the JFS 07038 to which the JFS 07029 pertains is subject to rescission. The CPR shall forward the JFS 07029 to ODH and ODH will ensure that the birth record does not contain any information that was provided on the JFS 07038 that is being rescinded.

When the CPR is unable to verify compliance, it shall note in its records the date the JFS 07029 was received and that compliance was not verified.

A JFS 07038 is considered rescinded when:

- The CPR receives a JFS 07774 or JFS 07771 pursuant to rule 5101:12-40-20.3 of the Administrative Code.
- The CPR receives a court order to rescind the JFS 07038, in accordance with section 3111.28 or 3119.961 of the Revised Code.

The CPR shall retain a JFS 07038 that has been returned to the CPR by ODH.

The CPR shall provide the registry number of a JFS 07038 that has not been rescinded or an order described in paragraph (A) of this rule that has been filed with the CPR upon request to an individual to whom a JFS 07038, JFS 07771, or JFS 07774 or a court paternity order pertains or the legal representative of that individual.

Replaces: 5101:12-40-30
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R.C. 119.032 review dates: 05/01/2019
Certification: CERTIFIED ELECTRONICALLY
Date: 03/17/2014
Promulgated Under: 119.03
Statutory Authority: 3111.34, 3111.67, 3125.25
Rule Amplifies: 3111.22, 3111.23, 3111.24, 3111.27, 3111.64, 3111.65, 3111.66, 3125.03
Prior Effective Dates: 2/15/07
(A) Unless the custodian of the child is the recipient of IV-D services, the child support enforcement agency (CSEA) may seek reimbursement for the costs of genetic testing from:

(1) Any individual in an action to determine the existence or non-existence of a father and child relationship.

(2) The person against whom the court assesses the costs of the action in an action brought under sections 3111.01 to 3111.18 of the Revised Code, in accordance with section 3111.09 of the Revised Code.

Except as provided in paragraph (B) of this rule, the CSEA shall not seek reimbursement for the costs of genetic testing from a person who is a recipient or former recipient of Ohio works first or medicaid.

(B) When the CSEA has previously conducted genetic testing on the child, child's mother, alleged father, or any other defendant and an action is brought under sections 3111.01 to 3111.18 of the Revised Code to object to the result of those previous tests, the CSEA shall require the person to pay for the costs of such additional testing in advance.

(C) When reimbursement is received for genetic testing costs that were paid by the Ohio department of job and family services (ODJFS), the CSEA shall ensure that the collection is disbursed to ODJFS.

The CSEA is entitled to retain reimbursement of genetic testing costs that were paid by the CSEA.
CSPMTL 127

Effective Date: August 1, 2017

Most Current Prior Effective Date: May 1, 2014

The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 01716, "Waiver of Service of Notice and Order to Appear for Genetic Testing" (rev. 05/2014);
(B) JFS 04070, "Addendum to the Administrative Order to Modify the Birth Record - Child Surname" (05/2014);
(C) JFS 04070-I, "Instructions for Completing the JFS 04070, Addendum to the Administrative Order to Modify the Birth Record - Child Surname" (05/2014);
(D) JFS 07029, "Request for Paternity Determination and Notification to Central Paternity Registry" (rev. 05/2014);
(E) JFS 07754, "Notice of Request for Paternity Determination and Order to Appear for Genetic Tests" (rev. 05/2014);
(F) JFS 07771, "CSEA Administrative Order - Non-existence of Child-Parent Relationship" (rev. 05/2014);
(G) JFS 07773, "CSEA Administrative Order-Paternity Finding Inconclusive" (rev. 05/2014);
(H) JFS 07774, "CSEA Administrative Order - Establishment of Paternity" (rev. 05/2014);
(I) JFS 07782, "Notice of Administrative Hearing to Establish a Support Order" (rev. 06/2001); and
(J) JFS 08079, "Paternity and Acknowledgement of Paternity Affidavit Brochure" (10/20121/2017).

Effective: 08/01/2017

Five Year Review (FYR) Dates: 05/01/2019

Certification: CERTIFIED ELECTRONICALLY

Date: 07/07/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.25

Prior Effective Dates: 5/1/14
5101:12-45 - Support Establishment
This rule and its supplemental rules describe the process for requesting and establishing a support order.

In accordance with section 3103.031 of the Revised Code, each parent of a child assumes the parental duty of support of his or her minor child. The parental duty of support is established when:

1. A man is presumed to be the natural father of the child in accordance with rule 5101:12-40-10 of the Administrative Code;
2. There is a final and enforceable determination of paternity in accordance with rule 5101:12-40-05 of the Administrative Code;
3. A woman is the biological mother of a child in accordance with section 3103.03 of the Revised Code;
4. A man or woman adopts a minor child pursuant to Chapter 3107. of the Revised Code; or
5. A man is required to be treated in law and regarded as the natural father of a child conceived as the result of artificial insemination pursuant to section 3111.95 of the Revised Code.

In accordance with section 3125.36 of the Revised Code, a child support enforcement agency (CSEA) shall make available a IV-D application to all persons requesting a CSEA's assistance in establishing a support order.

The CSEA with administrative responsibility shall establish a support order for a child who receives Ohio works first or medicaid.

The CSEA shall:

1. Schedule an administrative child support hearing when:
   a. A man is presumed to be the father of a child and the parent, guardian, or legal custodian of a child, or the person with whom the child resides specifically requests contacts the CSEA to issue an administrative child support order for assistance in obtaining an order for support.
   b. An acknowledgement of paternity is final and enforceable and the mother or other custodian or guardian of the child specifically requests contacts the CSEA to issue an administrative child support order for assistance in obtaining an order for support.
   c. The administrative officer issues a JFS 07774, "CSEA Administrative Order - Establishment of Paternity" (rev. 11/2001) (effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code).

2. File a court action to establish a child support order when:
   a. An acknowledgement of paternity is final and enforceable and the mother or other custodian or guardian of the child requests a child support order but does not specifically request the CSEA to issue an administrative child support order contacts the CSEA for assistance in obtaining a court order for support.
   b. The CSEA issued a JFS 07774 but did not issue an administrative support order.
   c. A court determines the parent and child relationship in accordance with sections 3111.01 to 3111.18 of the Revised Code.
   d. The non-custodial parent adopted the child in accordance with Chapter 3107. of the Revised Code.
(e) The duty of support is based on the status of the individual as the biological mother in accordance with section 3103.03 of the Revised Code.

(f) The child was conceived as the result of artificial insemination pursuant to 3111.95.

(3) Either schedule an administrative child support hearing or file a court action to establish a child support order when a man is presumed to be the father of a child and a parent, guardian, or legal custodian of a child, or the person with whom the child resides requests the CSEA to establish a child support order but does not specifically request an administrative child support order.

(F) The CSEA must establish a child support order or serve process necessary to begin action to establish a child support order within ninety days of locating the non-custodial parent. The determination of a father and child relationship is included in the ninety-day timeframe. The inability of the CSEA to complete service of process, which would preclude the establishment of a child support order, shall be documented to show that periodic repeated efforts to serve process were taken relative to the criteria defining diligent efforts described in rule 5101:12-30-10 of the Administrative Code.

(G) In child support cases needing support order establishment, regardless of whether the CSEA must determine the existence or non-existence of the father and child relationship, action to establish support orders must be completed from the date of service of process to the time of disposition within the following timeframes:

1. Seventy-five per cent of all cases within six months; and
2. Ninety per cent of all cases within twelve months.

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R.C. 119.032 review dates: 03/25/2014 and 07/01/2019
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Statutory Authority: 3125.25
Rule Amplifies: 3103.03, 3103.031, 3111.03, 3111.13, 3111.24, 3111.25, 3111.29, 3111.49, 3111.78, 3111.821, 3111.95, 3119.61, 3125.03, 3125.36
Prior Effective Dates: 7/15/92, 3/31/93, 6/21/96, 1/1/98, 12/1/01, 7/15/02, 9/1/05, 4/1/09, 12/15/09
CSPMTL 92

Effective Date: July 1, 2014

Most Current Prior Effective Date: April 1, 2009

(A) In accordance with section 3111.80 of the Revised Code, the administrative officer of the child support enforcement agency (CSEA) shall schedule an administrative child support hearing, and send the JFS 07782, "Notice of Administrative Hearing to Establish a Support Order" (rev. 06/2001)(effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code), to the current addresses of the parents of the child and, if applicable, to the caretaker of the child in accordance with the Rules of Civil Procedure as outlined in paragraph (B)(3) of rule 5101:12-30-10 of the Administrative Code.

(B) If the request for an administrative assistance from the CSEA in obtaining a support order is made under paragraph (E)(1) or (D)(5) of rule 5101:12-45-05 of the Administrative Code, the administrative child support hearing shall be held within sixty days of receipt of the request for an administrative support order or the issuance of a JFS 07774, "CSEA Administrative Order - Establishment of Paternity" (rev. 11/2001)(effective or revised effective date as identified in rule 5101:12-40-99 of the Administrative Code). The administrative support hearing shall be scheduled for a day that is at least thirty days after the date the JFS 07782 is issued to the mother and father of the child.

(C) When both parents appear at the CSEA and request the establishment of an administrative child support order, the parents have all the verification necessary to proceed with the administrative child support hearing, and the administrative officer elects to proceed with the administrative child support hearing, the CSEA shall have the parents sign a JFS 01715, "Waiver of Service of Process for Administrative Child Support Hearing" (rev. 1/2006)(effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code), regardless of whether process has been served, that specifies the date and time of the administrative child support hearing.

Effective: 07/01/2014

R.C. 119.032 review dates: 03/25/2014 and 07/01/2019

Certification: CERTIFIED ELECTRONICALLY

Date: 06/12/2014

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3111.80, 3125.03

Prior Effective Dates: 7/15/92, 3/31/93, 6/21/96, 1/1/98, 12/1/01, 7/15/02, 9/1/05, 4/1/09
In accordance with sections 3111.82 and 3111.821 of the Revised Code, when an administrative child support hearing is held and there is not a final and enforceable determination of paternity, the parties may raise the issue of the existence or nonexistence of a father and child relationship. The administrative officer shall treat the issue as a request made pursuant to rule 5101:12-40-20 of the Administrative Code and determine the issue in accordance with that rule and its supplemental rules.

(C) An administrative officer must be present to conduct the administrative child support hearing.

(D) Each person may bring a representative to the administrative child support hearing. The administrative officer may exclude any individual who is determined not to have a valid interest in the proceedings.

(E) The child support enforcement agency (CSEA) shall allow each person to present evidence proving or disproving verifications and allegations of earnings, income, wages, or assets and any other information that may be used to establish the amount a parent should pay for support.

(F) At the conclusion of the administrative child support hearing, the administrative officer shall ensure that:

(1) A record of the proceedings, which includes copies of all documents and exhibits submitted, is compiled;

(2) The JFS 07719 is completed and issued to each person within five business days of the administrative child support hearing;

(3) A record of the administrative child support hearing is maintained in a manner that would make it acceptable and accessible for court use; and

(4) The support enforcement tracking system (SETS) is updated with the administrative support order information.

Effective: 07/01/2014

R.C. 119.032 review dates: 03/25/2014 and 07/01/2019
Certification: CERTIFIED ELECTRONICALLY
Date: 06/12/2014
Promulgated Under: 119.03
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Prior Effective Dates: 7/15/92, 3/31/93, 6/21/96, 1/1/98, 12/1/01, 7/15/02, 9/1/05, 4/1/09
(A) In accordance with division (A)(2) of section 3119.86 of the Revised Code, the duty of support to a child imposed pursuant to an administrative support order shall continue beyond the child's eighteenth birthday only if the child continuously attends a recognized and accredited high school on a full-time basis on and after the child's eighteenth birthday. A parent ordered to pay support under an administrative child support order shall continue to pay support under the order, including during seasonal vacation periods, until the order terminates. An administrative child support order shall not remain in effect after the child reaches age nineteen.

(B) In accordance with sections 3111.83, 3111.831, and 3111.832 of the Revised Code, the administrative officer shall register or cause to be registered the administrative child support order:

1. In a system and using a procedure developed by the child support enforcement agency (CSEA) for the organized safekeeping and retrieval of administrative support orders; or

2. With the clerk of a court of appropriate jurisdiction. Pursuant to section 3111.832 of the Revised Code, if an administrative support order is registered with the clerk of court of appropriate jurisdiction, the clerk shall not charge a fee for the registration and shall assign the order a case number.

(C) In accordance with section 3111.84 of the Revised Code, the mother or father of a child who is the subject of an administrative support order may object to the administrative support order by bringing an action for the payment of support and provision for the child's health care under section 2151.231 of the Revised Code. The action must be brought in the juvenile court or other court with jurisdiction under section 2101.022 or 2301.03 of the Revised Code of the county in which the CSEA that employs the administrative officer is located. The court action shall be brought no later than thirty days after the date the JFS 07719, "Administrative Order for Child Support and Medical Support" (rev. 8/2008) (effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code) was issued.
(A) The child support enforcement agency (CSEA) shall use the basic Ohio child support guidelines (hereafter "guidelines") schedule as set forth in sections 3119.01 to 3119.05 of the Revised Code when calculating or adjusting the child support and cash medical support obligations contained within a child support order.

(B) The CSEA shall not deviate from the guidelines. When a deviation is desired by either party, the requesting party must petition the appropriate court.

(C) In accordance with division (C)(11) of section 3119.01 of the Revised Code, the CSEA may impute potential income to a parent when the CSEA determines that the parent is voluntarily unemployed or underemployed.

(1) Imputed income may be based on what the parent would have earned if fully employed as determined from the following criteria:
   (a) The parent’s prior employment experience;
   (b) The parent’s education;
   (c) The parent’s physical and mental disabilities, if any;
   (d) The availability of employment in the geographic area in which the parent resides;
   (e) The prevailing wage and salary levels in the geographic area in which the parent resides;
   (f) The parent’s special skills and training;
   (g) Whether there is evidence that the parent has the ability to earn the imputed income;
   (h) The age and special needs of the child subject to the child support order (hereafter "child");
   (i) The parent’s increased earning capacity because of experience;
   (j) The parent’s decreased earning capacity because of a felony conviction; or
   (k) Any other relevant factor.

(2) Income may also be imputed from any non income-producing assets of a parent, as determined from the local passbook savings rate or another appropriate rate as determined by the CSEA, not to exceed the rate of interest specified in division (A) of section 1343.03 of the Revised Code, when the income is significant.

(D) In accordance with division (I) of section 3119.05 of the Revised Code, unless it would be unjust or inappropriate and therefore not in the best interest of the child, a CSEA shall not determine a parent to be voluntarily unemployed or underemployed and shall not impute income to that parent if either of the following conditions exists:

(1) The parent is receiving recurring monetary income from means-tested public assistance benefits, including cash assistance payments under the Ohio works first program established under Chapter 5107. of the Revised Code, financial assistance under the disability financial assistance program established under Chapter 5115. of the Revised Code, supplemental security income, or means-tested veterans' benefits; or

(2) The parent is incarcerated or institutionalized for a period of twelve months or more with no other available assets, unless the parent is incarcerated for an offense relating to the abuse or neglect of a child who is the subject of the support order or an offense under Title XXIX of the Revised Code when the obligee or a child who is the subject of the support order is a victim of the offense.
In accordance with division (K) of section 3119.05 of the Revised Code, a CSEA may disregard a parent's additional income from overtime or additional employment when the agency finds that the additional income was generated primarily to support a new or additional family member or members, or under other appropriate circumstances.

In accordance with division (L) of section 3119.05 of the Revised Code, if both parents involved in the immediate child support determination have a prior order for support relative to a minor child or children born to both parents, the CSEA shall collect information about the existing order or orders and consider those together with the current calculation for support to ensure that the total of all orders for all children of the parties does not exceed the amount that would have been ordered if all children were addressed in a single proceeding.

To determine the amount of the child support obligation, including cash medical, the CSEA shall calculate the guidelines using the total number of common children between the parties to determine what the ordered child support amount would have been if all children were being addressed in a single order. Subtract from that amount the total of any existing current child support obligations for common children between the parties.

1. When the calculation results in a balance of zero or greater, the balance becomes the obligation amount for the new child support obligation, or;

2. When the calculation results in a balance that is less then zero, the resulting child support obligation shall be zero.

In accordance with section 3119.04 of the Revised Code, in determining the amount of child support to be paid under any child support order issued or adjusted by the CSEA:

1. When the combined gross income of both parents is less than six thousand six hundred dollars per year, the CSEA shall determine the amount of the obligor's child support obligation on a case-by-case basis using the basic child support schedule as a reference. The CSEA shall review the obligor's gross income and living expenses to determine the maximum amount of child support that the CSEA can reasonably order without denying the obligor the means for self-support at a minimum subsistence level and shall recommend or order a specific amount of child support, unless the obligor proves to the CSEA that the obligor is totally unable to pay child support, and the CSEA determines that it would be unjust or inappropriate to order the payment of child support and enters the determination and supporting findings of fact in an addendum to the JFS 07719, "Administrative Order for Child Support and Medical Support" (rev. 8/2008 effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code), or the JFS 07724, "Administrative Adjustment Recommendation" (rev. 8/2008 effective or revised effective date as identified in rule 5101:12-45-99 of the Administrative Code).

2. When the combined gross income of both parents is greater than one hundred fifty thousand dollars per year, the CSEA shall determine the amount of the obligor's child support obligation on a case-by-case basis and shall consider the needs and the standard of living of the child and of the parents. The CSEA shall compute a basic combined child support obligation that is no less than the obligation that would have been computed under the basic child support schedule and applicable worksheet for a combined gross income of one hundred fifty thousand dollars, unless the CSEA determines that it would be unjust or inappropriate and would not be in the best interest of the child, obligor, or obligee to order that amount. When the CSEA makes such a determination, the CSEA shall enter the figure, determination, and supporting findings of fact in an addendum to the JFS 07719 or JFS 07724.

In determining the amount of cash medical support to be paid under any child support order issued or adjusted by the CSEA, the CSEA shall calculate the cash medical support obligation in accordance with this rule and with rule 5101:12-47-01.2 of the Administrative Code.
(I) When calculating the appropriate amount of child support and cash medical support to be paid under a child support order, the CSEA shall determine:

1. The appropriate person, whether it is the obligor, the obligee, or both, to be required to provide or report the availability of private health insurance coverage for the child; and
2. The cost of health insurance coverage which the obligor, the obligee, or both have been ordered to obtain for the child.

Effective: 6/15/2018
Five Year Review (FYR) Dates: 3/1/2018 and 03/01/2023
Certification: CERTIFIED ELECTRONICALLY
Date: 05/31/2018
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3119.02, 3125.03
This rule describes the process for the child support enforcement agency (CSEA) to establish an administrative child support order for a child born to parents who are unmarried and unemancipated.

For the purposes of rules in division 5101:12 of the Administrative Code, "minor" means an individual under the age of eighteen years.

In accordance with section 3109.19 of the Revised Code, when a child (hereafter child) is born to parents who are unmarried and unemancipated (hereafter minors) and a parent of one of the minors (hereafter grandparent) is providing support for the child, the grandparent who is providing support for the child may request the CSEA in the county in which the child resides to:

1. Determine the existence of a parent and child relationship, if necessary; and
2. Issue an administrative child support order, pursuant to rules 5101:12-45-05 to 5101:12-45-05.4 of the Administrative Code, requiring all of the grandparents who are not providing support for the child to pay child support for the child.

On receipt of a request, the CSEA shall schedule an administrative child support hearing to determine, in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code, the amount of child support the grandparents are required to pay, the method of paying the child support, and the method of providing for the child's health care needs.

1. The CSEA shall hold the administrative child support hearing no later than sixty days from the date the request is received.
2. The CSEA shall issue a notice of administrative hearing to establish a child support order to the grandparents, in accordance with rule 5101:12-30-10 of the Administrative Code, at least thirty days before the date the administrative child support hearing is to be held.

In accordance with division (C)(1) of section 3109.19 of the Revised Code, the CSEA shall calculate the child support amount using the income of all the grandparents instead of the income of the minors.

1. When the maternal or paternal grandparents are divorced or were never married, the CSEA shall calculate their income as if they were married to one another and then order each grandparent to pay his or her respective percentage of the child support imposed, based on his or her percentage of income.
2. When a child support order issued pursuant to section 2151.23, 2151.231, 2151.232, 3111.13, or 3111.81 of the Revised Code requires one of the minors to pay child support for the child, the amount the minor is required to pay shall be deducted from any amount that the grandparents are required to pay.

The CSEA shall issue an administrative child support order to require the grandparents who are not providing support for the child to pay child support. The administrative order shall also provide for the health care needs of the child.

1. In accordance with section 3111.81 of the Revised Code, the administrative child support order shall:
   (a) Require periodic payments of child support that may vary in amount, except that, if it is in the best interest of the child, the administrative officer may order the purchase of an annuity in lieu of periodic payments of child support if the purchase agreement provides that any remaining principal will be transferred to the ownership and control of the child on the child's attainment of the age of majority; and
   (b) Require the grandparents to provide for the health care needs of the child in accordance with sections 3119.29 to 3119.56 of the Revised Code.
(2) In accordance with division (C)(2) of section 3109.19 of the Revised Code, the CSEA shall include the following paragraph in the administrative child support order:

The grandparents may object to the administrative child support order by filing a complaint pursuant to division (B)(2) of section 3109.19 of the Revised Code with the court requesting that the court issue an order requiring the grandparents to pay child support for the child and provide for the child's health care needs; the complaint may be filed no later than thirty days after the date of the issuance of the administrative child support order; and, if none of the grandparents file a complaint pursuant to division (B)(2) of section 3109.19 of the Revised Code, the administrative child support order is final and enforceable by a court and may be modified and enforced only in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code.

(3) The CSEA shall include in the administrative child support order the provisions contained in divisions (D) and (E) of section 3109.19 and section 3121.29 of the Revised Code.

(G) When the CSEA receives notice that the administrative child support order should terminate, as described in division (D) of section 3109.19 of the Revised Code, the CSEA shall comply with rule 5101:12-60-50 of the Administrative Code.
In accordance with section 3121.51 of the Revised Code, regardless of what timeframes or payments are associated with a court or administrative order, the child support enforcement agency (CSEA) shall administer the order on a monthly basis. In accordance with section 3121.53 of the Revised Code, the monthly administration of the support order does not affect the frequency or the amount of the support payments to be made under the order.

In accordance with section 3121.28 of the Revised Code, whenever the CSEA issues or modifies a support order, the CSEA shall include in the order, along with any provision required by the Revised Code, all of the following:

1. A requirement that the CSEA administer the order on a monthly basis, regardless of the frequency or the amount of the support payments to be made under the order;
2. The monthly amount due under the support order for purposes of its monthly administration; and
3. A statement that payments under the order shall continue to be made in the manner ordered by the CSEA or court, even though the CSEA is required to administer the order on a monthly basis, the required monthly administration by the CSEA does not affect the frequency or the amount of the support payments to be made under the order.

In accordance with section 3121.52 of the Revised Code, when payments are ordered on a non-monthly basis, the CSEA shall calculate the monthly amount due under the order, for purposes of monthly administration, in the following manner:

1. For weekly support order payments, multiply the weekly amount due by fifty-two and divide the resulting annual amount by twelve;
2. For biweekly support order payments, multiply the biweekly amount due by twenty-six and divide the resulting annual amount by twelve; and
3. For periodic support order payments that are not weekly, biweekly, or monthly, multiply the periodic amount due by an appropriate number to obtain the annual amount due and divide that amount by twelve.

If the support order requires payments to begin on a day other than the first day of the month or terminate on a day other than the last day of the month, the CSEA, for purposes of monthly administration, shall compute the pro rated obligation amount due that month in the following manner:

1. Determine an annual amount in accordance with paragraph (C) of this rule.
2. Divide the annual amount by one of the following to obtain the daily rate:
   - Three hundred sixty-six if support payments begin or end in a leap year; or
   - Three hundred sixty-five if support payments begin or end in a year that is not a leap year.
3. Multiply the daily rate by the number of days the order is in effect in the month, including the date the support payment begins and the last day of the first month.
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3121.28, 3121.51, 3121.52, 3121.53 and 3121.54.
Prior Effective Dates: 7/15/02, 2/1/05, 6/15/06
The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 01715, "Waiver of Service of Process for Administrative Child Support Hearing (rev. 1/2006);
(B) JFS 07719, "Administrative Order for Child Support and Medical Support " (rev. 8/2008); and
(C) JFS 07724, "Administrative Adjustment Recommendation" (rev. 8/2008).

Effective: 07/01/2014
R.C. 119.032 review dates: 07/01/2019
Certification: CERTIFIED ELECTRONICALLY
Date: 06/12/2014
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.25
The following definitions apply throughout division 5101:12 of the Administrative Code:

(A) "Accessible" means that primary care services are located within thirty miles from the residence of the child subject to the child support order. Private health insurance is presumed accessible unless determined inaccessible by a child support enforcement agency (CSEA) during an administrative proceeding, or by a court with jurisdiction over the child support case.

(B) "Cash medical support" has the same meaning as in division (A)(1) of section 3119.29 of the Revised Code.

(C) "Child support order" means either a court child support order or administrative child support order.

(D) "Federal poverty level for an individual" means the official poverty guideline amount for a one-person household, as revised annually in accordance with 42 U.S.C. 9902(2)(10/27/98).

(E) "Health plan administrator" means any entity authorized under Title XXXIX of the Revised Code to engage in the business of insurance in this state, any health insuring corporation, any legal entity that is self-insured and provides benefits to its employees or members, and the administrator of any such entity or corporation.

(F) "Health insurance obligor" means a person who is required under a child support order to provide private health insurance coverage for the child subject to the child support order. The health insurance obligor may be either the custodial parent or caretaker, the non-custodial parent, or both.

(G) "Medical support" means a provision of a support order:

1. To provide private health insurance coverage for the child subject to the support order that is reasonable in cost and presumed to be accessible, or to report available health insurance coverage;

2. To provide cash medical support when private health insurance coverage is not available to either party or is not being provided by the health insurance obligor(s) in accordance with the order;

3. For the shared responsibility of uncovered healthcare expenses; or

4. That is issued by the court for payment of a specified dollar amount for medical expenses incurred on behalf of the individual subject to the support order.

(H) "Primary care services" means health care services and laboratory services customarily provided by or through a licensed general practitioner, family medicine physician, internal medicine physician, or pediatrician.

(I) "Reasonable cost" and "reasonable in cost" mean:

1. For a child support order issued or modified before July 21, 2008, employment-related health insurance coverage or other group health insurance, regardless of service delivery mechanism; or

2. For a child support order issued or modified on or after July 21, 2008, the cost of health insurance to a parent does not exceed five per cent of the annual gross income of the parent. In applying the five per cent to the cost, the cost is the difference between self-only and family coverage.

"Family coverage" means the lowest-cost private health insurance plan that provides coverage for the child(ren) subject to the child support order.
"Shared responsibility of uncovered healthcare expenses" means the medical support provision established under an equitable formula in accordance with section 3119.30 or 3119.32 of the Revised Code for the obligor and obligee to each cover an identified percentage of:

1. The costs of the healthcare needs of the child subject to the child support order that exceed the amount of cash medical support to be paid when private health insurance coverage is not available to either party; or
2. The uninsured health care costs or co-payment or deductible costs required under the health insurance policy, contract, or plan that covers the child subject to the child support order when private health insurance coverage is provided in accordance with the order.

Effective: 01/01/2015
Five Year Review (FYR) Dates: 08/26/2014 and 01/01/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 11/19/2014
Promulgated Under: 119.03
Statutory Authority: 3119.51
Rule Amplifies: 3119.29, 3119.30, 3119.31, 3119.32
Prior Effective Dates: 1/1/98, 10/2/03, 1/1/07, 3/1/09
In any action or proceeding in which a child support enforcement agency (CSEA) issues or modifies a child support order, each party to the child support order is required to provide a list of any available private group health insurance policies, contracts, or plans to the CSEA.

Based on information provided by the parties in accordance with paragraph (A) of this rule, when the CSEA issues or modifies a child support order, the CSEA shall include one of the following:

1. A requirement that both the obligor and the obligee obtain private health insurance coverage for the child, if coverage that is reasonable in cost is available to both the obligor and the obligee and dual coverage will provide for coordination of medical benefits without unnecessary duplication of coverage.

2. A requirement that the obligee obtain private health insurance coverage for the child, if coverage that is reasonable in cost is available through any group policy, contract, or plan available to the obligee and is available at a more reasonable cost than coverage is available to the obligor.

3. A requirement that the obligor obtain private health insurance coverage for the child, if coverage that is reasonable in cost is available through any group policy, contract, or plan available to the obligor and is available at a more reasonable cost than coverage is available to the obligee.

4. If private health insurance coverage for the child that is reasonable in cost is not available to the obligor or the obligee at the time that the child support order is issued, a requirement that the obligor and the obligee immediately inform the CSEA administering the child support order when private health insurance coverage for the child becomes available to either the obligor or the obligee.

When a CSEA determines the medical support provision described in paragraph (B) of this rule, the CSEA shall consider any private health insurance in which the obligor, obligee, and/or child are enrolled at the time that the CSEA issues or modifies the child support order.

In accordance with sections 3119.30 and 3119.32 of the Revised Code, in any action or proceeding in which the CSEA is issuing or modifying a child support order, the CSEA shall order or recommend the medical support provision for the shared responsibility of uncovered healthcare expenses.

Variations.

Variations from private health insurance standards for child support orders issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly.

1. When the cost of private health insurance coverage for the child to either parent exceeds five per cent of that parent's annual gross income, the CSEA shall not order that parent to provide the private health insurance coverage for the child that exceeds the reasonable cost standard unless:
   a. Both parents agree that the parent be ordered to provide the private health insurance that exceeds the reasonable cost standard; or
   b. One of the parents requests to be ordered to provide the private health insurance that exceeds the reasonable cost standard.

   When the CSEA issues the variation to the reasonable cost standard, the CSEA shall document the variation on the child support order.

2. A CSEA may extend the thirty-mile accessibility standard for private health insurance when residents in part or all of the immediate geographic area customarily travel farther distances than thirty miles for primary care services. "Immediate geographic area" means the county in...
which the child resides. When the child's residence is within ten miles of the county line, "immediate geographic area" includes the county in which the child resides and any bordering county.

When the CSEA extends the thirty-mile accessibility standard, the CSEA shall document the variation on the child support order.

(3) A CSEA may expand the accessibility standard to include the requirement that the primary care services must be available by public transportation when the custodial parent or caretaker is dependent upon public transportation.

When the CSEA expands the accessibility standard to include the stipulation described in paragraph (E)(3) of this rule, the CSEA shall document the variation on the child support order.

Effective: 01/01/2015
Five Year Review (FYR) Dates: 08/26/2014 and 01/01/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 11/19/2014
Promulgated Under: 119.03
Statutory Authority: 3119.51
Rule Amplifies: 3119.30, 3119.31, 3119.32
Prior Effective Dates: 1/1/98, 10/2/03, 1/1/07, 3/1/09
(A) The CSEA shall calculate the cash medical support amount in accordance with this rule and with the Ohio child support guidelines as described in rule 5101:12-45-10 of the Administrative Code.

(B) In any action or proceeding in which the CSEA issues or modifies a child support order in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly, the CSEA shall include the medical support provision for the obligor to pay cash medical support during any period in which private health insurance coverage for the child is not available to either party or is not being provided by the health insurance obligor(s) in accordance with the order.

(C) The cash medical support obligation shall:

(1) Commence on the first day of the month following the month in which private health insurance coverage for the child that is provided in accordance with the order is unavailable or terminates.

(2) Cease on the last day of the month immediately preceding the month in which private health insurance coverage for the child that is provided in accordance with the order begins or resumes.

(D) When an obligor has an annual gross income that is less than one hundred fifty per cent of the federal poverty level for an individual, the CSEA shall establish the amount of the cash medical support obligation as zero dollars.

(E) When an obligor has an annual gross income that is one hundred fifty per cent or more of the federal poverty level for an individual, the CSEA shall establish the amount of the cash medical support obligation as the lesser of:

(1) Five per cent of the adjusted gross income of the obligor, or

(2) The amount identified on the JFS 05050, "Schedule of Cash Medical Support Obligations." (7/2013) (effective or revised effective date as identified in rule 5101:12-47-99 of the Administrative Code).

(F) Cash medical support shall be paid by the obligor through the child support payment central:

(1) To the obligee when the child is not a medicaid recipient.

(2) To the Ohio department of job and family services to defray the cost of medicaid expenditures when the child is a medicaid recipient pursuant to section 3119.30 of the Revised Code and 42 U.S.C. 1396k (a)(1)(A) (11/5/1990) (12/26/13).

(G) During the period when cash medical support is required to be paid:

(1) The obligor must immediately inform the CSEA when private health insurance coverage for the child becomes available to the obligor, and

(2) The obligee must immediately inform the CSEA when private health insurance coverage for the child becomes available to the obligee.

Effective: 01/01/2015

Five Year Review (FYR) Dates: 08/26/2014 and 01/01/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 11/19/2014

Promulgated Under: 119.03
Statutory Authority: 3119.51
Rule Amplifies: 3119.30, 3119.302
Prior Effective Dates: 3/1/09, 9/1/12, 7/1/13
Effective Date: August 1, 2017

Most Current Prior Effective Date: August 15, 2015

The form identified in this rule is referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective date of the form is as follows:

JFS 05050, "Schedule of Cash Medical Support Obligations" (07/2017).

Effective: 08/01/2017

Five Year Review (FYR) Dates: 01/01/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 07/07/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03

Prior Effective Dates: 1/1/15, 8/15/15
5101:12-50 - Enforcement of the Support Order
CSPMTL 109

Effective Date: February 1, 2016

Most Current Prior Effective Date: March 1, 2013

(A) This rule and its supplemental rules describe the requirements for a child support enforcement agency (CSEA) to implement income withholding or income deduction.

(B) The following definitions apply to this rule and other rules in Chapters 5101:12-50 and 5101:12-55 of the Administrative Code:

(1) "Income" means, pursuant to section 3121.01 of the Revised Code, any form of monetary payment, including personal earnings; workers' compensation payments; unemployment compensation benefits to the extent permitted by, and in accordance with, sections 3121.07 and 4141.284 of the Revised Code, and federal law governing the Ohio department of job and family services; pensions; annuities; allowances; private or governmental retirement benefits; disability or sick pay; insurance proceeds; lottery prize awards; federal, state, or local government benefits to the extent that the benefits can be withheld or deducted under the law governing the benefits; any form of trust fund or endowment; lump sum payments, including a one-time pay supplement of one hundred fifty dollars or more paid under section 124.183 of the Revised Code; and any other payment in money.

(2) "Financial institution" means a bank, savings and loan association, or credit union, or a regulated investment company or mutual fund.

(3) "Payor" means, pursuant to section 3121.01 of the Revised Code, any person or entity that pays or distributes income to an obligor, including an obligor if the obligor is self-employed; an employer; an employer paying an obligor's workers' compensation benefits; the public employees retirement board; the governing entity of a municipal retirement system; the board of trustees of the Ohio police and fire pension fund; the state teachers retirement board; the school employees retirement board; the state highway patrol retirement board; a provider, as defined in section 3305.01 of the Revised Code; the bureau of workers' compensation; or any other person or entity other than the Ohio department of job and family services with respect to unemployment compensation benefits paid pursuant to Chapter 4141. of the Revised Code.

(4) "Personal earnings" means compensation paid or payable for personal services, however denominated, and includes wages, salary, commissions, bonuses, draws against commissions, profit sharing, vacation pay, or any other compensation.

(5) "Willfully" means an action taken voluntarily and intentionally with a specific intent to take an action or fail to take an action.

(C) The CSEA shall use the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support Income Withholding for Support" (rev. 5/2012 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), to implement income withholding to collect current support and arrears from a payor.

(D) The CSEA shall use the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to deduct funds from an account in a financial institution.

(E) The responsibilities of a payor or financial institution in receipt of a JFS 04047 or JFS 04017 can be found in Chapter 3121. of the Revised Code.

(F) When a payor or financial institution fails to comply with any requirement of a JFS 04047 or JFS 04017 issued by a CSEA, the CSEA shall bring an action under section 3121.371 of the Revised Code requesting the court to order the payor or financial institution to comply with the JFS 04047 or JFS 04017. If the payor or financial institution fails to comply with the court's order, such failure is contempt of court.
Effective: 02/01/2016
Five Year Review (FYR) Dates: 03/01/2018
Certification: CERTIFIED ELECTRONICALLY
Date: 01/05/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3121.01, 3121.0310
Prior Effective Dates: 1/1/87 (Emer), 3/20/87, 12/1/87, 3/18/91, 7/15/92, 12/31/93, 1/1/95, 6/21/96, 7/22/96, 1/1/98, 12/1/01, 9/1/05, 1/1/08, 3/1/13
CSPMTL 76

Effective Date: January 1, 2008 (No Change)

Most Current Prior Effective Date: January 1, 2008

(A) Sources of income that are subject to withholding or deduction include but are not limited to:
   (1) Income from a payor;
   (2) Funds on deposit in any demand account, checking or negotiable withdrawal order account, savings account, time deposit account, or the cash portion of a money market mutual fund account;
   (3) Income or benefits from federal agencies, including military branches and social security disability or retirement benefits;
   (4) Benefits paid by the department of veterans affairs if such payment is remuneration for employment; and

(B) Sources of income that are not subject to withholding or deduction include but are not limited to:
   (1) Not withstanding any other provision of law, monetary benefits paid by the department of veterans affairs that are generally based on the veteran's disability, war-time service, or disability from service-connected injury or disease;
   (2) Means-tested income or benefits including, but not limited to, supplemental security income benefits; and

R.C. 119.032 review dates: 04/01/2013 and 04/01/2018

Certification: CERTIFIED ELECTRONICALLY

Date: 04/01/2013

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3121.03

Prior Effective Dates: 1/1/87 (Emer), 3/20/87, 12/1/87, 3/18/91, 7/15/92, 12/31/93, 1/1/95, 6/21/96, 7/22/96, 1/1/98, 12/1/01, 9/1/05, 1/1/08, 1/1/11
When the child support enforcement agency (CSEA) determines that the obligor is receiving income from a payor, the CSEA shall issue a JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support Income Withholding for Support" (rev. 5/2012 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), within fifteen days of:

1. Issuing or modifying an administrative support order;
2. Receiving notice of a change in the obligor's source of income or the CSEA otherwise determining that there has been a change in the source of the obligor's income;
3. Determining that a modified JFS 04047 is required as the result of an investigation concerning the termination of a support order; or
4. Locating an obligor following the issuance or modification of the support order.

When the CSEA determines that the obligor has funds on deposit in a financial institution, the CSEA may issue a JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code).

When a CSEA issues a JFS 04047 to a payor or a JFS 04017 to a financial institution, the CSEA shall simultaneously issue a copy of the JFS 04047 or the JFS 04017 and the JFS 04048, "Addendum to a Withholding Order" (rev. 11/2009 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code) to the obligor.

To the extent possible, the CSEA shall issue a sufficient number of JFS 04047s and JFS 04017s to provide that the aggregate amount withheld or deducted satisfies the amount ordered for support plus any arrears that may be owed by the obligor under any prior orders that pertain to the same child and obligee.

The CSEA may but is not required to supplement the JFS 04047 or JFS 04017 and JFS 04048 with additional notices or court orders as long as the time requirements of paragraphs (A) and (B) of this rule are met and no additional court hearings are required.
This rule describes the requirements for withholding from unemployment compensation benefits received by an obligor.

A child support enforcement agency (CSEA) with administrative responsibility for the IV-D case shall send a JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support Income Withholding for Support" (rev. 5/2012 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), to the Ohio department of job and family services, office of unemployment compensation (UC) when:

1. In accordance with section 3121.07 of the Revised Code, the CSEA completes the required investigation and determines that the obligor is receiving unemployment compensation benefits; or

2. In accordance with section 4141.284 of the Revised Code, the CSEA is notified by the director of the department of job and family services (ODJFS) that an individual who owes support is receiving unemployment compensation benefits.

The following conditions apply to the withholding of unemployment compensation benefits as described in this rule:

1. The CSEA with administrative responsibility for the case may only send a JFS 04047 to UC if the case is an open, active IV-D case;

2. The CSEA may not impose the processing charge pursuant to section 3119.27 of the Revised Code with respect to any amounts withheld or deducted from unemployment compensation benefits pursuant to this rule; and

3. In accordance with division (B)(2) of section 3121.07 of the Revised Code, the amount of unemployment compensation benefits that may be withheld with respect to a week of unemployment benefits shall not exceed fifty per cent of the individual's weekly benefit amount as determined by the director of ODJFS.

The CSEA shall send a JFS 04043, "Notice to Payor/Office of Unemployment Compensation/Financial Institution to Terminate the Withholding of Obligor/Income/Assets" (rev. 12/2005 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to UC whenever a support order is terminated as described in rule 5101:12-60-50 of the Administrative Code or in any other case when termination of withholding is appropriate. Upon receipt of the JFS 04043, UC shall immediately terminate the withholding of unemployment compensation benefits.

Effective: 02/01/2016

Five Year Review (FYR) Dates: 03/01/2018

Certification: CERTIFIED ELECTRONICALLY

Date: 01/05/2016

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3121.07, 4141.284

Prior Effective Dates: 6/1/91, 12/21/92, 10/1/94, 7/1/96, 1/1/98, 4/18/03, 1/1/06, 12/1/06, 3/1/13
This rule describes the responsibilities of a payor and a child support enforcement agency (CSEA) regarding lump sum payments to be made to an obligor by a payor when the obligor is subject to income withholding pursuant to section 3121.03 of the Revised Code.

The following definitions are applicable to this rule:

1. "Cash out of vacation pay" means income disbursed to an employee in lieu of actual vacation or leave taken. When a payor notifies a CSEA of a lump sum payment that is for a cash out of vacation pay, the CSEA shall proceed in accordance with this rule.

2. "Lump sum payment" means a supplemental payment that an obligor is receiving or is eligible to receive from a payor who has received an income withholding notice regarding the obligor.

3. "Obligor" has the same meaning as in rule 5101:12-10-30 of the Administrative Code.

4. "Payor" has the same meaning as in rule 5101:12-50-10 of the Administrative Code.

In accordance with division (A)(11) of section 3121.037 of the Revised Code, a payor is required to do all of the following:

1. Notify the CSEA of any lump sum payment of any kind of one hundred fifty dollars or more that is to be made to an obligor for whom support is being withheld. The payor must notify the CSEA of the lump sum payment:
   (a) No later than forty-five days before the lump sum payment is to be made; or
   (b) On the date that the payor determines the lump sum payment is due the obligor when that date is less than forty-five days before the payment is to be made.

2. Hold the lump sum payment for thirty days after the date on which the lump sum payment would otherwise have been paid to the obligor.

3. Upon receipt of an order from the court or CSEA that issued the support order, pay all or a specified amount of the lump sum payment to the child support payment central (CSPC) within the office of child support.
   (a) If the lump sum payment is earnings as defined in section 302(a) of the "Consumer Credit Protection Act," (CCPA), 15 U.S.C. 1672(a)(5/1968), the sum of the amount to be withheld and any fee withheld by the payor as a charge for its services may not exceed the maximum amounts permitted under section 303(b) of the CCPA, 15 U.S.C. 1673(b)(11/1978).
   (b) If the lump sum payment is other than earnings, the amount to be withheld is not subject to these limits.

The CSEA shall, upon notification by a payor that a lump sum payment of one hundred fifty dollars or more is to be made to the obligor, determine whether the obligor has any arrears or is in default under the support order.

When an obligor had no existing arrears before the issuance of an income withholding or deduction notice and collections are received as a result of the income withholding or deduction notice in the amount required, the CSEA shall not consider the obligor as having arrears for the purpose of lump sum attachment when periodic temporary arrears are created due to a discrepancy between the payment schedule and the monthly obligation.

1. When the CSEA determines that the obligor is not in default or has no arrears, the CSEA shall:
(a) In the case of an administrative child support order, issue an administrative order directing the payor to immediately pay the full amount of the lump sum payment to the obligor; or

(b) In the case of a court support order, issue a notice to the court recommending that the lump sum payment be released to the obligor.

(2) When the CSEA determines that the obligor has arrears or is in default, the CSEA shall:

(a) In the case of an administrative child support order, issue the JFS 07726, "Administrative Order for Transmittal of Lump Sum Payment" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to the payor and issue a copy of the JFS 07726 to the obligor. The CSEA shall require the payor to transmit the least of:

(i) When the lump sum payment is less than or equal to the total arrears, the CSEA shall require the payor to transmit the total lump sum payment to CSPC. The total arrears;

(ii) When the lump sum payment is greater than the total arrears, the CSEA shall require the payor to transmit an amount equal to the total arrears to CSPC and to release the balance of the lump sum payment to the obligor. The amounts allowed by section 303(b) of the CCPA, 15 U.S.C. 1673(b), if applicable; or

(iii) The amounts allowed by applicable state or tribal law.

(b) In the case of a court support order, issue a notice to the court that a lump sum payment is to be made to the obligor. The notice shall include the amount of the lump sum payment, when known, and the amount of the arrears. The CSEA shall recommend to the court that the court issue an order requiring the payor to transmit the least of:

(i) When the lump sum payment is less than or equal to the total arrears, the CSEA shall recommend to the court that the court issue an order requiring the payor to transmit the total lump sum payment to CSPC. The total arrears;

(ii) When the lump sum payment is greater than the total arrears, the CSEA shall recommend to the court that the court issue an order requiring the payor to transmit an amount equal to the total arrears to CSPC and to release the balance of the lump sum payment to the obligor. The amounts allowed by section 303(b) of the CCPA, 15 U.S.C. 1673(b), if applicable; or

(iii) The amounts allowed by applicable state or tribal law.

(E) Should the CSEA receive a notice from a payor that a lump sum payment of less than one hundred fifty dollars is to be paid to an obligor who is subject to a court or administrative child support order, the CSEA may take action pursuant to paragraph (D) of this rule.

The CSEA shall document in its handbook of internal procedures when the CSEA will use the optional enforcement technique pertaining to lump sum payments of less than one hundred fifty dollars.

(F) In accordance with section 3121.0311 of the Revised Code, for workers' compensation claims pending or filed on or after June 30, 2006, the administrator of the bureau of workers' compensation or a self-insuring employer is responsible for the deduction of attorney's fees and necessary expenses before notifying the CSEA of the lump sum.

The administrator of the bureau or self-insuring employer is not required to notify the CSEA of the lump sum when, following the deduction of attorney's fees and necessary expenses, the balance is less than one hundred fifty dollars.

Effective: 4/1/2018

Five Year Review (FYR) Dates: 1/4/2018 and 04/01/2023

Certification: CERTIFIED ELECTRONICALLY
CSPMTL 138

Effective Date: January 1, 2008 (No Change)

Most Current Prior Effective Date: January 1, 2008 (No Change)

(A) When a child support enforcement agency (CSEA) determines that no income withholding or income deduction notice is appropriate, it may request that the court issue an order requiring the obligor to enter into a cash bond.

(B) A CSEA may not issue an administrative order requiring the obligor to enter into a cash bond.

Five Year Review (FYR) Dates: 3/5/2018 and 03/05/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 03/05/2018

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3121.03, 3121.04

The child support enforcement agency (CSEA) with administrative responsibility may request that the court issue an order requiring an obligor under a court support order to seek employment or engage in work activities under the Ohio works first (OWF) program when the CSEA determines that the obligor under a court support order is unemployed, has no income, and does not have an account at any financial institution.

When the obligor under an administrative child support order is unemployed but able to engage in employment and has no income and no account at any financial institution, the CSEA with administrative responsibility shall issue an administrative order for the obligor to seek employment or engage in work activities under the OWF program. The CSEA shall:

1. Include in the administrative seek work order a requirement that the obligor notify the CSEA immediately upon obtaining employment, any income, or ownership of any asset with a value of over five hundred dollars.

2. Issue the administrative seek work order whether or not the obligor is a recipient of OWF benefits.

When the obligor is a recipient of OWF benefits and has signed a self-sufficiency contract pursuant to section 5107.14 of the Revised Code, the administrative seek work order shall contain the same work activity requirements as the signed self-sufficiency contract.

3. Request that the court issue an order in accordance with paragraph (A) of this rule when an obligor fails to comply with an administrative seek work order.

When the court or the CSEA issues a seek work order to the obligor, the court or CSEA shall include in the order the requirement that the obligor register with "OhioMeansJobs" pursuant to section 3121.03 of the Revised Code.

Five Year Review (FYR) Dates: 3/5/2018 and 03/05/2023
Certification: CERTIFIED ELECTRONICALLY
Date: 03/05/2018
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3121.03, 5107.14
In accordance with section 3121.14 of the Revised Code, the child support enforcement agency (CSEA) with administrative responsibility shall conduct an investigation of the obligor's employment and resources when the CSEA receives notification or becomes aware of a change in the obligor's source of income or status of accounts in a financial institution.

The CSEA, in conducting the investigation, shall determine the following information:

1. The obligor's address and social security number; and
2. The obligor's employment status, income source, or assets; or
3. Any other information necessary to enable the CSEA or the court to issue an income withholding or deduction notice or order or a seek work order or the court to issue a cash bond.

When the investigation warrants issuance of a new JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support Income Withholding for Support" (rev. 5/2012 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code) or a JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), the CSEA shall, within fifteen days after the obligor is located, issue one or more new notices or orders.

When the CSEA or court had previously issued one or more JFS 04047s, JFS 04017s, seek work orders, or the court had previously issued a cash bond and the CSEA determines that any JFS 04047 or JFS 04017 is no longer appropriate due to a change in the obligor's source of income or status of accounts, the CSEA shall immediately take action to cancel or have cancelled any previously issued JFS 04047 or JFS 04017. The CSEA shall send written notice of the cancellation by regular mail to the person who was required to comply with the JFS 04047, JFS 04017, or order.

Effective: 02/01/2016

Five Year Review (FYR) Dates: 03/01/2018
Certification: CERTIFIED ELECTRONICALLY
Date: 01/05/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3121.03, 3121.14
Prior Effective Dates: 1/1/87 (Emer), 3/20/87, 12/1/87, 3/16/89 (Emer), 6/1/89, 3/18/91, 6/1/91, 7/15/92, 12/31/93, 1/1/95, 6/21/96, 7/1/96, 1/1/98, 12/1/01, 9/1/05, 1/1/08, 3/1/13
This rule and its supplemental rules describe the process to submit overdue child support or overpaid child support to the Ohio department of taxation (ODT) for state income tax refund offset.

The following definitions are applicable to this rule and its supplemental rules:

1. "Debt" means overdue child support or overpaid child support.
2. "Debtor" means an individual who owes overdue child support or has received overpaid child support.
3. "Eligible debt" means overdue child support or overpaid child support that meets the submittal criteria detailed in rule 5101:12-50-20.2 or 5101:12-50-20.3 of the Administrative Code.
4. "Overdue child support" means the accrued, unpaid amount of:
   a. Child support;
   b. Spousal support, if it is included as part of child support order; and
   c. Medical support, as defined in rule 5101:12-47-01 of the Administrative Code, if a specific dollar amount for medical support is included in the child support order.
5. "Overpaid child support" means the amount paid to an obligee under a child support order prior to termination of the child support order that exceeds the amount required to be paid under the child support order, has not been impounded under section 3119.90 or 3119.92 of the Revised Code, and has not been repaid to the obligor under the child support order.
6. "State income tax refund offset" means intercepting a refund of paid state income tax to apply to an eligible debt.

The office of child support will identify and submit eligible debts to ODT for state income tax refund offset at least annually.

The office of child support will withdraw a debt submitted for state income tax refund offset when:

1. The debt is no longer considered an eligible debt; or
2. The child support enforcement agency (CSEA) has requested the debt be deleted.

Each CSEA shall designate one person to be the offset coordinator to facilitate the offset process.
CSPMTL 78

Effective Date: July 15, 2013

Most Current Prior Effective Date: July 15, 2008

(A) Pre-offset notice.

The office of child support will issue one of the following pre-offset notices to the debtor's last known address before submitting an eligible debt to the Ohio department of taxation (ODT) for state income tax refund offset:

(1) The JFS 01834, "Notice of Ohio Income Tax Refund Offset for Child Support Overpayment" (12/2004), to a debtor who has received overpaid child support; or

(2) The JFS 01835, "Notice of Ohio Income Tax Refund Offset for Overdue Support" (rev. 8/2005), to a debtor who owes overdue child support.

(B) Income tax refund offset review.

(1) The debtor or the debtor's representative may request an income tax refund offset review to contest any of the following:

(a) Whether the person to whom the notice was issued is the debtor;

(b) The amount of the debt owed; or

(c) Whether the submittal for state income tax refund offset may be appropriate.

(2) The debtor or debtor's representative must request the administrative review within thirty days from the date on the JFS 01834 or JFS 01835, by completing and returning the last page of the JFS 01834 or JFS 01835 to the child support enforcement agency (CSEA) with administrative responsibility for the support order that is being contested.

Within ten days of receipt of the request for an income tax refund offset review, the CSEA shall issue to the debtor or the debtor's representative:

(a) The JFS 01850, "Notice of Scheduled Income Tax Refund Offset Review" (rev. 7/2008), when the debtor or the debtor's representative is contesting any of the items listed in paragraph (B)(1) of this rule. When the CSEA issued a JFS 01835 to the debtor, the CSEA shall issue a JFS 01850 to the obligee when the case is non-Ohio works first or medicaid only.

(b) The JFS 01851, "Notice of Denial of Request for Income Tax Refund Offset Review" (rev. 7/2008), when the debtor or the debtor's representative requests an income tax refund offset review but is not contesting any of the items listed in paragraph (B)(1) of this rule.

(3) The CSEA shall complete a scheduled income tax refund offset review within thirty days of the request for an income tax refund offset review.

(a) The CSEA shall assign the income tax refund offset review to a CSEA staff member with both knowledge of the case and authority to update the case record.

(b) The CSEA staff member shall examine any proof the debtor or the debtor's representative presents to substantiate the debtor's claim that the information on the JFS 01834 or JFS 01835 is incorrect.

(4) The debtor or the debtor's representative may ask the CSEA to reschedule the income tax refund offset review when there are circumstances that reasonably prevent attendance. The request must be received by the CSEA no later than the day before the scheduled income tax refund offset review.
The CSEA shall approve the request to reschedule the income tax refund offset review when the request is timely and the circumstances would reasonably prevent attendance by the debtor or the debtor's representative.

When the CSEA approves the request to reschedule the income tax refund offset review, the CSEA shall issue a JFS 01853, "Notice Regarding Request to Reschedule Income Tax Refund Offset Review" (rev. 7/2008), to the debtor or the debtor's representative and, to the other party if the other party was issued a JFS 01850, at least five days prior to the date of the rescheduled income tax refund offset review.

The CSEA may deny the request to reschedule the income tax refund offset review when:

(i) The request is not timely; or
(ii) The circumstances would not reasonably prevent attendance by the debtor or the debtor's representative.

When the CSEA denies the request to reschedule the income tax refund offset review, the CSEA shall issue the JFS 01853 within ten days to notify the debtor that the income tax refund offset review will not be rescheduled.

The CSEA may deny a second request to reschedule the income tax refund offset review from the same individual.

Within ten days of the date the CSEA completed the administrative review for income tax refund offset review, the CSEA shall issue the result of the administrative review for income tax refund offset review results to the debtor and to the other party. The CSEA's decision is final and enforceable.

Effective: 07/15/2013
R.C. 119.032 review dates: 04/01/2013 and 07/01/2018
Certification: CERTIFIED ELECTRONICALLY
Date: 06/06/2013
Promulgated Under: 119.03
Statutory Authority: 3123.823, 3125.25
Rule Amplifies: 3123.82, 3123.821, 3123.822, 3123.823
Effective Date: July 15, 2008 (No Change)

Most Current Prior Effective Date: July 15, 2008

(A) Overdue child support is eligible for state income tax refund offset submittal when:

1. The debtor is not less than three months in arrears in the debtor's payment of child support;
2. The amount of the arrears is not less than one hundred fifty dollars; and
3. The office of child support (OCS) has issued a JFS 01835, "Notice of Ohio Income Tax Refund Offset for Overdue Child Support" (rev. 8/2005), to the debtor.

(B) A debtor or the debtor's spouse who has filed for bankruptcy protection on or after October 17, 2005, is eligible to be submitted for state income tax refund offset in accordance with this rule. A debtor or the debtor's spouse who filed for bankruptcy protection prior to that date is not eligible to be submitted for state income tax refund offset unless the bankruptcy has been discharged or other relief from bankruptcy protection has been secured by the child support enforcement agency (CSEA).

(C) The CSEA shall review a request to initiate a state income tax refund offset that is received from another state. Until the process is fully automated, the CSEA shall submit the request to OCS within five business days of receipt of the request. OCS will submit requests meeting the Ohio department of taxation (ODT) eligibility requirements for offset.

R.C. 119.032 review dates: 04/01/2013 and 04/01/2018

Certification: CERTIFIED ELECTRONICALLY

Date: 04/01/2013

Promulgated Under: 119.03

Statutory Authority: 3123.823, 3125.25

Rule Amplifies: 3123.82, 3123.821, 3123.822, 3123.823

Overpaid child support is eligible for state income tax refund offset submittal when:

1. All current child support orders pertaining to this obligor and obligee and their children in common have been terminated by a court or administrative order;

2. A court or administrative order has established:
   a. That the obligee has received a child support overpayment; and
   b. The amount of the child support overpayment;

3. The overpaid child support balance is not less than one hundred fifty dollars;

4. The obligor has submitted a JFS 01854 "Request for Collection of a Child Support Overpayment" (rev. 12/2004), to the child support enforcement agency (CSEA) for collection of the child support overpayment; and

5. The office of child support (OCS) has issued a JFS 01834 "Notice of Ohio Income Tax Refund Offset for Child Support Overpayment" (rev. 12/2004), to the debtor.

Within five days of receiving a JFS 01854, the CSEA shall determine whether the overpaid child support is eligible for state income tax refund offset submittal.

Until the process is fully automated, the CSEA shall submit the completed JFS 01854 to OCS within five business days of determining that the child support overpayment is eligible for state income tax refund offset submittal.

Within fifteen days of determining that the request for state income tax refund offset is not eligible for state income tax refund offset submittal, the CSEA shall issue the JFS 01852 "Notice of Decision on Request for Collection of Child Support Overpayment" (12/2004), to the obligor.

The debtor or the debtor's spouse who has filed for bankruptcy protection is not eligible to be submitted for state income tax refund offset unless the bankruptcy has been discharged or other relief from bankruptcy protection has been secured by the child support enforcement agency (CSEA).

R.C. 119.032 review dates: 04/01/2013 and 04/01/2018

Certification: CERTIFIED ELECTRONICALLY

Date: 04/01/2013

Promulgated Under: 119.03

Statutory Authority: 3123.823, 3125.25

Rule Amplifies: 3123.82, 3123.821, 3123.822, 3123.823

Federal Offset Program

CSPMTL 105

Effective Date: January 1, 2016

Most Current Prior Effective Date: July 1, 2006 (No Change)

(A) The federal offset program includes the following:

(1) Federal income tax refund program, as established by the Child Support Amendments of 1984, Pub. L. No. 98-378, 98 Stat. 1305 (1984), 42 U.S.C. 664, August 16, 1984; and


(B) The federal office of child support enforcement matches obligor data contained in the federal tax offset file submitted by Ohio to obligor data from the internal revenue service, data submitted by financial institutions participating in the financial institution data match program, and passport data maintained by the United States department of state. Details regarding the processes involved in these programs are contained in rules 5101:12-50-32 to 5101:12-50-32.10 and 5101:12-50-34 of the Administrative Code.

Effective: 01/01/2016

Five Year Review (FYR) Dates: 09/15/2015 and 01/01/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 11/20/2015

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.25

Prior Effective Dates: 11/9/81, 6/10/82 (Emer), 9/13/82, 5/1/86 (Emer), 7/20/86, 11/1/86, 12/20/88, 3/18/89, 8/9/90, 4/1/91, 11/1/91, 7/1/92, 2/11/93, 9/1/94, 11/1/94, 1/1/96, 8/1/98, 5/1/01, 4/11/03, 7/1/06
This rule and its supplemental rules describe the process of collecting child support arrears through the federal income tax refund offset program. 

The following terms and definitions apply to this rule and its supplemental rules:

1. "Adjustment" means a reduction that is made to the amount of a federal income tax refund offset that has been previously disbursed to a state by the financial management service bureau of fiscal service.

2. "Financial management Bureau of fiscal service" (FMSBFS) is the service operated by the United States department of treasury for the purpose of processing payments on behalf of the federal government.

3. "Injured spouse" is a non-obligated individual who files a joint federal income tax return with an obligor.

4. "Injured spouse claim" means a claim filed by the injured spouse with the internal revenue service (IRS) for the purpose of recovering that portion of the joint income tax refund to which the injured spouse is entitled.

5. "Intergovernmental case" has the same meaning as in rule 5101:12-70-05 of the Administrative Code.

6. "Invalid offset" means a completed federal income tax refund offset that the IV-D agency is not entitled to receive.

7. "State payment" means a refund made to an obligor based on a federal income tax refund offset to rectify an invalid offset or other circumstance.
This rule describes the criteria used to submit an obligor in a IV-D case for federal income tax refund offset using the Ohio tax offset file. Every obligor in a IV-D case who meets the submission criteria shall be submitted for federal income tax refund offset. The consent of an obligee is not necessary prior to submission. The obligee may not choose whether an obligor is submitted for federal income tax refund offset as long as the case remains a IV-D case.

When the obligor has more than one order with assigned arrears, the obligor's assigned arrears are aggregated to determine whether the obligor meets the assigned arrears submission threshold. When the obligor has more than one order with unassigned arrears, the obligor's unassigned arrears are aggregated to determine whether the obligor meets the unassigned arrears submission threshold. The assigned arrears and unassigned arrears are listed separately on the tax offset file.

An obligor shall be submitted when the following criteria are met:

1. The obligor's case is a IV-D case;
2. The obligor's arrears are for:
   a. Child support;
   b. Spousal support, if it is included as part of child support order; or
   c. Medical support, if a specific dollar amount of medical support is included in the order.
3. The obligor's arrears are:
   a. Assigned arrears as described in rule 5101:12-80-10 of the Administrative Code and:
      i. The arrears are equal to or greater than one hundred fifty dollars;
      ii. The arrears have been delinquent for thirty days or more; and
      iii. The arrears may be submitted regardless of the age of the child.
   b. Unassigned arrears as described in rule 5101:12-80-10 of the Administrative Code and:
      i. The arrears are equal to or greater than five hundred dollars;
      ii. The arrears have been delinquent for thirty days or more; and
      iii. The arrears may be submitted regardless of the age of the child.

Ohio will submit an obligor in an intergovernmental case for federal income tax refund offset when Ohio is the state that initiated the intergovernmental case.

Ohio will submit an obligor who has filed for bankruptcy protection on or after October 17, 2005. An obligor who filed for bankruptcy protection prior to that date will not be submitted unless the bankruptcy has been discharged or other relief from bankruptcy protection has been secured by the child support enforcement agency.

Five Year Review (FYR) Dates: 09/15/2015 and 09/15/2020
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Statutory Authority: 3123.81, 3125.25
Rule Amplifies: 3123.81
Prior Effective Dates: 11/9/81, 6/10/82 (Emer), 9/13/82, 5/1/86 (Emer), 7/20/86, 11/1/86, 12/20/88, 3/18/89, 8/9/90, 4/1/91, 11/1/91, 7/1/92, 2/11/93, 9/1/94, 11/1/94, 1/1/96, 8/1/98, 5/1/01, 4/11/03, 7/1/06, 5/15/08, 9/1/11
(A) An obligor who meets the submission criteria described in rule 5101:12-50-32.1 of the Administrative Code will be submitted to the federal office of child support enforcement (OCSE) by the office of child support within the Ohio department of job and family services in a tax offset file on a weekly basis. This rule describes the process that occurs after the Ohio tax offset file is transmitted to OCSE.

(B) Upon receipt of the Ohio tax offset file, OCSE transmits the file to the federal financial management bureau of fiscal service (FMSBFS). FMSBFS maintains a master database which contains information on taxpayers who owe debts to various governmental agencies, including the Ohio tax offset file. FMSBFS, the social security administration (SSA), and the internal revenue service (IRS) then take the following steps:

1. Information contained in the master database is matched against data maintained by the IRS and SSA in order to verify the name, address, and social security number (SSN) of each obligor submitted;
2. IRS and SSA notify FMSBFS of the name, address, and SSN information that has been verified;
3. FMSBFS compares data received from IRS and SSA against the information for each obligor submitted to OCSE in the Ohio tax offset file; and
4. FMSBFS transmits the verified data to OCSE for the purpose of generating the pre-offset notice described in paragraph (C) of this rule.

(C) OCSE sends a pre-offset notice to each obligor whose name, address, and SSN was verified. The pre-offset notice is issued by the OCSE when:

1. An obligor has not previously been submitted for the federal tax offset program and the obligor has not previously received a pre-offset notice;
2. An obligor was previously submitted but was deleted from the Ohio tax offset file because the debt was satisfied but subsequent arrears have accrued. In this case, the obligor may have previously received a pre-offset notice but the arrears were subsequently reduced to zero before beginning to accrue again. A second pre-offset notice will be issued if the previous notice was issued more than three hundred sixty-five days prior to the date of re-submission; or
3. An obligor is added to the Ohio tax offset file.

(D) The qualifying submittal is held by OCSE for a minimum of thirty days before it is submitted to FMSBFS in order to allow the pre-offset notice to be sent. No succeeding pre-offset notices are sent.

(E) The pre-offset notice advises the obligor of the following:

1. The obligor’s right to file a request for an administrative review for the purpose of contesting the arrears;
2. The obligor’s right to request an administrative review in either the submitting state or the state where the support order was issued;
3. The procedures and time frames for requesting the administrative review; and
4. That FMSBFS will notify the injured spouse of the steps required to protect the share of the tax refund which may be payable to the injured spouse.
Date: 11/20/2015
Promulgated Under: 119.03
Statutory Authority: 3123.81, 3125.25
Rule Amplifies: 3123.81, 3125.03, 3125.25
Prior Effective Dates: 11/9/81, 6/10/82 (Emer), 9/13/82, 5/1/86 (Emer), 7/20/86, 11/1/86, 12/20/88, 3/18/89, 8/9/90, 4/1/91, 11/1/91, 7/1/92, 2/11/93, 9/1/94, 11/1/94, 1/1/96, 8/1/98, 5/1/01, 4/11/03, 7/1/06
(C) An obligor who becomes eligible for federal tax offset is automatically added to the Ohio tax offset file when the submission criteria described in rule 5101:12-50-32.1 of the Administrative Code are met. An obligor who had previously been submitted and subsequently deleted from the Ohio tax offset file shall be resubmitted when:

1. Collections reduce the arrears below the submission threshold and new qualifying arrears subsequently accrue;
2. An update to obligor information results in the arrears being reduced below the submission threshold and new qualifying arrears subsequently accrue; or
3. The arrears were previously submitted, then deleted as described in paragraph (E) of this rule, and are now being resubmitted.

(D) The Ohio tax offset file includes updated information for an existing submission when:

1. There is any change in the amount of the arrears;
2. The arrears are modified to zero or to an amount that is below the submission threshold;
3. The child support enforcement agency (CSEA) changes the indicator that excludes the submitted obligor from other federal offset programs such as passport denial;
4. The submission indicator in the Ohio tax offset file changes from assigned to unassigned status or vice versa; or
5. For any other transaction listed in paragraph (F) of this rule.

(E) A submission is deleted from the Ohio tax offset file when:

1. The arrears amount is paid below the submission threshold;
2. The CSEA modifies the arrears to an amount that is below the submission threshold;
3. The CSEA completes an administrative review that results in the reduction of arrears below the submission threshold; or
4. A supervisor within the CSEA has approved the deletion of the submission from the Ohio tax offset file.

(F) The support enforcement tracking system transmits the following transaction indicators to OCSE:

1. "A" adds a new submission;
2. "B" changes the name of the obligor;
3. "D" deletes an existing submission;
4. "L" changes the local state code for the submitting state;
(5) "M" modifies the arrears, which results in an increase or decrease in the amount of arrears;
(6) "R" replaces the current "yes" indicator with a "no" indicator, or a "no" indicator with a "yes" indicator, for offset submission or passport denial submission;
(7) "S" indicates the accumulated state payment amount;
(8) "T" indicates an order has been transferred to the state that issued the order for administrative tax offset review;
(9) "Y" resubmits an obligor and includes the obligor's address when the submission was previously been rejected because OCSE could not locate an address for the obligor; and
(10) "Z" updates the obligor's address.

(G) OCSE processes the transactions in the order indicated in paragraph (F) of this rule.

(H) OCSE will use an updated address submitted through a "Y" or "Z" indicator to issue any future pre-offset or offset notices.

(1) When an obligor's submission has been rejected by OCSE because OCSE could not locate the obligor's address and the CSEA subsequently obtains a valid obligor address, the CSEA shall use the "Y" indicator to resubmit the obligor and provide the obligor's address.

(2) When the CSEA obtains a new valid address for the obligor and chooses to submit the changed address to OCSE, the CSEA shall use the "Z" indicator to submit the new address.

Once the CSEA has used a "Y" or "Z" indicator, the CSEA shall submit all future address changes using the appropriate "Y" or "Z" indicator.

Five Year Review (FYR) Dates: 09/15/2015 and 09/15/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 09/15/2015
Promulgated Under: 119.03
Statutory Authority: 3123.81, 3125.25
Rule Amplifies: 3123.81, 3125.03, 3125.25
Prior Effective Dates: 11/9/81, 6/10/82 (Emer), 9/13/82, 5/1/86 (Emer), 7/20/86, 11/1/86, 12/20/88, 3/18/89, 8/9/90, 4/1/91, 11/1/91, 7/1/92, 2/11/93, 9/1/94, 11/1/94, 1/1/96, 8/1/98, 5/1/01, 4/11/03, 7/1/06
A rejected submission means a rejection by the federal office of child support enforcement (OCSE) of the submission of an obligor for federal income tax refund offset that is included as an addition, deletion, or update in the Ohio tax offset file.

OCSE may reject a submission for any reason including, but not limited to, the following:

1. An invalid social security number;
2. The submission already exists on the OCSE tax offset file;
3. The submission is a duplicate submission;
4. The state payment amount is invalid;
5. OCSE cannot locate the record that the submission is intended to modify;
6. The last name of the obligor submitted does not match the last name for that obligor in the OCSE tax offset file;
7. The state payment submission was received but OCSE cannot locate an offset payment for the offset year in question;
8. The submission had previously been deleted;
9. The last name and the social security number (SSN) in the submission do not match; or
10. An SSN is submitted and OCSE provides a different SSN.

Rejected submissions appear on two reports.

1. The first report contains two types of rejected submissions.
   a. The first type of rejection on the report contains submissions that are rejected by OCSE due to the inability of OCSE to verify an obligor's address for the purpose of issuing a pre-offset notice; and
   b. The second type of rejection on the report contains submissions for which the office of child support within the Ohio department of job and family services has included an SSN for an obligor that OCSE has been unable to verify using the process described in rule 5101:12-50-32.2 of the Administrative Code. The report contains different SSNs than the SSN that was submitted by OCS. The different SSNs have been obtained from the social security administration by OCSE.

2. The second report lists submissions resulting from additions, deletions, or updates to the Ohio tax offset list that were rejected by OCSE for any reason not included in the first report.

A child support enforcement agency (CSEA) shall review the reports and take the appropriate action necessary to resolve the issue that resulted in the rejection of the submission. The inability of a CSEA to resolve a rejection may have a negative impact on incentives received by the CSEA and may result in:

1. The CSEA failing to receive the offset;
2. The CSEA failing to receive the full amount of the offset; or
3. The CSEA receiving an invalid offset.

Five Year Review (FYR) Dates: 09/15/2015 and 09/15/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 09/15/2015
An obligor may contest the federal income tax refund offset program submittal by requesting an administrative offset review within thirty days of the date of the preoffset notice. The obligor must submit the request for the administrative offset review to the child support enforcement agency (CSEA) that has administrative responsibility for the order.

Administrative review procedure when the CSEA receives a request from an obligor.

1. Within ten days of receipt of the request for an administrative offset review, the CSEA shall issue a JFS 01850, "Notice of Scheduled Income Tax Refund Offset Review" (rev. 7/2008 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to the obligor. The CSEA shall also issue the JFS 01850 to the obligee when the case is non-Ohio works first (OWF) or medicaid-only case.

2. The administrative offset review shall be limited to:
   a. The accuracy of the submitted arrears;
   b. Any evidence provided by the obligor or obligee that increases or decreases the submitted arrears; or
   c. The identity of the individual submitted.

When the obligor is contesting a joint federal income tax refund that has not yet been offset, the CSEA shall advise the obligor that the internal revenue service (IRS) will notify the injured spouse of the necessary steps that must be taken at the time of the offset.

3. At the conclusion of the administrative offset review, the CSEA shall do the following:
   a. Enter any changes required as a result of the review into the support enforcement tracking system (SETS).
   b. Send a JFS 07544, "Administrative Review for Income Tax Refund Offset Review Results" (rev. 7/2008 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), and a copy of the complete arrears calculation, if any, to the obligor. The CSEA shall also send the JFS 07544 and arrears calculation, if any, to the obligee when a JFS 01850 had been issued to the obligee.

4. The administrative offset review process shall be completed within thirty days of the date of the request for review.

Administrative offset review procedure when the Ohio interstate central registry receives a request from another state.

1. The interstate central registry (ICR) within OCS may receive a request for an administrative offset review from the state that submitted the offset when:
   a. An obligor in that state requests an administrative offset review; and
   b. The support order was issued by a court or a CSEA in Ohio.

2. When the ICR receives a request for administrative review, it shall immediately send the request to the CSEA in the county with administrative jurisdiction responsibility for the support order.

3. When the CSEA receives the request for administrative offset review from the ICR, it shall:
   a. Complete the review within forty-five days of the date of the request for review from the submitting state; and
(b) Promptly notify the child support agency in the submitting state of the results of the administrative review.

The office of child support enforcement (OCSE) will report any adjustments received as a result of the administrative review to the child support agency in the submitting state.

(4) CSEA responsibility for the administrative offset review of an intergovernmental case by a state other than Ohio.

(a) When a CSEA submits an obligor for federal income tax refund offset based on a support order that was issued by a state other than Ohio, the obligor may request an administrative offset review in the state with jurisdiction over the order.

(b) When the CSEA receives a request for an administrative offset review in the state with jurisdiction over the order, it shall send the following documentation to that state within ten days of the request for the administrative offset review:

(i) A certified copy of the support order and any modifications;

(ii) A certified copy of the payment history or affidavit of the obligee when:

(a) Any of the arrears are unassigned; and

(b) No official payment history exists for the case;

(iii) When any of the arrears are unassigned, the current address of the obligee; and

(iv) The amount of arrears submitted for offset.

(c) At the conclusion of the administrative offset review, the state that conducted the administrative offset review will notify the obligor and the state that submitted the obligor of the results of the administrative offset review. The state that submitted the obligor for offset will notify OCSE of the results of the review.

(d) OCSE or the other state will report any changes made by the other state as a result of the review to OCS which shall forward them to the CSEA.

(e) Any update to the arrears of a obligor that is made as a result of an administrative offset review has the same force and effect as an update that was made by the CSEA. The CSEA shall take the following actions:

(i) If the offset has already been made, the CSEA shall promptly take steps to refund any excess amount to the obligor; and

(ii) Report the state payment to OCS immediately but no later than five days from the date the payment is made.
CSPML 105

Effective Date: January 1, 2016
Most Current Prior Effective Date: September 1, 2011

(A) An obligor is subject to federal income tax refund offset when the following conditions have been met:
   (1) The federal income tax refund offset submission criteria has been met;
   (2) The federal office of child support enforcement (OCSE) has certified that the obligor is eligible for federal income tax refund offset; and
   (3) The internal revenue service has notified the financial management bureau of fiscal service (FMSBFS) that the obligor will receive a federal income tax refund.

(B) FMSBFS will satisfy submitted debts in the following priority:
   (1) Tax levy for federal tax debts;
   (2) Assigned and unassigned child support debts;
   (3) Other federal debts; and
   (4) State tax debts.

(C) The federal income tax refund offset process.
   (1) FMSBFS sends an offset notice to the obligor after FMS has processed the offset but before the office of child support (OCS) within the Ohio department of job and family services has been notified of the offset. FMSBFS will also send a notice to a joint federal taxpayer who filed taxes jointly with the obligor, advising the joint federal taxpayer of the steps required to protect the share of the tax refund that may be payable to the joint federal taxpayer.
   (2) When the obligor cannot be located, the federal tax refund offset will be reversed by FMSBFS.
   (3) FMSBFS notifies OCSE on a weekly basis of offsets and adjustments that occur.
   (4) OCSE issues to OCS the reports that include obligors for whom offsets and adjustments have occurred and the amounts of those offsets and adjustments. These reports are described in paragraph (C)(1) of rule 5101:12-50-32.8 of the Administrative Code.
   (5) FMSBFS sends the offset amounts to the Ohio office of the treasurer.
   (6) The Ohio office of the treasurer notifies the office of fiscal and monitoring services (OFSOFMS) within the Ohio department of job and family services of receipt of the offset amounts.
   (7) OFSOFMS then transfers the offset amounts, together with the amount of any fees and adjustments to cover one hundred per cent of the offset amount, to the Ohio child support payment central (CSPC) for disbursement.
   (8) CSPC processes the offset amount received to the appropriate order in the support enforcement tracking system (SETS).

(D) Offset amounts shall be considered collections in the month in which they are received and applied to any arrears of the obligor that met the offset criteria.

(E) When a state has CSENet collection (COL) transaction capability with Ohio, the COL P CITAX transaction will be automatically sent to the state by SETS whenever an offset collection is received.

(F) If the state does not have CSENet COL transaction capability with Ohio, or the child support enforcement agency (CSEA) determines that the transaction was not sent, the CSEA shall send the OMB 0970-0085, "Transmittal #3 - Request for Assistance/Discovery," to any other state that is involved in the enforcement of the intergovernmental case no later than three business days from the receipt of an offset amount in an intergovernmental case. The OMB 0970-0085 notifies the other state of the receipt of the offset amount.
Effective: 01/01/2016
Five Year Review (FYR) Dates: 09/15/2015 and 01/01/2021
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CSPMTL 105

Effective Date: January 1, 2016

Most Current Prior Effective Date: September 1, 2011

(A) The financial management bureau of fiscal service (FMSBFS) charges a service fee for each completed federal income tax refund offset. FMSBFS deducts the service fee from the offset amount prior to issuing the offset amount to the office of fiscal and monitoring services (OFMS) within the Ohio department of job and family services.

(B) Upon receipt, OFMS will transfer to the Ohio child support payment central (CSPC) the offset amount together with an amount equal to any fees or adjustments that had been deducted by FMSBFS.

(C) Upon receipt, CSPC will process the offset to the order in the support enforcement tracking system.

(D) When an adjustment of an offset as described in rule 5101:12-50-32.9 of the Administrative Code equals the full amount of the offset, FMSBFS will return the service fee to OFMS.

Effective: 01/01/2016

Five Year Review (FYR) Dates: 09/15/2015 and 01/01/2021

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(A) The office of child support (OCS) within the Ohio department of job and family services shall provide to the child support enforcement agency (CSEA) federal income tax refund offset reports. These reports contain information about federal income tax refund offset collections, federal adjustments, federal offset fees, federal filing status, and other identifying information.

(B) The CSEA shall review the federal income tax refund offset reports to identify any case for which it has administrative responsibility and take appropriate action as required in this rule.

(C) There are three categories of federal income tax refund offset reports that provide information to or require action by the CSEA:

1. Two information-only reports are created upon receipt of a tax offset file from the federal office of child support enforcement (OCSE). One report contains a list of all federal income tax refund offset collections and adjustments that may be automatically processed by the support enforcement tracking system (SETS) as long as there are no changes to the case in SETS that would prevent such automatic processing. The second report contains a list of all federal income tax refund offset collections and adjustments that cannot be automatically processed by SETS. The CSEA shall review the reports to determine whether any action must be taken to ensure the collections are processed appropriately.

2. Two collection and adjustment reports are created upon completion of the federal income tax refund offset process described in rule 5101:12-50-32.6 of the Administrative Code. One report contains a list of all collections and adjustments received from federal income tax refund offsets that were automatically processed by SETS. The second report contains a list of adjustments received from federal income tax refund offsets that could not be automatically processed by SETS.

When an adjustment appears on either report, the CSEA may need to collect any disbursed funds as described in rule 5101:12-50-32.9 of the Administrative Code. When the funds are recovered through the recoupment process, the CSEA may also request a manual check from the payment analysis and account reconciliation bureau (PAAR) within OCS in order to repay the administrative fund.

3. An exclusion report is created by child support payment central (CSPC) within OCS upon receipt of the federal tax offset file from OCSE that contains a list of all offsets that could not be automatically processed by SETS. The CSEA shall work with CSPC and PAAR to identify the collections that appear on this report so that they may be processed in SETS.
Federal Adjustments, State Payments, and Recovery of Disbursed Federal Tax Offset Collections

CSPMTL 135

Effective Date: April 1, 2018

Most Current Prior Effective Date: January 1, 2016

(A) This rule describes the federal tax offset adjustment process. There are certain circumstances, including invalid offsets, that require a federal income tax refund offset to be returned to the taxpayer (who may or may not be the obligor). This is accomplished either through a federal adjustment or a state payment.

(B) A federal adjustment may occur as a result of a number of circumstances, which include but are not limited to when:

1. An injured spouse claim is filed with the internal revenue service (IRS) and the injured spouse is entitled to a portion or all of the federal tax refund;

2. The obligor files an amended federal income tax return and the amount available for offset is reduced; or

3. The obligor files a federal income tax return using an incorrect social security number.

(C) The child support enforcement agency (CSEA) shall be required to issue a state payment to the taxpayer when:

1. The CSEA receives a federal tax refund offset in an amount greater than the arrears amount that was last accepted by the federal office of child support enforcement;

2. An obligor was submitted but did not meet the federal tax offset submission criteria;

3. An obligor was submitted with an incorrect arrears amount;

4. An obligor was submitted using an incorrect social security number;

5. An income tax refund offset review was conducted that resulted in a decrease in the arrears amount and the offset occurred before the update was processed; or

6. The obligor paid the arrears below the threshold after the tax offset occurred but prior to disbursement of the tax offset amount.

(D) The federal adjustment process.

1. When there is a federal tax offset adjustment, the tax offset collection is returned to the obligor and the bureau of fiscal services (BFS) reduces the amount of the tax offset that was previously disbursed to the state.

2. Injured spouse claims.

   a. When the IRS determines that an injured spouse is entitled to a portion or all of the federal tax refund, the IRS sends the refund directly to the injured spouse. When a refund is sent to an injured spouse via electronic funds transfer to a closed account, the amount due the injured spouse will be reversed by BFS.

   b. The CSEA may delay distribution of the federal tax offset collection received as the result of a joint return until it is notified by the IRS that the injured spouse has received the proper share of the refund, or for six months, whichever is earlier.

(E) The state payment process.

1. When a CSEA issues a state payment to an obligor, it shall report the state payment to the office of child support (OCS) within the Ohio department of job and family services (ODJFS) immediately but no later than five days from the date the payment is made using the JFS 07017 "Update of IRS Tax Refund Offset Submittal" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code).
(2) When the CSEA issues a state payment to an obligor and submits a JFS 07017 for that state payment, and then an additional state payment is made to that obligor for the same processing year, the CSEA shall submit a second JFS 07017 and report the total year-to-date amount for the processing year on the second JFS 07017.

(3) The CSEA shall include the processing year in the report of a state payment.

(F) Recovery of disbursed federal tax offset collection.

(1) When a federal adjustment is made on a collection that has been disbursed to assigned arrears, the disbursed collection shall be recovered from ODJFS.

(2) When a federal adjustment is made on a collection that has been disbursed to the obligee or an alternate payee, the CSEA shall recover the disbursed collection using one or both of the following options:

(a) The CSEA may recover the collection from the obligee or the alternate payee through the recoupment process described in rule 5101:12-80-05.6 of the Administrative Code.

(b) The CSEA may recover a collection disbursed to the obligee or alternate payee from the obligor by establishing an account for the case within the support enforcement tracking system (SETS) payable to the CSEA to recover the amount. When the CSEA establishes the account, the following shall apply:

(i) The CSEA shall use the "OTHER FEES NO PMT/ IRS ADJ REIMB" account in SETS where collections will allocate below all other support obligations in the allocation hierarchy. The account shall include any subsequent adjustment for which the CSEA uses this method of recovery;

(ii) The balance of the account shall not increase the total arrears owed by the obligor; and

(iii) The balance added to the account shall not exceed the amount expended by the CSEA and disbursed to the obligee or the alternate payee as support.

When the CSEA chooses to use the option described in paragraph (F)(2)(b) of this rule but doing so would increase the total arrears owed by the obligor on the case, the CSEA must instead use a combination of the options described in paragraphs (F)(2)(a) and (F)(2)(b) of this rule, or in the alternative must use the option described in paragraph (F)(2)(a) of this rule exclusively. The total combined amount of the balances created as a result of using the options described in paragraphs (F)(2)(a) and (F)(2)(b) of this rule shall not exceed the amount disbursed to the obligee or alternate payee.

The CSEA shall be responsible to track any account or accounts established pursuant to paragraph (F)(2) of this rule to ensure recovery of funds that have been disbursed to the obligee or alternate payee.

(3) When a CSEA has issued a state payment to a taxpayer in accordance with paragraph (C) of this rule but a federal adjustment subsequently occurs against the original tax offset collection that led to the state payment, the CSEA shall recover the state payment through the recoupment process described in rule 5101:12-80-05.6 of the Administrative Code.
Joint Refunds

CSPMTL 105

Effective Date: September 1, 2011 (No Change)

Most Current Prior Effective Date: September 1, 2011

A federal income tax refund offset collection from a joint return shall be disbursed as follows:

(A) Assigned arrears collections will be disbursed monthly to the Ohio department of job and family services.

(B) Unassigned arrears will be disbursed six months after receipt or upon notification that the injured spouse has received the proper share of the refund, whichever occurs earlier. For the purpose of this rule, the term "receipt" refers to the date the office of child support receives the reports described in paragraph (C)(1) of rule 5101:12-50-32.8 of the Administrative Code.

(C) Amounts in excess of any unassigned arrears will be disbursed to the obligor within two business days of the date the payment was applied to the order.

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The federal office of child support enforcement (OCSE) will refer an obligor who has been submitted for federal income tax refund offset to the United States department of state (DoS) for passport denial when the arrears of the obligor equal or exceed twenty-five hundred dollars in accordance with the Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120, Sta. 4 (2005), 42 U.S.C. 652, February 6, 2006.

Upon receipt of a passport application from an obligor who has been referred to DoS for a passport denial, DoS will take the following actions, as appropriate:

1. Issue a passport denial notice to the obligor; or
2. Refuse to issue a passport to the obligor.

A child support enforcement agency (CSEA) shall only request the release of the passport of an obligor that has been denied by DoS under any of the following criteria:

1. There is a case of mistaken identity and the CSEA has verified this information.
2. For leisure travel, the obligor has paid the arrears in full.
3. For employment or business travel:
   a. The obligor is required to provide:
      i. Documentation on company letterhead of current or prospective employment information, or
      ii. Information about funds on deposit in a financial institution for withholding purposes.
   b. In addition to the monthly support obligation, the obligor must pay a lump sum payment that either:
      i. Pays off all the arrears;
      ii. Pays the arrears so that the balance falls below the passport submission criteria, and the lump sum payment must be equal to at least one month’s obligation; or
      iii. Pays an amount that is acceptable by the CSEA but at least equal to one month’s obligation.
4. For the following extenuating circumstances, the CSEA may collect a lump sum payment as described in paragraph (C)(3)(b) of this rule. In addition, the office of child support (OCS) within the Ohio department of job and family services may request a copy of the documentation:
   a. The reason for travel is a family emergency (i.e. sickness, life or death circumstances) with supporting documentation that is accepted by the CSEA; or
   b. The obligor is a member of the military services whose passport is being issued by a special issuance agency of DoS and the obligor is required to travel with the military. The military member or the authorized representative must provide military travel papers or military orders.

When the CSEA accepts the request from an obligor to reverse the passport denial, the CSEA shall take the following action(s):

1. When the obligor requests the release of the passport for the reason listed in paragraph (C)(2) of this rule:
(a) The CSEA shall take the appropriate action in the support enforcement tracking system (SETS) to reverse the passport denial;

(b) The normal time frame for the release of the passport by DoS under this circumstance is approximately six to eight weeks.

(2) When the obligor requests the release of the passport for the reason listed in paragraph (C)(3) of this rule:
   (a) The CSEA shall prepare a federal notice of withdrawal of passport, which is available from the OCS passport coordinator;
   (b) The CSEA shall provide the OCS passport coordinator a copy of the notice of withdrawal and supporting documentation, and provide the obligor a copy of the notice of withdrawal. OCS will take the appropriate action in SETS to reverse the passport denial;
   (c) The time frame to release the passport by DoS under this circumstance is approximately one to three weeks.

(3) When the obligor requests the release of the passport for the reasons listed in paragraphs (C)(1) and (C)(4) of this rule:
   (a) The CSEA shall prepare a federal notice of withdrawal of passport, which is available from the OCS passport coordinator;
   (b) The CSEA shall provide the OCS passport coordinator a copy of the notice of withdrawal and supporting documentation, and provide the obligor a copy of the notice of withdrawal. OCS will take the appropriate action in SETS to reverse the passport denial.
   (c) The time frame to release the passport by DoS under this circumstance is approximately three to five business days.

(E) Should OCS determine that the requirements of this rule have not been met, OCS will contact the CSEA to obtain more information concerning the passport release. OCS may reverse the action taken by the CSEA when the requirements of this rule are not met.

Replaces: 5101:12-50-34

Effective: 01/01/2015

Five Year Review (FYR) Dates: 01/01/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 11/19/2014

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.25

Prior Effective Dates: 11/9/81, 6/10/82 (Emer), 9/13/82, 5/1/86 (Emer), 7/20/86, 11/1/86, 12/20/88, 3/18/89, 8/9/90, 4/1/91, 11/1/91, 7/1/92, 2/11/93, 9/1/94, 11/1/94, 1/1/96, 8/1/98, 5/1/01, 4/11/03, 7/1/06, 9/1/09
This rule describes the process a child support enforcement agency (CSEA) may use to enforce an Ohio court support order against a non-custodial parent through the United States (U.S.) district courts. This process is intended to gradually escalate the CSEA’s request for enforcement of an Ohio court support order from the local and state levels to the federal level. The CSEA should be aware that using the U.S. district courts to enforce an Ohio court support order could result in the other state receiving a penalty from the federal government for failure to cooperate.

A CSEA may submit a case to the office of child support (OCS) in the Ohio department of job and family services (ODJFS) for referral to a U.S. district court when a CSEA has requested the assistance of a IV-D agency in another state to enforce an Ohio court support order, and the other state has failed to enforce the order within a reasonable time. The case must be a IV-D case and the support order must have been issued by an Ohio court.

Requirements prior to submission of a case to OCS.

1. The CSEA shall make a request for assistance to the IV-D agency in the other state to enforce the court support order. The CSEA shall allow a minimum of sixty days for the IV-D agency in the other state to comply with the request.

2. When the other state does not undertake any action to enforce the court support order within sixty days of the receipt of the request, the CSEA shall send a thirty day notice to the central office of the IV-D agency in the other state. The thirty day notice shall inform the central office that:
   a. Satisfactory enforcement of the court support order has not occurred in response to the request for assistance; and
   b. When satisfactory enforcement of the court support order does not occur within thirty days from the date on which the thirty day notice is sent, the case will be submitted to OCS for referral to use a U.S. district court to enforce the court support order.

3. When the other state does not undertake any action to enforce the court support order within thirty days of receipt of the thirty day notice, the CSEA may submit the case to OCS for referral to a U.S. district court.

When the CSEA elects to submit a case to OCS for referral to a U.S. district court, the CSEA shall send to OCS the JFS 07073, "Request to Submit a Case to U.S. District Court" (rev. 12/2006 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), with the required documents attached, and any other documentation to support the referral.

When OCS finds the case accurate and complete, OCS shall forward the case and all the accompanying documentation to the federal office of child support enforcement (OCSE) for review. OCSE will determine whether the case is appropriate for filing in a U.S. district court and will advise OCS of the determination. If OCS does not forward the case to OCSE, OCS shall inform the CSEA of why the case was not forwarded.

The CSEA shall immediately notify OCS if the other state initiates action to enforce the court support order after the request has been submitted to OCS. OCS shall forward the information to OCSE.

OCS shall notify the CSEA of OCSE’s determination regarding the referral.

Effective: 03/01/2017

Five Year Review (FYR) Dates: 11/30/2016 and 03/01/2022

Certification: CERTIFIED ELECTRONICALLY
Date: 02/06/2017
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.11
Prior Effective Dates: 8/1/82, 2/11/93, 7/1/02, 1/1/07
This rule describes judicial enforcement actions that a child support enforcement agency (CSEA) with administrative responsibility is required to or may take in addition to other enforcement actions described in division 5101:12 of the Administrative Code. The enforcement actions described in this rule require the filing of a judicial motion or complaint. The CSEA shall consult with its legal counsel regarding the proper filing of actions described in this rule.

Required judicial enforcement actions that CSEAs shall take.

1. In accordance with section 3123.19 of the Revised Code, if a CSEA is notified by an obligor who is in default under a support order of a claim that he or she has against another person of one thousand dollars or more or if the CSEA determines that an obligor in default under a support order has a claim against another person or is a party in a pending judicial action, the CSEA shall immediately file either a motion to intervene or a creditor's bill with the court in which the action is pending.

2. In accordance with sections 3123.14 and 3123.15 of the Revised Code, when the child support order is terminated for any reason, and the obligor owes arrears, is or was in default at any time under the support order, and the obligor owes arrears after the termination of the order, the obligee may submit an application to the CSEA to obtain a judgment, execution of a judgment, or take any appropriate enforcement action. The CSEA shall commence the action within twenty days after completion of such application by the obligee to obtain an order to address the arrears.

Discretionary judicial enforcement actions that the CSEA may take. This paragraph does not preclude a CSEA from taking any additional judicial enforcement actions that may be appropriate, but are not listed in this rule.

1. In accordance with the provisions of section 2705.031 of the Revised Code, the CSEA may file a contempt action against an obligor for failure to pay support.

2. In accordance with section 2117.06 of the Revised Code, a CSEA may file a claim against the estate of an obligor who is deceased for the purpose of collecting any arrears that are due under the support order.

3. In accordance with section 3123.182 of the Revised Code, a CSEA may file an action for execution on a certified pay-off statement issued by a CSEA.

4. In accordance with sections 1336.01 to 1336.11 of the Revised Code, the CSEA may bring an action, subject to the limitations in section 1336.08 of the Revised Code, to obtain any relief the circumstances require against an obligor who makes a fraudulent transfer of assets or enters into a fraudulent obligation to avoid paying under the support order. Relief may include invalidation of the transfer or obligation to the extent necessary to satisfy the arrearage.

5. In accordance with the provisions of rule 65(A) (7/1/1970) of the Rules of Civil Procedure, the CSEA may file a request for a temporary restraining order with the court in which an action described in division 5101:12 of the Administrative Code has been filed if it appears to the CSEA that immediate and irreparable injury, loss or damage will result before the action can be heard.

6. In accordance with the provisions of Chapter 2329. of the Revised Code, the CSEA may file an action for execution against property owned by an obligor.

7. The CSEA may take action against a payor who fails to comply with the requirements of an income withholding or deduction notice as described in sections 3121.371 and 3121.381 of the Revised Code.
(8) The CSEA may file an action requesting a court to join the CSEA as a party to an action to enforce a support order.

(9) The CSEA may refer a case to the county prosecutor for possible criminal non-support action under section 2919.21 of the Revised Code.

Effective: 03/01/2017

Five Year Review (FYR) Dates: 11/30/2016 and 03/01/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 02/06/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 1336.01, 1336.02, 1336.03, 1336.04, 1336.05, 1336.06, 1336.07, 1336.08, 1336.09, 1336.10, 1336.11, 2117.06, 2705.031, 2919.21, 3123.14, 3123.15, 3123.182, 3123.19

Prior Effective Dates: 1/1/87 (Emer), 3/20/87, 11/11/88, 10/1/96, 1/1/98, 12/1/01, 4/18/03, 1/1/06, 12/1/06, 3/1/12
(A) This rule describes the process that the child support enforcement agency (CSEA) with administrative responsibility shall use to request the governor of this state to extradite from another state an obligor who has been charged with criminal non-support in accordance with section 2919.21 of the Revised Code. This rule also describes the steps that a CSEA is required to take in response to a request from the governor of this state and the prosecutor in the county where the CSEA is located when a demand for extradition is received by the governor of this state from the governor of another state.

(B) For purposes of this rule, the following definitions apply:

(1) "Governor" means an individual performing the functions of the executive authority of a state.

(2) "State" has the same meaning as in division (U)(Z) of section 3115.013115.102 of the Revised Code.

(C) Extradition of an obligor to Ohio.

(1) When an obligor has been charged with criminal non-support in accordance with section 2919.21 of the Revised Code, the CSEA may consult the prosecutor in the county where the CSEA is located in order to determine whether a request should be sent to the governor of this state regarding the extradition of the obligor from the state where the obligor is found.

(2) In accordance with sections 3115.53 and 3115.543115.801 and 3115.802 of the Revised Code, the governor of this state may, upon receipt from a prosecutor of a request as described in paragraph (C) of this rule, demand that the governor of another state extradite to Ohio an obligor who is found in the other state.

(3) Before requesting the extradition of an obligor from the governor of another state, the governor of this state has the authority to require a prosecutor of this state to demonstrate that, at least sixty days previously, a petition for support was initiated pursuant to the Uniform Interstate Family Support Act (UIFSA 2008), as defined in rule 5101:12-70-05 of the Administrative Code, or that such a petition would not be effective in enforcing the support order. When requested by the prosecutor, the CSEA shall prepare and submit a report to the prosecutor regarding the extradition of the obligor that contains either:

(a) A copy of a UIFSA petition filed at least sixty days prior to consulting with the prosecutor; or

(b) A statement from the CSEA establishing that a UIFSA petition would not be effective in the case where extradition is being requested.

(D) Surrender of an obligor found in Ohio to another state for extradition.

(1) In accordance with sections 3115.53 and 3115.543115.801 and 3115.802 of the Revised Code, the governor of this state has the authority, upon the demand of the governor in another state to surrender for extradition an obligor who is found in this state and who is criminally charged in the other state with having failed to pay support under a support order.

(2) Before surrendering an obligor for extradition to the governor of another state, the governor of this state has the authority to require a prosecutor of this state to investigate the demand and report whether a UIFSA petition has been initiated or that such petition would not be effective in enforcing the support order. When requested by the prosecutor, the CSEA shall immediately conduct an investigation of the case and prepare a report that contains either:

(a) A copy of a UIFSA petition filed at least sixty days prior to receipt of the demand; or

(b) A statement from the CSEA establishing that a UIFSA petition would not be effective in the case where extradition is being requested.
(E) After the governor receives the report described in paragraph (D)(2) of this rule, the governor has the authority to take one of the following actions:

(1) Submit the obligor to the other state for extradition;
(2) Delay honoring the demand for a reasonable time to permit initiation of a UIFSA petition; or
(3) Decline to honor the demand if a UIFSA petition is initiated and the obligor either prevails in the support action or is complying with the support order.

Effective: 07/01/2016
Five Year Review (FYR) Dates: 03/22/2016 and 07/01/2021
Certification: CERTIFIED ELECTRONICALLY
Date: 06/01/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 2919.21, 3115.102, 3115.801, 3115.802
Prior Effective Dates: 1/1/98, 1/1/06, 12/1/06, 3/1/12
(A) In accordance with section 3123.95 of the Revised Code, the office of child support (OCS), in the Ohio department of job and family services (ODJFS), may establish a program to increase child support collections by publishing and distributing a series of posters displaying child support obligors who are delinquent in their support payments. OCS shall use funds appropriated by the general assembly for child support administration to conduct an OCS poster program. The intent of the OCS poster program is to increase child support collections by publishing and distributing a series of OCS posters displaying child support obligors who are delinquent in their support payments. OCS may publish and distribute OCS posters annually.

(B) Each OCS poster shall include:

(1) Photographs of and information about ten obligors who meet the submittal criteria outlined in paragraph (C)(1) of this rule as confirmed by the child support enforcement agency (CSEA);

(2) A toll-free telephone number for OCS that the public may use to report information regarding the whereabouts of any of the obligors displayed on an OCS poster; and

(3) Any other information that OCS considers appropriate.

(C) In accordance with sections 3123.951 and 3123.952 of the Revised Code, any CSEA that chooses to participate in the OCS poster program shall:

(1) Confirm all of the following:

(a) That the obligor is subject to a support order being administered by an Ohio CSEA that has attempted to enforce the order via a public notice, wage withholding order, financial institution deduction order, assertion of a lien, or other court-ordered procedures;

(b) That the obligor's whereabouts are unknown or unable to be confirmed;

(c) That the obligor is not a participant in or recipient of Ohio works first (OWF); the prevention, retention, and contingency (PRC) program; disability financial assistance (DFA); supplemental security income (SSI); or supplemental nutrition assistance program benefits (SNAP);

(d) That the obligor has not filed for protection under federal bankruptcy codes;

(e) That written authorization was obtained from the obligee via the JFS 07021, "Authorization to Include Delinquent Obligor on Poster" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), to display the obligor on an OCS poster; and

(f) That a legal representative and an administrator of the CSEA have reviewed the case.

(2) Complete the JFS 07024, "Most Wanted List' Fact Sheet" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), and submit it along with a photograph and statement of possible locations of the obligor to OCS.

(D) The CSEA shall not submit the address of or any other personal information about the obligee when the CSEA submits the name of the obligor to OCS.

(E) OCS shall select obligors to be displayed from the names submitted by CSEAs, review the obligor's records, and confirm the CSEA's finding that the obligor meets the criteria for display on an OCS poster.

(F) In accordance with section 3123.956 of the Revised Code, OCS shall send a notice to each obligor whose name was submitted to be displayed on the OCS poster via the JFS 07022, "Notice to Obligor: Inclusion on Poster" (effective or revised effective date as identified in rule 5101:12-50-99 of the
Administrative Code), by ordinary, first class mail to the obligor's last known address. The JFS 07022 shall state that the obligor may avoid being included on the OCS poster by doing all of the following within ninety days after receipt of the JFS 07022:

1. Make a payment that is at least equal to the monthly obligation;
2. Provide the CSEA with a current address;
3. Provide the CSEA with evidence from each current employer of current wages, salary, and other compensation; and
4. Provide the CSEA with evidence that arrangements have been made for withholding from the obligor's wages, salary, or other compensation to pay support and arrears.

(G) When the CSEA determines that any obligor who was submitted to be displayed on an OCS poster has met the provisions in paragraph (F) of this rule, the CSEA shall immediately notify OCS of the determination by contacting the poster program coordinator in OCS by email, regular mail, or telephone. OCS shall remove the obligor from the list of names submitted before making the final selection.

(H) OCS will notify the CSEA when an obligor is selected for inclusion on the OCS poster.

(H)(I) When an obligor is selected for inclusion on the OCS poster, OCS shall notify the CSEA of the The CSEA shall notify the obligee of the obligor's selection via the JFS 07023, "Selection for 'Most Wanted List'" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code) and request the obligee to verify the information contained in the JFS 07023. If the information contained on the JFS 07023 has changed, the CSEA shall provide updated information to OCS.

Effective: 03/01/2017

Five Year Review (FYR) Dates: 11/30/2016 and 03/01/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 02/06/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3123.95, 3123.951, 3123.952, 3123.953, 3123.954, 3123.955, 3123.956, 3123.957, 3123.958

Prior Effective Dates: 7/15/92, 7/1/02, 1/1/06, 12/1/06, 3/1/12, 2/1/14
**CSPMTL 121**

**Effective Date: March 1, 2017**

**Most Current Prior Effective Date: December 1, 2006 (No Change)**

(A) Pursuant to section 3123.96 of the Revised Code, a child support enforcement agency (CSEA) may establish a program to increase child support collections by publishing and distributing a series of posters displaying child support obligors who are delinquent in their support payments. CSEA posters may be printed and displayed electronically.

(B) When a CSEA chooses to establish a CSEA poster program, each CSEA poster shall include:

1. Photographs of and information about ten obligors who meet the submittal criteria outlined in paragraph (C)(1) of rule 5101:12-50-65 of the Administrative Code as confirmed by the CSEA;
2. The CSEA's toll-free telephone number that the public may use to report information regarding the whereabouts of any of the obligors displayed on the CSEA poster; and
3. Any other information that the CSEA considers appropriate.

(C) The CSEA shall send a notice to each obligor who is being considered for display on a CSEA poster by ordinary, first class mail to the obligor's last known address. The CSEA may use the JFS 07022, "Notice to Obligor: Inclusion on Poster" (04/92 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code) for this purpose. The notice shall state that the obligor may avoid being included on the poster by doing all of the following within ninety days after receipt of the notice:

1. **Make** a payment that is at least equal to the monthly support obligation;
2. **Provide** the CSEA with a current address;
3. **Provide** the CSEA with evidence from each current employer of current wages, salary, and other compensation; and
4. **Provide** the CSEA with evidence that arrangements have been made for withholding from the obligor's wages, salary, or other compensation to pay support and arrears.

Effective: 03/01/2017

Five Year Review (FYR) Dates: 11/30/2016 and 03/01/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 02/06/2017

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3123.96 to 3123.962

Prior Effective Dates: 1/1/06, 12/1/06
Termination of a support order does not prevent a child support enforcement agency (CSEA) from enforcing any arrears that accrued under the support order.

In accordance with section 3123.22 of the Revised Code, when an obligor is paying off an arrearage owed under a support order the CSEA administering the support order may take any enforcement actions to collect any arrearage amount that has not yet been collected. These enforcement actions include but are not limited to:

1. The issuance of one or more JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support Income Withholding for Support" (rev. 05/2012 effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code);
2. The issuance of one or more JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012 effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code);
3. The attachment of a lump sum payment owed to the obligor;
4. The offset of any federal or state income tax refund owed to the obligor; or
5. The issuance of a financial institution withdrawal directive in accordance with rule 5101:12-55-10.3 of the Administrative Code.

When the obligee and obligor have agreed in a writing signed by the obligee and obligor that is approved by the court by journal entry that the additional actions should be limited to the offset of any federal or state income tax refund owed to the obligor, the CSEA shall limit its enforcement actions to offset of any federal or state income tax refund owed to the obligor.
The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 01834, "Notice of Ohio Income Tax Refund Offset for Child Support Overpayment" (12/2004);
(B) JFS 01835, "Notice of Ohio Income Tax Refund Offset for Overdue Support" (rev. 8/2005);
(C) JFS 01850, "Notice of Scheduled Income Tax Refund Offset Review" (rev. 1/2016);
(D) JFS 01851, "Notice of Denial of Request for Income Tax Refund Offset Review" (rev. 7/2008);
(E) JFS 01852, "Notice of Decision on Request for Collection of Child Support Overpayment" (12/2004);
(F) JFS 01853, "Notice Regarding Request to Reschedule Income Tax Refund Offset Review" (rev. 7/2008);
(G) JFS 01854, "Request for Collection of a Child Support Overpayment" (rev. 12/2004);
(H) JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012);
(I) JFS 04043, "Notice to Payor/Office of Unemployment Compensation/Financial Institution to Terminate the Withholding of Obligor's Income/Assets" (rev. 12/2005);
(J) JFS 04048, "Addendum to a Withholding Order" (rev. 11/2009);
(K) JFS 07017 "Update of IRS Tax Refund Offset Submittal" (rev. 4/2006/4/2018);
(L) JFS 07021, "Authorization to Include Delinquent Obligor on Poster" (04/92);
(M) JFS 07022, "Notice to Obligor: Inclusion on Poster" (04/92);
(N) JFS 07023, "Selection for 'Most Wanted List'" (04/92);
(O) JFS 07024, "'Most Wanted List' Fact Sheet" (04/92);
(P) JFS 07073, "Request to Submit a Case to U.S. District Court" (rev. 12/2006);
(Q) JFS 07544, "Administrative Review for Income Tax Refund Offset Review Results" (rev. 1/2016); and
5101:12-55 - Enforcement of the Support Order Based on Finding of Default
CSPMTL 136

Effective Date: April 15, 2008 (No Change)

Most Current Prior Effective Date: April 15, 2008 (No Change)

(A) The rules contained in Chapter 5101:12-55 of the Administrative Code describe the default process and subsequent enforcement techniques that are available to enforce the support order.

(B) As used in this chapter:

(1) "Default" means, pursuant to division (B) of section 3121.01 of the Revised Code, any failure to pay under a support order that is an amount greater than or equal to the amount of support payable under the support order for one month.

(2) "Mistake of fact" means an error in the amount of the current support obligation or the arrears or in the identity of the obligor.

(3) "Period of default" means, pursuant to division (D) of section 3123.01 of the Revised Code, the period beginning on the date a default under a support order is identified and ending on the date the total arrearage amount owed under the order is paid.

Five Year Review (FYR) Dates: 3/1/2018 and 03/01/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 03/01/2018

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3121.01, 3123.01

CSPMTL 136

Effective Date: February 1, 2016 (No Change)

Most Current Prior Effective Date: February 1, 2016

(A) At the end of each month, the support enforcement tracking system (SETS) identifies every obligor who appears to meet the default criteria.

(B) Upon identifying that an obligor appears to meet the default criteria and the case meets the automatic income withholding criteria, SETS will issue a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), to the obligor's current employer and the obligor.

(1) When a JFS 04047 is to be issued and a payment on arrears does not already exist, SETS will add a payment on arrears to the support order in an amount that represents twenty per cent of the current support obligation in accordance with section 3123.21 of the Revised Code.

(2) When a JFS 04047 is to be issued and a payment on arrears is added to the support order, SETS will issue a JFS 07083, "Notice to Obligor Regarding Default and 20% Payment on Arrears" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the obligor.

(C) In accordance with section 3123.022 of the Revised Code:

(1) A JFS 04047 that is issued in accordance with this rule does not affect the obligor's right to request an administrative mistake of fact hearing; and

(2) The CSEA shall not alter or terminate a JFS 04047 that had been issued upon the identification of default should the obligor timely file a request for an administrative mistake of fact hearing.

(D) Approximately fifteen days after SETS identifies that an obligor meets the default criteria, the office of child support (OCS) within the Ohio department of job and family services will issue a JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the last known address of the obligor. In accordance with section 3123.07 of the Revised Code, the failure of OCS to issue the JFS 04049 does not affect the ability of any CSEA to issue any notice or order for the payment of support, does not provide any defense to any notice or order for the payment of support, and does not affect any obligation to pay support.

Five Year Review (FYR) Dates: 3/1/2018 and 03/01/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 03/01/2018

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3123.021, 3123.022, 3123.03, 3123.061, 3123.07, 3123.21

CSPMTL 136

Effective Date: February 1, 2016 (No Change)

Most Current Prior Effective Date: February 1, 2016

(A) After an obligor is identified as appearing to meet the default criteria and before the JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), is issued, the child support enforcement agency (CSEA) shall conduct an investigation to determine:

1. Whether the obligor is in default;
2. The amount of any arrears;
3. The employment status of the obligor;
4. The obligor's social security number;
5. The name and business address of the obligor's employer or other source of income; and
6. Any other information necessary for the CSEA to:
   a. Issue a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code);
   b. Issue a JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code);
   c. Recommend that the court issue a cash bond order in accordance with rule 5101:12-50-15 of the Administrative Code; or
   d. Issue or recommend that the court issue a seek work order in accordance with rule 5101:12-50-17 of the Administrative Code.

(B) During the investigation the CSEA may also secure any other information necessary to enforce the support order including whether the obligor:

1. Owns any real or personal property;
2. Has any funds in a financial institution account as indicated on the financial institution data match report; or
3. Holds any professional, recreational, and/or driver's license.

(C) When the CSEA concludes the investigation and determines that no default exists, the CSEA shall terminate the default proceedings. If a JFS 04047 or JFS 04017 was issued upon the identification of default, the CSEA shall revise the JFS 04047 or JFS 04017 to collect the support owed under the support order.

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The JFS 07083, "Notice to Obligor Regarding Default and 20% Payment on Arrears" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), and the JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), inform the obligor of the obligor's right to contest the default and any new payment on arrears by requesting an administrative mistake of fact hearing. The obligor must file the request for an administrative mistake of fact hearing with the child support enforcement agency (CSEA) within seven business days of the date the JFS 07083 or JFS 04049 was issued. When an obligor submits a request for an administrative mistake of fact hearing within seven business days of the date the JFS 07083 was issued and a second request for an administrative mistake of fact hearing within seven business days of the date the JFS 04049 was issued, the CSEA shall combine both requests into one administrative mistake of fact hearing.

When an obligor files a timely request for an administrative mistake of fact hearing with the CSEA, the CSEA shall:

1. Schedule the administrative mistake of fact hearing to be held on a date no later than ten days after the date that the obligor files the administrative mistake of fact hearing request; and
2. Issue a JFS 07052, "Notice of Administrative Mistake of Fact Hearing" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the last known addresses of the obligor and obligee no later than five days before the date on which the administrative mistake of fact hearing is scheduled to be conducted.

The CSEA may deny a request for an administrative mistake of fact hearing if the request is not timely filed.

At the administrative mistake of fact hearing, the CSEA shall:

1. Consider testimony and evidence regarding an obligor's assertion that a mistake of fact exists on the JFS 04049 or the JFS 07083;
2. Determine whether a mistake of fact exists on the JFS 04049 or the JFS 07083;
3. When the obligor disputes the new arrears payment, consider any evidence the obligor presents regarding household expenditures, income variables, extraordinary health care issues, and other reasons for a deviation from the presumed minimum payment on arrears, pursuant to section 3123.21 of the Revised Code, and determine whether to deviate from the presumed payment on arrears;
4. Issue the administrative determination to the obligor within five business days of the date the administrative mistake of fact hearing is held;
5. Record the results of the administrative mistake of fact hearing in the support enforcement tracking system (SETS); and
6. Make any necessary changes in SETS based on the administrative mistake of fact hearing determination.

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A final and enforceable determination of default and of the amount of arrears owed exists when:

1. The office of child support (OCS) within the Ohio department of job and family services issues a JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the obligor and the obligor does not request an administrative mistake of fact hearing within seven business days of the date the JFS 04049 was issued. The amount of arrears owed pursuant to the determination of default is the amount indicated on the JFS 04049.

2. The obligor requests an administrative mistake of fact hearing on the JFS 04049 but does not request a court hearing within seven business days of the date of the administrative mistake of fact hearing determination was issued. The amount of arrears owed pursuant to the determination of default is the amount indicated on the administrative mistake of fact hearing determination.

3. The obligor requests a court hearing on the administrative mistake of fact hearing determination and the court issues a determination. The amount of arrears owed pursuant to the determination of default is the amount indicated on the court determination.

Within fifteen days of the date that a JFS 04049 becomes a final and enforceable determination of default, the child support enforcement agency (CSEA) shall:

1. When a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), or JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), was not issued upon identification of default, issue a JFS 04047 or JFS 04017 to any available income or source of funds.

2. When a JFS 04047 or JFS 04017 was issued and the final and enforceable determination of default altered the arrears payment amount stated in the JFS 04049, issue a revised JFS 04047 or JFS 04017, when necessary.

3. When a JFS 04047 or JFS 04017 was issued and the final and enforceable determination of default did not alter the arrears payment amount stated in the JFS 04049, permit the JFS 04047 or JFS 04017 to remain in effect.

When an obligor is subject to a final and enforceable determination of default, the CSEA shall enforce the support order using all required enforcement techniques, and may use any additional appropriate enforcement techniques, described in Chapters 5101:12-50 and 5101:12-55 of the Administrative Code.
This rule and its supplemental rules describe the procedures that a child support enforcement agency (CSEA) shall use when it elects to utilize the financial institution data match (FIDM) program to enforce a support order after a final and enforceable determination of default has been made against the obligor.

The CSEA shall document in its handbook of internal procedures the CSEA's criteria for initiating and utilizing the FIDM program as an optional enforcement technique.

The following terms and definitions apply to this rule and its supplemental rules:

1. "Access restriction" means, in accordance with section 3123.24 of the Revised Code, that funds within an account may not be withdrawn or transferred. For Ohio FIDM purposes, the access restriction is accomplished via the JFS 04050, "Financial Institution Account Access Restriction" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code).

2. For the purposes of this rule, "account" refers to a demand deposit account, checking account, negotiable withdrawal order account, savings account, time deposit account, money-market mutual fund account, or similar account that may be readily converted to cash.

3. "FIDM report" refers to the results from a data match that occurs between the support enforcement tracking system (SETS) and the information obtained from financial institutions doing business in Ohio as described in rule 5101:12-1-90 of the Administrative Code. The office of child support (OCS) within the Ohio department of job and family services (ODJFS) will make the FIDM report available to the CSEA.

4. "Financial institution" means, in accordance with section 3121.01 of the Revised Code, a bank, savings and loan association, credit union, regulated investment company or mutual fund.

5. "Withdrawal directive" means an order to a financial institution to withdraw a specific amount of funds from an obligor's account and transmit the withdrawn funds to OCS. For Ohio FIDM purposes, the withdrawal directive is accomplished via the JFS 04055, "Financial Institution Account Withdrawal Directive" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code).

Before the CSEA elects to impose an access restriction on an account, the CSEA shall:

1. Verify that a final and enforceable determination of default has been made against the obligor, as described in rules 5101:12-55-03 to 5101:12-55-03.4 of the Administrative Code. For purposes of the FIDM program, a JFS 04049, "Notice to Obligor of Default and Potential Action" (rev. 08/1999, 10/2001, 04/2003, or 05/2005, or 8/2010), must have been issued on or after August 17, 1999.

2. Verify that the obligor has not filed for bankruptcy protection. When the CSEA determines that the obligor has filed for bankruptcy protection, the CSEA shall not use the FIDM program to enforce a support order unless the bankruptcy has been discharged or other relief from bankruptcy protection has been secured by the CSEA.

3. Determine whether the obligor is receiving or has received supplemental security income (SSI) benefits. When the obligor is receiving or has received SSI benefits, the CSEA shall determine whether any amount of funds in the account represents SSI benefits. When any funds in the account represent SSI benefits, the CSEA shall not use the FIDM program to seize monies identified as SSI.
When the CSEA chooses to utilize the FIDM process to seize non-SSI funds in an account that also contains SSI funds, the CSEA shall complete an investigation to identify the source of the non-SSI funds in the account.

(D) Any funds withdrawn from an account that are later identified as SSI shall be returned to the obligor from the CSEA administrative fund described in rule 5101:9-6-83 of the Administrative Code within two business days of the CSEA determination that the funds were SSI, including any bank fees charged to the obligor when the withdrawal resulted in the account having insufficient funds.

The CSEA may recover the funds identified as SSI from the obligee or the alternate payee through the recoupment process described in rule 5101:12-80-05.6 of the Administrative Code.

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Child support enforcement agency (CSEA) investigation of an account.

In accordance with section 3123.27 of the Revised Code, when the CSEA elects to utilize the financial institution data match (FIDM) program to enforce a support order, the CSEA shall investigate the account. The financial institution is required to cooperate with the CSEA's investigation of the account. During the investigation, the CSEA shall:

1. Determine the amount of funds within the account that is available to satisfy the obligor's arrears under a support order within five business days from the date the FIDM report is made available to the CSEA; and

2. Determine whether the obligor's account is with a financial institution that conducts business in Ohio.
   
   a. When the CSEA determines that the account is with a financial institution that conducts business in Ohio, the CSEA shall follow the procedures described in paragraph (B) of this rule.

   b. When the CSEA determines that the account is with a financial institution that does not conduct business in Ohio, the CSEA shall follow the procedures described in paragraph (D) of this rule.

Imposing an access restriction on an account when the account is with a financial institution that conducts business in Ohio.

The CSEA shall issue:

1. The JFS 04050, "Financial Institution Account Access Restriction" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code) by first class mail to the financial institution in which the obligor's account is maintained; and

2. A copy of the JFS 04050 by first class mail to the obligor.

For purposes of paragraphs (D), (E) and (F) of this rule, the following definitions apply:

1. "Assisting state" refers to the state that assists the requesting state in imposing an access restriction on an account and issuing a withdrawal directive.

2. "Requesting state" refers to the state that requests assistance from the assisting state in imposing an access restriction on an account and issuing a withdrawal directive.

Imposing an access restriction on an account when the account is with a financial institution that does not conduct business in Ohio.

1. The CSEA shall assume the role of the requesting state, and request assistance from the state in which the financial institution conducts business.

2. The state in which the financial institution conducts business will assume the role of the assisting state.

3. The case shall not be considered an interstate case.

4. The CSEA shall issue to the obligor the JFS 04049, "Notice to Obligor of Default and Potential Action" (rev. 05/2005 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), unless the CSEA has already issued the JFS 04049 to the obligor for the current period of default.

5. The CSEA shall determine the requirements of the assisting state with regard to imposing an access restriction on the account and issuing a withdrawal directive. State-specific data is
(6) The CSEA shall request that the assisting state impose an access restriction on the account and issue a withdrawal directive.

(7) The CSEA shall provide the assisting state with the following information:
   (a) The account number and the name and address of the financial institution by providing a copy of the FIDM report;
   (b) The amount to be withdrawn;
   (c) A copy of the JFS 04049 that was issued to the obligor to verify to the assisting state the amount of the obligor's arrears and that due process under Ohio law has been completed; and
   (d) Any other necessary information that the assisting state requires from the CSEA.

(E) Imposing an access restriction on an account when the case is in a requesting state and the financial institution does not conduct business in the requesting state but conducts business in Ohio. The requesting state will make its request through the ODJFS interstate central registry, which will forward the request to the CSEA located in the same Ohio county as the financial institution.

(1) The CSEA shall assume the role of the assisting state.

(2) The other state will assume the role of the requesting state, and request that the CSEA impose an access restriction on the account and issue a withdrawal directive.

(3) The CSEA shall not open a case in SETS.

(4) The case shall not be considered an interstate case.

(5) The requesting state will provide the CSEA with the following information:
   (a) The account number and the name and address of the financial institution;
   (b) The amount to be withdrawn;
   (c) The amount of the arrears and certification that due process under the requesting state's laws has been completed;
   (d) Whether the account is a "sole" or "joint account"; and
   (e) Any other necessary information that the CSEA requires from the requesting state.

(6) The CSEA shall issue:
   (a) The JFS 04050 by first class mail to the financial institution; and
   (b) A copy of the JFS 04050 by first class mail to the obligor.

(F) After the CSEA issues a JFS 04050 or the assisting state imposes an access restriction on the account, the CSEA shall determine whether a person other than the obligor has an ownership interest in the account.

(1) When the CSEA determines that another person has an ownership interest in the account, the CSEA shall proceed with the administrative hearing process, in accordance with rule 5101:12-55-10.2 of the Administrative Code.

(2) When the CSEA determines that the obligor is the only person having ownership interest in the account, the CSEA shall issue the JFS 04055, "Financial Institution Account Withdrawal Directive" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), in accordance with rule 5101:12-55-10.3 of the Administrative Code.

(G) In accordance with section 3123.26 of the Revised Code, after the financial institution receives the JFS 04050 from a CSEA or an access restriction notice from another state, the financial institution is
required to promptly place an access restriction on the account. The access restriction remains in effect until:

(1) The financial institution complies with a JFS 04055 from a CSEA;
(2) The financial institution complies with a withdrawal directive from a court; or
(3) A CSEA or a court orders the financial institution to release the access restriction.

(H) Release of an access restriction from an account.

(1) When the obligor is no longer in default, the CSEA shall issue:

(a) The JFS 04051, "Financial Institution Account Full or Partial Release of Access Restriction" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), by first class mail to the financial institution in which the obligor's account is maintained, for a release on the total amount of funds in the account; and

(b) A copy of the JFS 04051 by first class mail to the obligor.

If the obligor is determined to be in default at a later date, the CSEA may again consider utilizing the FIDM program.

(2) When, after the CSEA has imposed an access restriction on the account, the CSEA becomes aware of an amount of funds in the account that represents SSI benefits, the CSEA shall issue:

(a) The JFS 04051 by first class mail to the financial institution in which the obligor's account is maintained, for a release on the amount of funds in the account that represent SSI; and

(b) A copy of the JFS 04051 by first class mail to the obligor.

(3) When the CSEA determines that a legal restriction exists on the account that prevents the obligor from withdrawing the funds, the CSEA shall issue:

(a) The JFS 04051 by first class mail to the financial institution in which the obligor's account is maintained, for a release on the amount of funds in the account that is legally restricted; and

(b) A copy of the JFS 04051 by first class mail to the obligor.

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(A) After the child support enforcement agency (CSEA) issues a JFS 04050, "Financial Institution Account Access Restriction" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), the CSEA shall determine whether a person other than the obligor has an ownership interest in the account.

For purposes of this rule, the person other than the obligor who has an ownership interest in the account is referred to as a "joint account owner" and includes "another person," as described in paragraph (B) of this rule.

(B) When the CSEA determines that there is a joint account owner, the CSEA shall issue the JFS 04052, "Notice to Person, Other than Child Support Obligor, Having Ownership Interest in an Account" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), by first class mail to the joint account owner at an address for the joint account owner contained in the records of the financial institution.

When the address of the joint account owner is not contained in the records of the financial institution, the CSEA shall issue the JFS 04052 by first class mail to the joint account owner in care of another person whose address is contained in the records of the financial institution concerning the account.

(C) Administrative hearing procedures.

(1) Administrative hearing time frames.

(a) The joint account owner shall have ten days from the date the JFS 04052 is issued to object to the withdrawal directive by returning the JFS 04052 to the CSEA.

(b) When the joint account owner fails to return the JFS 04052 to the CSEA within the ten-day timeframe, the CSEA shall issue the JFS 04055, "Financial Institution Account Withdrawal Directive" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), in accordance with rule 5101:12-55-10.3 of the Administrative Code.

(2) Conducting the administrative hearing.

(a) When the joint account owner returns the JFS 04052 to the CSEA within the ten-day timeframe, the CSEA shall:

(i) Issue the JFS 04053, "Notice of Administrative Hearing in Regard to Account Ownership" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), by first class mail to the joint account owner no later than five days before the date the administrative hearing is to be conducted; and

(ii) Conduct the administrative hearing no later than ten days after the date the joint account owner returns the JFS 04052 to the CSEA.

(b) At the administrative hearing, the CSEA shall:

(i) Permit the joint account owner to present testimony and evidence at the administrative hearing only in regard to the issue of whether any amount, and how much, if any, of the amount, contained in the account is the property of the joint account owner and should not be subject to the withdrawal directive; and

(ii) Determine whether any amount contained in the account is the property of the joint account owner.

(3) Administrative hearing determination.
(a) When the CSEA determines that the total amount of funds in the account is the property of the joint account owner, the CSEA shall:

(i) Issue the JFS 04054, "Notice of Determination on Amount of Ownership" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), by first class mail to the joint account owner;

(ii) Issue the JFS 04051, "Financial Institution Account Full or Partial Release of Access Restriction" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), by first class mail to the financial institution in which the obligor's account is maintained, for a release on the account;

(iii) Issue a copy of the JFS 04051 by first class mail to the obligor; and

(iv) Take no further enforcement action on the account.

(b) When the CSEA determines that no amount of funds in the account is the property of the joint account owner, the CSEA shall:

(i) Issue the JFS 04054 by first class mail to the joint account owner; and

(ii) Wait ten days to allow the joint account owner to file a written motion with the court as described in paragraph (D)(1) of this rule.

When the joint account owner does not file a timely motion with the court, the CSEA shall issue the JFS 04055, in accordance with rule 5101:12-55-10.3 of the Administrative Code.

(c) When the CSEA determines that a partial amount of funds in the account is the property of the joint account owner, the CSEA shall:

(i) Determine that amount;

(ii) Issue the JFS 04054 by first class mail to the joint account owner;

(iii) Issue the JFS 04051 by first class mail to the financial institution in which the obligor's account is maintained, for a release on the amount of funds in the account that is the property of the joint account owner and take no further enforcement action on that amount;

(iv) Issue a copy of the JFS 04051 by first class mail to the obligor; and

(v) Wait ten days to allow the joint account owner to file a written motion with the court as described in paragraph (D)(1) of this rule.

When the joint account owner does not file a timely motion with the court, the CSEA shall issue the JFS 04055, in accordance with rule 5101:12-55-10.3 of the Administrative Code.

(D) Court hearing.

(1) In accordance with section 3123.34 of the Revised Code, the joint account owner has ten days after the CSEA makes its determination to file a written motion with the court of common pleas of the county served by the CSEA for a hearing to determine whether any amount contained in the account is the property of the joint account owner.

(2) When the joint account owner files a timely motion with the court, the court is required to hold a hearing on the request in accordance with section 3123.35 of the Revised Code.

(3) In accordance with section 3123.36 of the Revised Code, the court may order the financial institution to:

(a) Release the access restriction on the account and take no further enforcement action on the account;
(b) Release the access restriction on a partial amount of funds in the account and order the CSEA to take no further enforcement action on those funds; or

(c) Withdraw funds pursuant to a withdrawal directive, in accordance with section 3123.37 of the Revised Code.

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In accordance with section 3123.28 of the Revised Code, when the child support enforcement agency (CSEA) proposes to intercept an obligor's funds in an account for purposes of the financial institution data match (FIDM) program, and after the CSEA issues a JFS 04050, "Financial Institution Account Access Restriction" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), in accordance with rule 5101:12-55-10.1 of the Administrative Code, the CSEA shall issue:

1. The JFS 04055, "Financial Institution Account Withdrawal Directive" (rev. 09/2006 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), by first class mail to the financial institution in which the obligor's account is maintained; and
2. A copy of the JFS 04055 by first class mail to the obligor.

In accordance with sections 3123.36 and 3123.37 of the Revised Code, when the court determines that any of the funds in an account are not the property of the joint account owner, the court is required to issue a withdrawal directive to the financial institution.
This rule describes the procedures that a child support enforcement agency (CSEA) shall use when it decides to assert a lien on real or personal property that is owned by an obligor who has been determined to be in default under a support order. Obtaining a lien does not affect any other legal remedies available against obligors or their property by persons entitled to receive support that is in arrears.

A lien can be attached to real property (real estate) that must be paid off before a subsequent purchaser can take the property free of the creditor’s claim. Sections 3123.66 and 3123.67 of the Revised Code provide for the assertion of a lien against real and personal property by the CSEA. Section 3123.73 of the Revised Code provides that a CSEA is entitled to have real and personal property subject to the lien sold in accordance with section 3123.74 of the Revised Code. Chapter 2329. of the Revised Code provides for securing a lien against real property. Chapter 2715. and section 4505.13 of the Revised Code provide for the attachment of personal property that includes, but is not limited to, items such as motor vehicles, guns, electronic equipment, jewelry, and musical instruments.

CSEA assertion of a lien on real or personal property located in Ohio.

Pursuant to section 3123.66 of the Revised Code, when a court or CSEA has issued a final and enforceable determination that an obligor is in default, the CSEA may assert a lien on any or all of the obligor’s real and personal property that is located in Ohio.

When the CSEA asserts a lien, the lien shall include the amount of the arrears determined to be in default and any amounts due for current support that are in arrears after the date of the default determination.

When the CSEA asserts a lien on real or personal property, it may file the lien with the county recorder in each Ohio county in which the CSEA knows that the obligor’s real or personal property that is subject to the lien is located. If requested by the county recorder, the CSEA shall include any additional documentation or a self-addressed, stamped envelope for the return of the filed lien.

A CSEA may enter into a contract with the county recorder using procedures described in rules 5101:12-1-80 to 5101:12-1-80.4 of the Administrative Code for the purpose of reimbursing the recorder for the cost of filing liens.

After the CSEA files a lien, the lien shall apply to after acquired property as well.

In accordance with section 3123.69 of the Revised Code, a CSEA shall, no later than ten days after filing a lien, serve a copy of the lien by regular mail on both the obligor whose real or personal property is subject to the lien and the person or state agency in possession or control of any real or personal property of the obligor.

Pursuant to section 3123.70 of the Revised Code, a lien shall:

(a) Have priority over liens, mortgages, security interests, or other types of encumbrances that are associated with the property that arise after the date the lien is filed; and

(b) Not have priority over liens, mortgages, security interests, or other types of encumbrances associated with the property that arose on or before the date the lien was filed.

After service of process as described in paragraph (C)(4) of this rule has occurred, any person or state agency that releases, sells, transfers, or conveys real or personal property subject to the lien to or for the benefit of the obligor or any other person, or fails or refuses to surrender property for the execution sale shall be liable for the support arrears that are the basis of the
lien. This liability includes costs, interest, and reasonable attorney's fees of the opposing party pursuant to section 3123.77 of the Revised Code.

(D) CSEA assertion of a lien on real or personal property located in another state.

(1) When a CSEA determines that an obligor owns or may own real or titled personal property located in a state other than Ohio, the CSEA may send an OMB 0970-0153, "Notice of Lien," to the state in which the property is located. The CSEA may contact the interstate central registry in the state where the property is located to determine the appropriate location where the OMB 0970-0153 should be sent. This form may be accessed on the internet at the following website address: http://www.acf.hhs.gov/programs/css/resource/notice-of-lien-form-instructions.

(E) Responding to a lien issued by another state.

(1) When the office of child support (OCS) within the Ohio department of job and family services (ODJFS) receives a copy of a lien filed in another state, a copy of the child support order, and a copy of the court or administrative determination finding the obligor to be in default under the child support order, OCS shall examine the lien and other documents and determine whether the lien is in compliance with federal child support law and regulations.

(2) When OCS determines that the lien is in compliance with federal child support law and regulations based on the documentation received, OCS shall determine in which Ohio county or counties the obligor's real or personal property that may be subject to the lien is located.

(3) On making the determination, OCS shall send a copy of the lien to the CSEA in each county in which the property is located.

(4) Upon receipt of the lien from OCS, the CSEA shall assert the lien in accordance with paragraph (C) of this rule.

(5) In accordance with section 3123.68 of the Revised Code, OCS and each court and CSEA shall give full faith and credit to a lien that is similar to a lien described in section 3123.67 of the Revised Code that was established by an authorized agency of another state.

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Rule Amplifies: 3123.66, 3123.67, 3123.70, 3123.73, 3123.74, 3123.77, 3123.78, 3125.03

This rule describes the process that a child support enforcement agency (CSEA) shall use when it decides to execute on a lien on personal or real property of an obligor that has been asserted by the CSEA in accordance with rule 5101:12-55-20 of the Administrative Code.

For purposes of this rule, "execution" means a process issued by a court which directs the sheriff of a county to sell either real or personal property owned by a particular obligor upon which a CSEA has placed a lien. Execution on liens shall be done in accordance with Chapter 2329. of the Revised Code.

Because an execution is a complex and expensive procedure involving advertising and publication costs, court fees, filing fees, auctioneer's fees, possible storage fees, bonds, title transfer costs, appraisal costs, title search fees, and service of process, the CSEA should carefully consider each of the following factors before making a decision to execute on a lien:

1. The existence of prior liens or secured creditors. Prior liens and security interests can be determined by checking title record and other public records;
2. The obligor's right to claim an exemption in the property to be seized and the amount of the exemption allowable in accordance with section 2329.66 of the Revised Code;
3. Whether there are co-owners of the property who may have an interest in the property;
4. The value of the obligor's equity interest in the property relative to the value of any mortgages, loans, other liens, or encumbrances which may be attached to the property;
5. The estimated current market value and potential sale price of the property relative to the obligor's equity interest in that property;
6. The storage cost of the property, if any, and the speed with which it must be sold to minimize the cost and not jeopardize the property;
7. The execution notice and sale costs;
8. Whether the estimated sale proceeds will produce a significant payment on the arrears;
9. The need for immediate execution if bankruptcy is a strong possibility; and
10. The position the obligor will be in after the property is sold and whether the seizure of the property will decrease the obligor's ability to earn a living or result in long term indigence.

Execution of a lien.

To execute on a lien, the CSEA shall file a complaint in the appropriate court of the county where the property is located in accordance with section 3123.74 of the Revised Code. The complaint shall be filed:

(a) In the court in the county where the support order was issued if the property is located in that county; or
(b) In the court of common pleas in the county where the property is located if the support order was issued in a state other than Ohio or if the child support order was issued by a county other than the one in which the property is located.

The complaint shall contain all of the following in accordance with the requirements of section 3123.74 of the Revised Code:

(a) A statement that the CSEA has obtained a lien on real and personal property of the obligor that is located in the county;
A statement that the CSEA is entitled to have the property sold and have the proceeds of the sale applied to the child support arrearage in the case; and

A request that the court issue an order for the property to be sold by an execution sale in accordance with Chapter 2329. of the Revised Code.

On receipt of a complaint, the court will conduct a hearing to determine whether the court has jurisdiction and whether the CSEA has obtained a lien pursuant to section 3123.74 of the Revised Code.

The court will issue an order requiring the property to be sold by execution sale in accordance with Chapter 2329. of the Revised Code, if it determines that the court has jurisdiction and that the CSEA has obtained a lien in accordance with section 3123.74 of the Revised Code.

If a CSEA has sent a Uniform Interstate Family Support Act petition to a child support agency in a responding state requesting enforcement of a support order, as described in rule 5101:12-70-05.5 of the Administrative Code, and the child support agency in the responding state has placed a lien on personal or real property owned by the obligor, the CSEA may request that the child support agency in the responding state execute on the lien using the applicable laws of the responding state.

If a CSEA has sent an OMB 0970-0153, "Notice of Lien," to another state and the other state has placed a lien on personal or real property owned by the obligor, the CSEA may request that the other state execute on the lien using the applicable laws of that state. This form may be accessed on the internet at the following website address: www.acf.hhs.gov/programs/css/resource/notice-of-lien-form-instructions.

A sale of real or personal property extinguishes the lien associated with the property pursuant to section 3123.75 of the Revised Code.

Discharge of a lien imposed by a CSEA.

A lien filed with the county recorder shall be effective until the county recorder discharges the lien.

A county recorder shall discharge the lien within five days after the CSEA files a JFS 07006, "Discharge of lien" (rev. 12/2005 effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), requesting that the lien be discharged.

The CSEA shall file the JFS 07006 requesting that the county recorder discharge the lien if one of the following applies:

(a) The lien is satisfied by an execution sale pursuant to Chapter 2329. of the Revised Code;

(b) The obligor makes full payment of the arrears to the office of child support, child support payment central;

(c) An appropriate withholding or deduction notice or other appropriate order as described in section 3121.03, 3121.04, 3121.05, 3121.06, or 3121.12 of the Revised Code has been issued to collect current support and any arrears and the obligor is complying with the notice or order;

(d) A new support order has been issued or the support order has been modified and the obligor is complying with the new or modified support order; or

(e) The CSEA requests the discharge of the lien in accordance with paragraph (E)(4) of this rule.

At any time a CSEA may request the discharge of a lien on all or part of the property of the obligor or return seized property without liability in accordance with section 3123.76 of the Revised Code if:

(a) Assurance of payments is deemed adequate by the CSEA; or

(b) The discharge will facilitate the collection of the arrears for which the lien was imposed.
The discharge of a lien or the return of property does not prevent further action by the CSEA to collect arrears on the case.

Effective: 02/01/2016

Five Year Review (FYR) Dates: 10/29/2015 and 02/01/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 01/05/2016

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3123.71, 3123.72, 3123.73, 3123.74, 3123.75, 3123.76, 3123.78

Prior Effective Dates: 1/1/87 (Emer), 3/20/87, 10/1/96, 1/1/98, 4/18/03, 4/1/06
This rule describes when a child support enforcement agency (CSEA) may, as an enforcement technique, submit an obligor to a licensing entity to suspend, refuse, or deny to renew a professional, driver's, or recreational license. Suspension and reinstatement procedures for Ohio attorneys can be found in rule 5101:12-55-26 of the Administrative Code.

The following definitions apply to this rule and its supplemental rules:

1. A "license" means:
   a. A license, certificate, permit, registration, or other authorization to engage in an occupation or profession, other than attorney, that is issued by a board or entity that has the authority pursuant to Title XLVII (47) of the Revised Code;
   b. A driver's or commercial driver's license, motorcycle operator's license or endorsement, temporary instruction permit, or commercial driver's temporary instruction permit issued by the registrar of motor vehicles or a deputy registrar; or
   c. A recreational license issued by the department of natural resources (DNR) that includes any license, permit, or stamp issued pursuant to section 1533.10, 1533.11, 1533.111, 1533.112, or 1533.32 of the Revised Code.

2. A "licensing entity" means any entity that has authority to issue a license to an individual and includes any of the following:
   a. Any board or entity that has the authority pursuant to Title XLVII (47) of the Revised Code to issue a license and any other agency of this state, other than the supreme court, that has the authority to issue a license that authorizes an individual to engage in an occupation or profession. This includes an administrative officer that has authority to issue a license that authorizes an individual to engage in an occupation or profession;
   b. The bureau of motor vehicles (BMV) or the registrar or deputy registrar of motor vehicles; and
   c. The department of natural resources (DNR).

The CSEA shall submit an obligor to a licensing entity to suspend, refuse, or deny to renew a license only when:

1. A court or agency has determined that an individual has failed to comply with a warrant or subpoena issued by a court or agency with respect to a proceeding to enforce a child support order, and the CSEA has issued a pre-suspension notice as outlined in paragraph (D) of this rule at least ten days prior to submission of an obligor to a licensing entity; or

2. At least a ninety-day period has elapsed since a final and enforceable determination of default has been made and a JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), has been issued to the obligor. Unless the obligor files a mistake of fact objection to the JFS 04049, the CSEA shall count at least ninety days from the most recent issuance of the JFS 04049. If the obligor objects, default is considered final and enforceable on the date established in a CSEA mistake of fact determination under section 3123.04 of the Revised Code or the court mistake of fact determination under section 3123.05 of the Revised Code. If the agency or court mistake of fact determination is silent as to the date of default, the CSEA shall use the date of issuance of the JFS 04049. Additionally, the CSEA shall have issued a pre-suspension notice as outlined in paragraph (D) of this rule at least ten days prior to submission of an obligor to a licensing entity.
The CSEA shall only send a pre-suspension notice when the CSEA determines that in the ninety-day period preceding a decision to issue a pre-suspension notice, the obligor has paid less than fifty percent of the total monthly ordered obligation due for that ninety-day period, excluding any state or federal tax offset amounts received during that ninety-day period. A "ninety-day period" includes the three full months preceding the month in which the CSEA is considering sending the pre-suspension notice.

When the CSEA elects to issue a pre-suspension notice to the obligor, the CSEA shall use the JFS 04024, "Advance Notice to Suspend Professional, Recreational, and/or Driver's License" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code) as its pre-suspension notice. The notice shall be issued to the obligor's last known address by ordinary, first class mail. When more than ninety days have elapsed since the issuance of the JFS 04024, a new pre-suspension notice shall be sent to the obligor if the CSEA still intends to submit an obligor to a licensing entity referenced in the notice.

License suspension procedures.

When the CSEA elects to submit an obligor to a licensing entity to suspend a specific license, the CSEA shall:

1. Ensure that at least ten days, but no more than ninety days have elapsed since the issuance of the pre-suspension notice as described in paragraph (D) of this rule; and

2. Send an electronic notice through the support enforcement tracking system (SETS) or, when an electronic notice is not available, a JFS 04041, "Notice to Suspend Professional, Motor Vehicle Operator and Recreational License" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the licensing entity that has authority to issue or has issued the obligor that specific license.

The CSEA shall describe the procedures used to submit an obligor to a licensing entity to suspend, refuse, or deny to renew a license and to reinstate a license in the CSEA's procedural manual.
This rule describes the process a child support enforcement agency (CSEA) shall use to reinstate a professional, recreational, or driver's license that has been suspended.

A CSEA shall send an electronic notice through the support enforcement tracking system (SETS) or, when an electronic notice is not available, a JFS 04042, "Notice to Reinstate/Reissue a License" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the licensing entity to which it sent a JFS 04041, "Notice to Suspend Professional, Motor Vehicle Operator and Recreational License" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), within seven days of one of the following:

1. There has been a determination that the obligor is no longer in default; or
2. The court or CSEA that issued a warrant or subpoena removes the warrant or determines that the obligor has complied with the subpoena in accordance with section 3123.46 of the Revised Code; or
3. The following occurs:
   a. The obligor pays the full arrears balance owed as of the date of the payment; or
   b. When paragraph (B)(3)(a) of this rule is not possible, the obligor presents evidence of employment or a financial institution account and the agency has confirmed said employment or financial institution account as described in paragraph (C) of this rule; or
   c. When paragraphs (B)(3)(a) and (B)(3)(b) of this rule are not possible, the obligor presents evidence that the obligor is unable to work due to circumstances beyond the obligor's control and it is accepted as such by the agency; or
   d. When paragraphs (B)(3)(a) to (B)(3)(c) of this rule are not possible, the obligor complies with a written agreement to complete a family support program administered or approved by the agency, or a program that will establish compliance with a seek work order; or
   e. When paragraphs (B)(3)(a) to (B)(3)(d) of this rule are not possible, the obligor pays the balance of the total monthly obligation due for the ninety-day period preceding the date the agency sent the pre-suspension notice.

Confirming employment status or financial institution account information.

When the obligor requests reinstatement of a license based upon paragraph (B)(3)(b) of this rule, the CSEA shall proceed as follows:

1. Upon receipt of evidence from the obligor of employment or of an account at a financial institution, the CSEA shall confirm the information provided and reinstate the obligor's license as described in paragraph (B) of this rule after an income withholding has been issued to that employer or financial institution.

2. When information previously provided by the obligor, which resulted in a reinstatement under paragraph (B)(3)(b) of this rule did not result in a payment being received from that payor, any subsequent reinstatement requests based upon paragraph (B)(3)(b) of this rule shall only be granted once a payment has been received via withholding from the payor.

3. When the CSEA determines that an obligor has a history of frequently changing employment or financial institution accounts, a reinstatement request based upon paragraph (B)(3)(b) of this rule shall only be granted once one full month's obligation has been received via withholding from the provided payor.
When the CSEA submits an obligor in error to a licensing entity for the suspension or refusal of or denial to renew a license, the CSEA shall immediately issue an electronic notice through SETS or, when an electronic notice is not available, a JFS 04038, "Notice of Correction of a License Suspension" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the licensing entity to which it sent the JFS 04041.

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Statutory Authority: 3123.63, 3125.25

Rule Amplifies: 3123.41 to 3123.50, 3123.53 to 3123.60, 3123.62, 3123.63

Prior Effective Dates: 10/1/96, 1/1/98, 6/2/01, 10/14/01, 1/1/06, 6/15/08, 5/1/12, 2/1/16
This rule describes the process and criterion a child support enforcement agency (CSEA) shall use to direct the registrar of motor vehicles to eliminate from the abstract maintained by the bureau of motor vehicles (BMV) any reference of a previous license suspension.

When the CSEA receives a request from an obligor whose license has been reinstated to have a child support related license suspension reference expunged from the obligor's drivers abstract, the CSEA shall determine the obligor's eligibility. For an obligor to be eligible to have the license abstract expunged, the following must apply:

1. The obligor has provided the CSEA with a current copy of the individualized, computer system generated BMV 2006, "Notification/Reinstatement Requirement", and the notice does not list any outstanding reinstatement balance due for the associated child support suspension(s); and

2. The obligor meets one of the following criterion:
   a. The child support order has been terminated, and the obligor has paid the case to a zero balance; or
   b. The obligor is in compliance with the child support obligation, and obligor has made full payments for at least six months prior to the month in which the obligor requests expungement; or
   c. The obligor is making full ordered monthly child support obligation payments and has provided the CSEA with evidence that the license suspension referenced on the abstract has limited or hindered the obligor's employability.

When the CSEA has determined that an obligor has met the criteria to have the abstract expunged, the CSEA shall send an electronic notice through the support enforcement tracking system (SETS) or, when an electronic notice is not available, a JFS 04016, "Notice to Expunge a Driver's Abstract" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the BMV within seven days.

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Promulgated Under: 119.03

Statutory Authority: 3123.63, 3125.25

Rule Amplifies: 3123.63

Prior Effective Dates: 5/1/12, 2/1/16
In accordance with division (B) of section 4705.021 of the Revised Code, a child support enforcement agency (CSEA) may, as an enforcement technique, refer an obligor who is licensed to practice law in the state of Ohio to the Ohio supreme court for suspension of a license to practice law.

The CSEA may elect to submit an obligor to the Ohio supreme court to suspend, refuse, or deny to renew a license to practice law when:

1. A court or agency has determined that an individual has failed to comply with a warrant or subpoena issued by a court or agency with respect to a proceeding to enforce a child support order, and the CSEA has issued a pre-suspension notice as outlined in paragraph (C) of this rule at least ten days prior to submission of an obligor to a licensing entity; or

2. At least a ninety-day period has elapsed since a final and enforceable determination of default has been made and a JFS 04049, "Notice to Obligor of Default and Potential Action" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), has been issued to the obligor. Unless the obligor files a mistake of fact objection to the JFS 04049, the CSEA shall count at least ninety days from the most recent issuance of the JFS 04049. If the obligor objects, default is considered final and enforceable on the date established in a CSEA mistake of fact determination under section 3123.04 of the Revised Code or the court mistake of fact determination under section 3123.05 of the Revised Code. If the agency or court mistake of fact determination is silent as to the date of default, the CSEA shall use the date of issuance of the JFS 04049. Additionally, the CSEA shall have issued a pre-suspension notice as outlined in paragraph (C) of this rule at least ten days prior to submission of an obligor to a licensing entity.

The CSEA shall only send a pre-suspension notice when the CSEA determines that in the ninety-day period preceding a decision to issue a pre-suspension notice, the obligor has paid less than fifty percent of the total monthly ordered obligation due for that ninety-day period, excluding any state or federal tax offset amounts received during that ninety-day period. A "ninety-day period" includes the three full months preceding the month in which the CSEA is considering sending the pre-suspension notice.

When the CSEA elects to refer an obligor for the suspension of a license to practice law, the CSEA shall send to the obligor's last known address by ordinary, first class mail a JFS 07230, "Proposed Action to Deny, Withhold, or Advance Notice to Suspend License to Practice Law" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code).

When the CSEA elects to proceed with the referral for suspension, the CSEA shall:

1. Ensure that at least ten days, but no more than ninety days have elapsed since the issuance of the pre-suspension notice as described in paragraph (C) of this rule. When more than ninety days have elapsed a new notice shall be sent to the obligor if the CSEA still intends to submit an obligor for suspension; and

2. Send to the secretary of the board of commissioners on grievances and discipline of the supreme court and to either the disciplinary counsel or the president, secretary, and chairperson of each certified grievance committee the following:
   a. A notice listing the name and social security number or other identification number of the obligor and requesting the suspension of the obligor's license to practice law; and
   b. A certified copy of the court or agency determination of default.

License reinstatement
The CSEA shall send a JFS 04042, "Notice to Reinstate/Reissue a License" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to the secretary of the board of commissioners on grievances and discipline of the supreme court and to either the disciplinary counsel or the president, secretary, and chairperson of each certified grievance committee to which it sent a notice described in paragraph (C) of this rule, within seven days of one of the following:

(a) There has been a determination that the obligor is no longer in default; or

(b) The court or CSEA that issued a warrant or subpoena removes the warrant or determines that the obligor has complied with the subpoena in accordance with section 3123.46 of the Revised Code; or

(c) The following occurs:

(i) The obligor pays the full arrears balance owed as of the date of the payment; or

(ii) When paragraph (E)(1)(c)(i) of this rule is not possible, the obligor presents evidence of employment or a financial institution account and the agency has confirmed said employment or financial institution account as described in paragraph (E)(2) of this rule; or

(iii) When paragraphs (E)(1)(c)(i) and (E)(1)(c)(ii) of this rule are not possible, the obligor presents evidence that the obligor is unable to work due to circumstances beyond the obligor's control and it is accepted as such by the agency; or

(iv) When paragraphs (E)(1)(c)(i) to (E)(1)(c)(iii) of this rule are not possible, the obligor complies with a written agreement to complete a family support program administered or approved by the agency, or a program that will establish compliance with a seek work order; or

(v) When paragraphs (E)(1)(c)(i) to (E)(1)(c)(iv) of this rule are not possible, the individual pays the balance of the total monthly obligation due for the ninety-day period preceding the date the agency sent the pre-suspension notice.

When the court made the determination of default, the CSEA shall include with the electronic notice or JFS 04042 a certified copy of the judgment entry reversing the determination of default.

Confirming employment status or financial institution account information.

When the obligor requests reinstatement of a license based upon paragraph (E)(1)(c)(ii) of this rule, the CSEA shall proceed as follows:

(a) Upon receipt of evidence from the obligor of employment or of an account at a financial institution, the CSEA shall confirm the information provided and reinstate the obligor's license as described in paragraph (E) of this rule after an income withholding has been issued to that employer or financial institution.

(b) When information previously provided by the obligor, which resulted in a reinstatement under paragraph (E)(1)(c)(ii) of this rule did not result in a payment being received from that payor, any subsequent reinstatement requests based upon paragraph (E)(1)(c)(ii) of this rule shall only be granted once a payment has been received via withholding from the payor.

(c) When the CSEA determines that an obligor has a history of frequently changing employment or financial institution accounts, a reinstatement request based upon paragraph (E)(1)(c)(ii) of this rule shall only be granted once one full month's obligation has been received via withholding from the provided payor.

When the CSEA determines that the referral for the suspension of a license to practice law was issued in error, the CSEA shall immediately issue a JFS 04038, "Notice of Correction of a License Suspension" (effective or revised effective date as identified in rule 5101:12-55-99 of...
the Administrative Code), to the secretary of the board of commissioners on grievances and
discipline of the supreme court and to either the disciplinary counsel or the president, secretary,
and chairperson of each certified grievance committee.

(F) The CSEA shall describe the procedures used to submit an obligor to the Ohio supreme court to
suspend, refuse, or deny to renew a license to practice law and to reinstate a license to practice law in
the CSEA's procedural manual.

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Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 4705.021
Prior Effective Dates: 1/1/06, 6/15/08, 5/1/12, 2/1/16
In accordance with section 3770.071 of the Revised Code, the Ohio lottery commission (OLC) is required to stipulate that each person entitled to a lottery prize award with a value of six hundred dollars or more must affirm in writing and under oath whether or not the person is in default under a support order. OLC may take any additional steps to determine if the person entitled to the prize award is in default under a support order.

When the person is in default under a support order and is entitled to a prize award with a value of six hundred dollars or more, OLC will:

1. Temporarily withhold payment of the prize award; and
2. Notify the office of child support (OCS) within the Ohio department of job and family services of the following:
   a. The name of the person entitled to the prize award;
   b. The address and social security number of the person entitled to the prize award;
   c. The amount of the prize award; and
   d. When the prize award is to be paid in annual installments, the number of installments.

Upon receipt of the information from OLC, OCS will determine whether the person is an obligor that has arrears under a support order being administered by a child support enforcement agency (CSEA).

1. When the person is not an obligor that has arrears under a support order being administered by a CSEA, OCS will notify OLC that the prize award should be released to the person.
2. When the person is an obligor that has arrears under one or more support orders being administered by a single CSEA, OCS will provide that CSEA with the information received from OLC and the date OCS received the information from OLC. When the person is an obligor who has more than one support order and those support orders are administered by more than one CSEA, OCS will provide each CSEA with the information received from OLC.

OCS will provide the CSEA with the notification described in paragraph (C)(2) of this rule within five days of the date OCS receives the information from OLC.

When a CSEA receives the information from OCS, the CSEA shall conduct an investigation to determine whether the person entitled to the lottery prize award is an obligor subject to a final and enforceable determination of default.

1. When the person is not an obligor subject to a final and enforceable determination of default, the CSEA shall notify OLC within fifteen days of the date that OLC sent the notice of the prize award that the person is not subject to a final and enforceable determination of default.
2. When the person is an obligor subject to a final and enforceable determination of default, the CSEA shall issue a JFS 07071, "State Lottery Prize Award Intercept Directive" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to OLC and issue a copy of the JFS 07071 to the obligor. The CSEA shall issue the JFS 07071 within thirty days of the date that OLC sent the notice of the prize award.

The CSEA shall issue a separate JFS 07071 for each support order under which the obligor is subject to a final and enforceable determination of default.

Upon receiving the JFS 07071 from the CSEA, OLC will:
(1) For one-time prize awards, pay the amount of intercept specified in the JFS 07071 or the prize award, whichever is less, to child support payment central (CSPC) in OCS within thirty days of the date of the JFS 07071.

(2) For prize awards paid in annual installments, pay the amount of intercept specified on the JFS 07071 or the amount of the annual installment, whichever is less, to CSPC on the date the next annual installment is due. When the annual installment does not satisfy the amount specified on the JFS 07071, OLC will pay subsequent annual installments to CSPC until the amount of intercept specified on the JFS 07071 has been paid in full.

(F) For prize awards paid in annual installments:

(1) The CSEA may modify the amount of intercept specified on the original JFS 07071 by issuing an amended JFS 07071 to OLC before the date the next annual installment is due. When the CSEA issues an amended JFS 07071 to OLC, the CSEA shall send a copy of the amended JFS 07071 to the obligor.

(2) Within thirty days of determining that the obligor is no longer in default, the CSEA shall issue a JFS 07070, "Notice to Terminate the State Lottery Prize Award Intercept Directive" (effective or revised effective date as identified in rule 5101:12-55-99 of the Administrative Code), to OLC and issue a copy of the JFS 07070 to the obligor.

(3) When OLC notifies OCS of the pending sale of a prize award by a person to a private entity, OCS shall notify each CSEA with administrative responsibility of the support order. The CSEA may then initiate additional enforcement techniques in accordance with division 5101:12 of the Administrative Code.

Five Year Review (FYR) Dates: 04/25/2017 and 04/25/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 04/25/2017
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3123.89, 3770.071
Prior Effective Dates: 8/15/07, 2/1/16
(A) In accordance with section 3123.89 of the Revised Code, a real time data match program has been implemented by the office of child support within the Ohio department of job and family services (ODJFS) and the state lottery commission for the purpose of identifying whether a person entitled to a lottery prize award is an obligor subject to a final and enforceable determination of default made under sections 3123.01 to 3123.07 of the Revised Code.

(B) The state lottery commission shall implement a process to submit identifying information regarding a person whose lottery prize award meets or exceeds the reportable winnings amounts set by 26 U.S.C. 6041 (2011), or a subsequent analogous section of the Internal Revenue Code, to the data match program described in paragraph (A) of this rule.

(C) ODJFS will determine whether the information provided by the state lottery commission matches an obligor in default of their support obligation. Upon completion of the match process ODJFS shall:

1. Return to the state lottery commission the total arrearage balance up to the amount of the winnings if the person is determined to be an obligor in default; or

2. Return to the state lottery commission a response indicating the person is not determined to be an obligor in default.

(D) The state lottery commission will withhold an amount sufficient to satisfy any past due support owed by an obligor from the lottery prize award owed to the obligor up to the amount of the award.

(E) The state lottery commission shall transmit to ODJFS weekly any amount withheld from a lottery prize awarded in the previous week.

Effective: 12/01/2014

Five Year Review (FYR) Dates: 12/01/2019

Certification: CERTIFIED ELECTRONICALLY

Date: 11/19/2014

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3123.89
(A) This rule describes the insurance claim intercept program that a child support enforcement agency (CSEA) shall use to intercept insurance claims, settlements, or awards to be paid to an obligor on a IV-D case by an insurer, in accordance with sections 3123.23 and 3121.03 of the Revised Code.

(B) Claim, settlement, or award notification.

(1) Upon notification through the office of child support or by the insurance match vendor of the existence of an insurance claim, settlement, or award for an obligor in default in accordance with section 3123.06 of the Revised Code, the CSEA shall issue to the insurer a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), in accordance with section 3121.03 of the Revised Code.

(2) In the event that an insurer notifies the CSEA of the existence of a lump sum payment as described in the JFS 04047 the CSEA shall proceed in accordance with rule 5101:12-50-12 of the Administrative Code.

(C) The CSEA shall document case actions to pursue collections, or determinations not to pursue collections, in accordance with rule 5101:12-10-05 of the Administrative Code. In addition to documentation in the case record, the CSEA shall also document on the insurance match vendor's secure website the issuance of a JFS 04047 and if applicable the issuance of a lump sum order.

(D) Insurer immunity.

(1) Pursuant to section 3123.23 of the Revised Code, any insurer and any director, agent, or employee authorized to act on behalf of an insurer, that releases information or makes a disclosure in accordance with this rule, shall be immune from liability in a civil action for harm resulting from the disclosure.

(2) In accordance with section 3121.21 of the Revised Code, a payor shall not be subject to criminal or civil liability for compliance with a withholding or deduction notice.

Five Year Review (FYR) Dates: 3/1/2018 and 03/01/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 03/01/2018

Promulgated Under: 119.03

Statutory Authority: 3123.23, 3125.25

Rule Amplifies: 3121.03, 3121.21, 3125.25

Prior Effective Dates: 08/15/2013, 02/01/2016
The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 04016, "Notice to Expunge a Driver's Abstract" (rev. 8/2017);
(B) JFS 04024, "Advance Notice to Suspend Professional, Recreational, and/or Driver's License" (3/2012);
(C) JFS 04038, "Notice of Correction of a License Suspension" (rev. 12/2007);
(D) JFS 04041, "Notice to Suspend Professional, Motor Vehicle Operator and Recreational License" (rev. 1/2005);
(E) JFS 04042, "Notice to Reinstate/Reissue a License" (rev. 6/2008);
(F) JFS 04049, "Notice to Obligor of Default and Potential Action" (rev. 8/2010);
(G) JFS 04050, "Financial Institution Account Access Restriction" (rev. 9/2006);
(H) JFS 04051, "Financial Institution Account Full or Partial Release of Access Restriction" (rev. 9/2006);
(I) JFS 04052, "Notice to Person, Other than Child Support Obligor, Having Ownership Interest in an Account" (rev. 9/2006);
(J) JFS 04053, "Notice of Administrative Hearing in Regard to Account Ownership" (rev. 9/2006);
(K) JFS 04054, "Notice of Determination on Amount of Ownership" (rev. 9/2006);
(L) JFS 04055, "Financial Institution Account Withdrawal Directive" (rev. 9/2006);
(M) JFS 07006, "Discharge of lien" (rev. 12/2005);
(N) JFS 07052, "Notice of Administrative Mistake of Fact Hearing" (rev. 2/2005);
(O) JFS 07070, "Notice to Terminate the State Lottery Prize Award Intercept Directive" (rev. 8/2017);
(P) JFS 07071, "State Lottery Prize Award Intercept Directive" (rev. rev. 8/2017);
(Q) JFS 07083, "Notice to Obligor Regarding Default and 20% Payment on Arrears" (rev. 12/2002); and
(R) JFS 07230, "Advance Notice to Suspend License to Practice Law" (3/2012).

Effective: 6/15/2018
Five Year Review (FYR) Dates: 2/1/2021
Certification: CERTIFIED ELECTRONICALLY
Date: 05/31/2018
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.25
Prior Effective Dates: 02/01/2016, 08/01/2017
5101:12-57 - Enforcement of Medical Support Provisions
The rules in Chapter 5101:12-57 of the Administrative Code describe the responsibility of a child support enforcement agency (CSEA) to enforce the medical support provisions that are contained in a child support order.

Throughout division 5101:12 of the Administrative Code, "Consumer Credit Protection Act" means the federal wage garnishment law in accordance with 15 U.S.C. 1673(b) (11/6/1978) that limits the amount of an employee's earnings that may be garnished in any one week.

Fully subsidized medicaid does not satisfy the requirement of the health insurance obligor to provide private health insurance coverage for a child under a child support order.

In accordance with section 3119.43 of the Revised Code, when a health insurance obligor does not obtain the required private health insurance coverage within thirty days after the child support order or the JFS 04033, "Notice to Provide Private Health Insurance" (8/2008 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), is issued, the CSEA shall notify the court that issued the child support order or, with respect to an administrative child support order, the court of common pleas of the county in which the CSEA is located, in writing of the failure of the health insurance obligor to comply with the child support order.
The provisions of this rule only apply to child support orders issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly.

A child support order issued or modified pursuant to division (B)(4) of section 3119.30 of the Revised Code requires both parties to the child support order to report available private health insurance coverage to the child support enforcement agency (CSEA).

When a CSEA becomes aware that private health insurance coverage for the child may be available to a party and a health insurance obligor has not been established under the child support order, the CSEA shall conduct an investigation to determine whether private health insurance coverage for the child that is reasonable in cost is available.

The CSEA shall use line 7b of the child support computation worksheet from the most recent child support order to determine reasonable cost.

When the CSEA determines that private health insurance coverage for the child that is reasonable in cost is not available, the CSEA shall issue the JFS 04032, "Notice to Provide Cash Medical Support" (8/2008 effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to both parties, notifying the parties of the determination and that:

(a) The cash medical support obligation and the child support obligation when health insurance is not available shall continue; and

(b) Both parties have a right to request a medical support mistake of fact hearing regarding whether private health insurance coverage for the child that is accessible and reasonable in cost is available to either party.

When the CSEA determines that private health insurance coverage for the child that is reasonable in cost is available, the CSEA shall:

(a) Issue the JFS 04033, "Notice to Provide Private Health Insurance" (8/2008 effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to both parties, notifying the parties that:

(i) The party to whom the coverage is available is now the health insurance obligor and is ordered to provide the private health insurance coverage for the child;

(ii) The current cash medical support obligation shall cease in accordance with rule 5101:12-47-01.2 of the Administrative Code and the current child support obligation shall be the amount ordered to be paid when health insurance is available; and

(iii) Both parties have a right to request a medical support mistake of fact hearing regarding whether private health insurance coverage for the child that is accessible and reasonable in cost is available to the health insurance obligor;

(b) Issue a copy of the JFS 04033 to the court, when the child support order is a court order;

(c) Issue any modified income withholding or deduction notices necessary when the cash medical support stops; and

(d) Enforce the medical support provision to provide the private health insurance in accordance with rules 5101:12-57-10 to 5101:12-57-10.6 of the Administrative Code.
A child support order issued or modified pursuant to division (B)(1), (B)(2), or (B)(3) of section 3119.30 of the Revised Code requires the health insurance obligor(s) to provide private health insurance that is reasonable in cost and both parties to report available coverage to the CSEA when the coverage is not being provided by the health insurance obligor(s) in accordance with the order.

(1) When a CSEA becomes aware that private health insurance coverage for the child is available to one of the parties and cash medical support is to be paid because coverage is not currently being provided by the health insurance obligor(s) in accordance with the order, the CSEA shall conduct an investigation.

During the investigation, the CSEA shall determine whether private health insurance coverage for the child is available to the party. The CSEA is not required to determine whether the private health insurance coverage is reasonable in cost.

(2) When the CSEA determines that private health insurance coverage for the child is available to the health insurance obligor, the CSEA shall:

(a) Issue the JFS 04031, "Notice Regarding Cash Medical Support Order" (8/2008 effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to both parties, notifying the parties that:

(i) The health insurance obligor is ordered to provide the private health insurance coverage for the child;

(ii) The current cash medical support obligation shall cease in accordance with rule 5101:12-47-01.2 of the Administrative Code and the current child support obligation shall be the amount ordered to be paid when health insurance is available; and

(iii) Both parties have a right to a request a medical support mistake of fact hearing regarding whether private health insurance coverage for the child that is accessible and reasonable in cost is available to the health insurance obligor(s);

(b) Issue any modified income withholding notices necessary when the cash medical support order stops; and

(c) Enforce the medical support provision to provide the private health insurance in accordance with rules 5101:12-57-10 to 5101:12-57-10.6 of the Administrative Code.

(3) When the CSEA determines that private health insurance coverage for the child is being provided by the other party, the CSEA shall document the coverage in the case record.

(4) When the CSEA determines that private health insurance coverage for the child is not available to either party, the CSEA shall document the findings in the case record and is not required to take any further action.

Effective: 01/01/2015

Five Year Review (FYR) Dates: 08/26/2014 and 01/01/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 11/19/2014

Promulgated Under: 119.03

Statutory Authority: 3119.51

Rule Amplifies: 3119.30

Prior Effective Dates: 3/1/09
This rule describes the requirements of the child support enforcement agency (CSEA) during any period in which an obligor is ordered to pay cash medical support because private health insurance coverage for the child as ordered is no longer available to the health insurance obligor.

The provisions of this rule only apply to child support orders issued or modified in accordance with division (B)(1), (B)(2), or (B)(3) of section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly.

When a CSEA determines that private health insurance coverage for the child is no longer being provided by the health insurance obligor(s) in accordance with the order, the CSEA shall:

1. Issue the JFS 04032, "Notice to Provide Cash Medical Support" (8/2008 effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to both parties of the child support order, notifying the parties that:
   a. The obligor shall pay the current cash medical support obligation and the current child support obligation ordered to be paid when health insurance is not available;
   b. When private health insurance is available to either party, the party to whom the coverage is available is required to immediately inform the CSEA of the coverage; and
   c. Both parties have a right to request a medical support mistake of fact hearing regarding whether private health insurance coverage for the child that is accessible and reasonable in cost is available to the health insurance obligor(s); and
2. Issue any modified income withholding or deduction notices necessary.

Effective: 01/01/2015

Five Year Review (FYR) Dates: 08/26/2014 and 01/01/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 11/19/2014

Promulgated Under: 119.03

Statutory Authority: 3119.51

Rule Amplifies: 3119.30

Prior Effective Dates: 3/1/09
This rule describes the medical support mistake of fact hearing process which is only available to an individual whose child support order was issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly. An obligor or obligee may submit a request for a medical support mistake of fact hearing to contest the child support enforcement agency's (CSEA) determination regarding whether private health insurance coverage that is accessible and reasonable in cost is available to:

1. The health insurance obligor(s); or
2. Either party to the child support order, when a health insurance obligor has not been identified.

The party must file the request for the medical support mistake of fact hearing with the CSEA within seven business days of the date that the CSEA issues either:

1. JFS 04031, "Notice Regarding Cash Medical Support Order" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code);
2. JFS 04032, "Notice to Provide Cash Medical Support" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code); or
3. JFS 04033, "Notice To Provide Private Health Insurance" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code).

Upon scheduling the medical support mistake of fact hearing the CSEA shall:

1. Ensure the medical support mistake of fact hearing to be held on a date that is no later than ten days after the date the request was received; and
2. Issue a JFS 07053, "Notice of Medical Support Mistake of Fact Hearing" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to both parties no later than five days before the date that the medical support mistake of fact hearing is scheduled to be conducted.

The CSEA shall issue a JFS 07058, "Medical Support Mistake of Fact Hearing Determination" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to the requesting party when denying a medical support mistake of fact hearing within fourteen days of the date that the request was filed with the CSEA.

A CSEA may deny a request for a medical support mistake of fact hearing when:

1. The request is not timely filed.
2. The request is for a reason other than to contest whether:
   a. Private health insurance that is accessible and reasonable in cost is or is not being provided in accordance with the order, when at least one of the parties has been identified as the health insurance obligor; or
   b. Private health insurance that is accessible and reasonable in cost is or is not available to either party, when neither party has been identified as the health insurance obligor.
3. The request is not submitted by the obligor, the obligor's representative, or the obligee or the obligee's representative.

No later than the scheduled date of the medical support mistake of fact hearing, the parties may provide the CSEA with any evidence or relevant information necessary for the CSEA to properly review whether private health insurance coverage that is accessible and reasonable in cost is available to:
(1) The health insurance obligor(s); or
(2) Either party, when a health insurance obligor has not been identified.

(G) At the medical support mistake of fact hearing, the CSEA shall:
(1) Review the information that led to the issuance of the JFS 04031, JFS 04032, or JFS 04033;
(2) Consider any testimony or evidence submitted by either party or received independently from another source that is relevant to the issues to be addressed; and
(3) Determine whether private health insurance coverage that is accessible and reasonable in cost is available to:
   (a) The health insurance obligor(s); or
   (b) Either party, when a health insurance obligor has not been identified.

(H) No later than fourteen days from the date of the medical support mistake of fact hearing, the CSEA shall:
(1) Issue a JFS 07058 to both parties.
(2) Record the results of the medical support mistake of fact hearing in and make any necessary changes to the support enforcement tracking system based on the results of the hearing.

(I) Each party has the right to file for a court hearing to object to the determination made by the CSEA within seven business days of the date that the CSEA issues the JFS 07058.

Replaces: 5101:12-57-08
Effective: 01/01/2015
Five Year Review (FYR) Dates: 01/01/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 11/19/2014
Promulgated Under: 119.03
Statutory Authority: 3119.51
Rule Amplifies: 3119.30
Prior Effective Dates: 03/01/09
5101:12-57-10 National Medical Support Notice

**CSPMTL 120**

**Effective Date:** January 15, 2017

**Most Current Prior Effective Date:** May 1, 2012

(A) The OMB 0970-0222, "National Medical Support Notice" (expiration date 02/29/2008 as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) requires the enrollment in health insurance of the child subject to the child support order and the deduction of premiums for the cost of the health insurance, when available.

(B) The NMSN contains instructions and two parts (hereinafter referred to as "part Part A" and "part Part B").

1. **Part A includes:**
   
   (a) The notice to withhold for health care coverage, which is completed by the child support enforcement agency (CSEA); and
   
   (b) The employer's response, which is completed by the employer.

2. **Part B includes:**

   (a) The medical support notice to the plan administrator, which is forwarded to the health plan administrator; and

   (b) The plan administrator's response, which is completed by the health plan administrator.

(C) In accordance with sections 3119.33 and 3119.34 of the Revised Code and except when excluded as described in paragraph (E) of this rule, the CSEA shall issue the NMSN to the employer of the health insurance obligor. The CSEA shall issue the NMSN not later than the business day after receipt of a new hire match from the national directory of new hires (NDNH) for the health insurance obligor. In addition, the CSEA shall issue the NMSN as a result of the discovery of new employment for the health insurance obligor by the CSEA through a source other than the NDNH.

(D) In accordance with section 3119.35 of the Revised Code, at the same time the CSEA issues the NMSN, the CSEA shall issue:

1. The JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (rev. 05/2005 effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to the employer; and

2. The JFS 04036, "Notice of Medical Support Enforcement Activity" (rev. 01/2006 effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to the health insurance obligor. When the CSEA does not have a valid address for the health insurance obligor, the CSEA shall mail the JFS 04036 to the address of the employer.

(E) The CSEA shall not issue the NMSN when the CSEA has determined the health insurance obligor is an active member of the military.

1. The CSEA shall verify the child's enrollment status through the defense enrollment eligibility reporting system and document the information and the source of the information in the case record.

2. When the eligible child is not enrolled in the health plan, the CSEA shall notify the custodial parent of the need to take the child to a military rapid center for enrollment in the health plan.

Effective: 01/15/2017

Five Year Review (FYR) Dates: 10/07/2016 and 01/15/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 12/12/2016
(A) In accordance with section 3119.36 of the Revised Code, upon receipt of the OMB 0970-0222, "National Medical Support Notice" (expiration date 02/29/2008 as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) and the JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (rev. 05/2005 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), the employer is required, not later than twenty business days after the date of the NMSN, to do one of the following:

(1) When the person named in the NMSN is a current employee and the person and the child listed on the NMSN are already enrolled in health insurance coverage through the employer, complete and return the JFS 03377 to the CSEA.

(2) When the person named in the NMSN is a current employee and health insurance coverage of the child is available through the employer, send part B of the NMSN and the JFS 03377 to the health plan administrator.

(3) Complete and return part A of the NMSN to the CSEA when:
   (a) The person named in the NMSN is not a current employee;
   (b) The employee is among a class of employees that are not eligible for family health coverage under any group health plan maintained by the employer or to which the employer contributes;
   (c) The employer does not maintain or contribute to plans providing dependent or family health care coverage; or
   (d) The employer determines that coverage of the child would cause the total amount of income withholding, which includes child support and health insurance contributions, to exceed the withholding limitation permitted under the Consumer Credit Protection Act, Pub. L. No. 90-321, 82 Stat. 146 (1968), 15 U.S.C. 1673(b).

(B) In accordance with sections 3119.362 and 3119.364 of the Revised Code, an employer who receives an NMSN is required to:

(1) Upon written request from the other parent, any person subject to the order, or the CSEA, release to the requestor all information about the employee’s health insurance coverage, which may include the name and address of the health plan administrator and any policy, contract or plan number; and

(2) Notify the CSEA of any change in or the termination of the health insurance coverage that is maintained pursuant to the NMSN.
(A) In accordance with section 3119.37 of the Revised Code, upon receipt of the OMB 0970-0222, "National Medical Support Notice" (expiration date 02/29/2008 as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) and the JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (rev. 05/2005 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), the health plan administrator is required to:

1. Complete and return part B of the NMSN to the child support enforcement agency (CSEA) within forty business days of the date of the NMSN; and

2. Comply with the enrollment requirements in accordance with the instructions contained in the NMSN.

(B) When there is more than one health coverage option available under the plan and the health insurance obligor is not enrolled in any of the options:

1. The health plan administrator is required to attach to part B copies of applicable summary plan descriptions or other documents that describe available coverage, including the additional participant contribution necessary to obtain coverage for the child under each option and whether there is a limited service area for any option.

2. When the health plan has a default option and the CSEA fails to notify the health plan administrator of the health coverage selection within twenty business days, the health plan administrator is required to enroll the child in the health plan's default option.

(C) After the child has been enrolled in a health plan option, the health plan administrator is required to complete and return the JFS 03377 to the CSEA.

(D) In accordance with section 3119.422 of the Revised Code, nothing in rules 5101:12-47-01, 5101:12-57-01, or 5101:12-57-10 to 5101:12-57-10.6 of the Administrative Code shall be construed to require the health plan administrator to accept for enrollment any child who does not meet the underwriting standards of the health insurance or health care policy, contract, or plan for which application is made.
(A) When the child support enforcement agency (CSEA) receives from the health plan administrator part B of the OMB 0970-0222, "National Medical Support Notice" (expiration date 02/29/2008 as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) and information on health plan options, the CSEA shall:

(1) Issue the JFS 04035, "Notice of Available Health Plan Options" (rev. 02/2006 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), to the custodial parent or caretaker of the child; and

(2) Attach to the JFS 04035 all information regarding health plan options received from the health plan administrator.

(B) Within five days from the issuance date on the JFS 04035, the custodial parent or caretaker of the child is required to return to the CSEA the portion of the JFS 04035 documenting the health plan option selected by the custodial parent or caretaker of the child.

(C) Within twenty business days from the date the health plan administrator sends part B of the NMSN to the CSEA, the CSEA shall issue the JFS 04034, "Notice of Selection of Health Plan Option" (rev. 12/2005 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), to the health plan administrator and issue a copy to the custodial parent or caretaker of the child.

(D) When the health plan does not have a default option and the CSEA fails to notify the health plan administrator of the health care selection within twenty business days, the CSEA retains responsibility for selecting a health plan option for the child.
In accordance with section 3119.39 of the Revised Code, when a JFS 04036, "Notice of Medical Support Enforcement Activity" (rev. 04/2006 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), is issued and the health insurance obligor fails to make a timely request for an administrative hearing, the JFS 04036 becomes a final and enforceable determination of the child support enforcement agency (CSEA) that issued the JFS 04036.

(A) In accordance with section 3119.38 of the Revised Code, the health insurance obligor must file a written request for an administrative mistake of fact hearing with the CSEA that issued the notice not later than seven business days after the date on which the JFS 04036 is issued.

(D) In accordance with section 3119.38 of the Revised Code, when the health insurance obligor makes a timely request for an administrative mistake of fact hearing, the CSEA shall:

(1) Conduct an administrative mistake of fact hearing not later than ten days after the date on which the health insurance obligor files the request for the administrative mistake of fact hearing; and

(2) Issue the JFS 03399, "Notice of Administrative Mistake of Fact Hearing" (rev. 02/2003 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), to the health insurance obligor and any other individual the CSEA determines appropriate not later than five days before the date on which the administrative mistake of fact hearing is to be conducted.

(E) In accordance with section 3119.41 of the Revised Code, when an administrative mistake of fact process is pending, the employer is required to continue the withholding of amounts for health insurance pursuant to the NMSN.

(F) In accordance with section 3119.38 of the Revised Code, at the administrative hearing, the CSEA shall determine whether there is a mistake of fact in the NMSN.

(G) After the hearing has been held, the CSEA shall issue the JFS 04037, "Medical Support Enforcement Administrative Mistake of Fact Hearing Decision" (rev. 02/2006 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), to the health insurance obligor. When the health insurance obligor is the non-custodial parent, the CSEA shall send a copy of the JFS 04037 to the custodial parent.

(H) In accordance with section 3119.41 of the Revised Code:

(1) When the CSEA determines that no mistake of fact exists, the NMSN shall remain in effect.

(2) When the CSEA determines that a mistake of fact does exist, the CSEA shall take whatever action is necessary regarding the NMSN, which may include issuing a corrected NMSN or terminating the NMSN.
When an administrative mistake of fact hearing determines that the person named as the health insurance obligor was named in error and premiums have been deducted, the CSEA shall not address the decision for reimbursement.

In accordance with section 3119.38 of the Revised Code, the administrative mistake of fact hearing determination is final unless, within seven business days after the CSEA issues the JFS 04037, the health insurance obligor files a written motion with the court of jurisdiction in the county in which the support order is administered for a hearing to determine whether there is still a mistake of fact in the NMSN.

Effective: 01/15/2017
Five Year Review (FYR) Dates: 10/07/2016 and 01/15/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 12/12/2016
Promulgated Under: 119.03
Statutory Authority: 3119.51
Rule Amplifies: 3119.38, 3119.39, 3119.41
Prior Effective Dates: 1/7/85, 8/1/86, 12/1/87, 12/20/88, 9/1/89, 8/1/90, 6/1/91, 11/1/91, 7/15/92, 4/1/93, 1/1/98, 10/2/03, 1/1/07
When the health insurance obligor files a timely, written motion for a court hearing, the court is required by section 3119.40 of the Revised Code to:

(1) Send to the health insurance obligor and to any other individual the child support enforcement agency (CSEA) determines appropriate written notice by regular mail of the date, time, place, and purpose of the hearing not later than five days before the date the court hearing is to be held;

(2) Hold the hearing as soon as possible, but not later than ten days after the motion is filed; and

(3) Limit the hearing to determining whether there is a mistake of fact in the OMB 0970-0222, "National Medical Support Notice" (expiration date 02/29/2008 as referenced in rule 5101:12-57-99 of the Administrative Code) (NMSN).

In accordance with section 3119.41 of the Revised Code, when a court mistake of fact process is pending, the employer is required to continue the withholding of amounts for health insurance pursuant to the NMSN.

In accordance with section 3119.40 of the Revised Code, the court is required to determine on conclusion of the hearing whether there is a mistake of fact in the NMSN. The court's determination is final.

In accordance with section 3119.41 of the Revised Code:

(1) When the court determines that no mistake of fact exists in the NMSN, the NMSN shall remain in effect.

(2) When the court determines that a mistake of fact does exist in the NMSN, the court is required to take whatever action is necessary regarding the NMSN, which may include correcting or terminating the NMSN.

When the court mistake of fact hearing determines that the person named as the health insurance obligor was named in error, premiums have been deducted, and the court does not address the decision for reimbursement, the decision for reimbursement is the responsibility of the employer and the insurance company health plan administrator.
CSPMTL 120

Effective Date: January 15, 2017

Most Current Prior Effective Date: March 1, 2009 (No Change)

A child support enforcement agency (CSEA) shall issue the JFS 04098, "Notice Regarding NMSN Withholding Requirements" (rev. 8/2008 effective or revised effective date as indentified in rule 5101:12-57-99 of the Administrative Code), when:

(A) The health insurance obligor is no longer responsible for the medical support provision to provide health insurance coverage for the child or there is no longer a current order with medical support provisions in effect;

(B) The person identified on the OMB 0970-0222, "National Medical Support Notice" (expiration date 03/31/2011 as referenced in rule 5101:12-57-99 of the Administrative Code), as the health insurance obligor has provided verification to the CSEA that the person is not subject to the medical support provision to provide health insurance coverage for the child;

(C) As the result of a medical support mistake of fact hearing, the CSEA has determined that the private health insurance is not accessible or reasonable in cost; or

(D) Health insurance coverage is provided through a source other than the health insurance obligor's employer and:

   (1) The underlying medical support provision to provide health insurance coverage for the child authorizes alternative health care coverage; and
   
   (2) The health insurance obligor provides verification to the CSEA that the alternative coverage is currently in effect.

Effective: 01/15/2017

Five Year Review (FYR) Dates: 10/07/2016 and 01/15/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 12/12/2016

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The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (rev. 9/2015);
(B) JFS 03399, "Notice of Administrative Mistake of Fact Hearing" (rev. 9/2015);
(C) JFS 04031, "Notice Regarding Cash Medical Support Order" (rev. 9/2015);
(D) JFS 04032, "Notice to Provide Cash Medical Support" (rev. 9/2015);
(E) JFS 04033, "Notice to Provide Private Health Insurance" (rev. 9/2015);
(F) JFS 04034, "Notice of Selection of Health Plan Option" (rev. 9/2015);
(G) JFS 04035, "Notice of Available Health Plan Options" (rev. 9/2015);
(H) JFS 04036, "Notice of Medical Support Enforcement Activity" (rev. 9/2015);
(I) JFS 04037, "Medical Support Enforcement Administrative Mistake of Fact Hearing Decision" (rev. 9/2015);
(J) JFS 04098, "Notice Regarding NMSN Withholding Requirements" (rev. 9/2015);
(K) JFS 07053, "Notice of Medical Support Mistake of Fact Hearing" (rev. 9/2015); and
(L) JFS 07058, "Medical Support Mistake of Fact Hearing Determination" (rev. 9/2015); and
(M) OMB 0970-0222, "National Medical Support Notice" (NMSN) (expiration date 8/31/2019).

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Statutory Authority: 3125.25
Rule Amplifies: 3125.03
Prior Effective Dates: 01/01/15
This rule and its supplemental rules describe the procedures for the administrative review and adjustment of child support orders.

The following terms and definitions are applicable to this rule and its supplemental rules:

1. "Adjustment" means a change in the:
   a. Amount of a current child support obligation;
   b. Amount of an ordered payment on arrears;
   c. Amount of a current cash medical support obligation; or
   d. Medical support provision:
      i. To provide private health insurance coverage for the child subject to the child support order that is reasonable in cost, or to report available health insurance coverage;
      ii. To provide cash medical support when private health insurance coverage is not available to either party to the child support order or is not being provided by the health insurance obligor(s) in accordance with the order; or
      iii. For the shared responsibility of uncovered health care expenses.

2. "Date certain" means the date on which the administrative review of the child support order is initially scheduled to be conducted.

3. "Date of the most recent support order" means the effective date of the last child support order, which was issued as a result of a calculation using the Ohio child support guidelines, including a no-change order.

4. "Evidence" may include but is not limited to: a written statement, letter, or affidavit by the requesting party or a person with personal knowledge of the circumstances; a letter or other documentation from the requesting party's current or past employer, pay stubs, other employment records; written communication from the state or county department of job and family services documenting the receipt of or approval of eligibility for public assistance or unemployment compensation benefits; or any other relevant document.

5. "Guidelines" refers to the Ohio child support guidelines as set forth in Chapter 3119. of the Revised Code.

6. "Non-requesting party" means the person who did not submit the JFS 01849, "Request for Administrative Review of the Support Order" (rev. 12/2008 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), or, in an administrative review initiated by the child support enforcement agency (CSEA), the obligor.

7. "Party" or "parties" means the obligee, which may be a caretaker or any party with legal custody of the child, and/or the obligor(s) to a child support order.

When a party has a legal guardian or an authorized representative, the legal guardian or an authorized representative may submit documentation on behalf of the party.

8. "Review" means an objective evaluation of information necessary to determine:
   a. Child support and cash medical support obligations based on the application of the guidelines; and
   b. Medical support provisions identified in paragraph (B)(1)(d) of this rule.
The CSEA shall use the guidelines as a rebuttable presumption in the administrative review and adjustment of a child support order. The CSEA shall not deviate from the use of the guidelines in calculating and recommending a revised amount.

When an administrative review indicates that an adjustment is appropriate, the CSEA shall recommend the adjustment of the child support order.

An adjustment is appropriate when:

1. The recommended amount of a child support obligation or a cash medical support obligation is more than ten per cent different than the existing obligation; or

2. There is a change in at least one of the medical support provisions identified in paragraph (B)(1)(d) of this rule.

The CSEA shall only administratively review and adjust the child support obligation, the cash medical support obligation, the payment on arrears, and the medical support provisions identified in paragraph (B)(1)(d) of this rule that may be contained in a child support order.

The CSEA shall not review or adjust other provisions of the order such as tax exemptions, the allocation of the parental rights and responsibilities for the care of the child, or spousal support.

In providing support enforcement program services, including an administrative review and adjustment, the CSEA and its contracted agents (e.g., prosecutors, attorneys, administrative officers) represent the best interests of the state of Ohio and not the recipient of services or the recipient's personal interest, when that interest is contrary to the interest of the state of Ohio.

Every thirty-six months after the date of the most recent child support order, the Ohio department of job and family services, office of child support will issue a JFS 07049, "Notice of Right to Request Review of Child and Medical Support Order" (rev. 2/2009 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to notify each party of the right to request an administrative review. The JFS 07049 provides the parties with the procedures for requesting an administrative review and the appropriate place and manner in which the request should be made.
Every thirty-six months after the date of the most recent child support order, the child support enforcement agency (CSEA) with administrative responsibility for the child support order shall initiate an administrative review of a case in which the child is currently receiving Ohio works first benefits. Unless a court has determined that a review and adjustment of the child support order is not in the best interest of the child, the CSEA shall presume that an administrative review is in the best interest of the child.

When a caretaker has received a good cause waiver determination, the CSEA shall issue a JFS 01867, "Right to Request an Administrative Review of the Support Order" (rev. 7/2005 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code) to the caretaker.

(1) When the caretaker or the other party to the child support order wants an administrative review, the CSEA shall proceed in accordance with this rule.

(2) When neither the caretaker nor the other party wants an administrative review, the CSEA is not required to proceed with the administrative review.

The CSEA shall immediately initiate a review and adjustment upon discovery that a child support order does not include the medical support provision to either provide private health insurance coverage that is reasonable in cost for the child or to report any available private health insurance coverage to the CSEA or court.

The CSEA may initiate an administrative review and adjustment when a child support order was issued or modified in accordance with section 3119.30 of the Revised Code as that section existed before the implementation of Amended Substitute House Bill 119 of the 127th General Assembly and:

(1) There is a medical support provision for both parties to report when private health insurance coverage for the child becomes available;

(2) One of the parties reports that private health insurance coverage for the child has become available; and

(3) A health insurance obligor has not been identified.

Either party may initiate an administrative review every thirty-six months from the date of the most recent support order by:

(1) Completing and submitting the JFS 01849, "Request for an Administrative Review of the Child Support Order" (rev. 12/2008 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the CSEA.

(2) Applying for an administrative review at the CSEA in the county of residence. When the county of residence is not the county with administrative responsibility, the CSEA in the county of residence shall transfer the JFS 01849 to the CSEA with administrative responsibility within two business days of receipt of the JFS 01849. The CSEA with administrative responsibility may request assistance from the CSEA in the county of residence in obtaining additional information in order to proceed with the administrative review process.

Either party may initiate an administrative review by submitting the JFS 01849 to the CSEA sooner than thirty-six months when any of the following circumstances applies:

(1) The existing child support order established a minimum or a reduced child support obligation based on the guidelines due to the unemployment or underemployment of one of the parties and that party is no longer unemployed or underemployed. The requesting party must provide to the CSEA evidence or information supporting an allegation of the change in the employment status.
Either party has become unemployed or been laid off, the unemployment or lay off is beyond the party's control, and the unemployment or lay off has continued uninterrupted for thirty consecutive days. The requesting party must provide to the CSEA evidence of the unemployment or lay off, including evidence that the unemployment or lay off is beyond the party's control. When the amount of the existing child support obligation was calculated based on the annualized income of an individual who is employed in a seasonal occupation, and the cause of the request for a review is a seasonal lay off, then the party does not meet the criteria for an administrative review under this section.

Either party has become unemployed due to a plant closing or mass lay off as defined in the Worker Adjustment and Retraining Notification (WARN) Act, 29 U.S.C. 2101 to 2109 (8/4/1988). The administrative review request may only be made after the worker's last day of employment. The worker's last day of employment is considered the date of that worker's lay off. The worker must provide to the CSEA a copy of the notice of the plant closing or mass lay off provided pursuant to the WARN Act.

Either party has become permanently disabled, reducing his or her earning ability. The requesting party must provide to the CSEA verification of receipt of benefits administered by the social security administration due to the permanent disability or a physician's complete diagnosis and permanent disability determination.

Either party has been institutionalized or incarcerated and cannot pay support for the duration of the child's minority and no income or assets are available to the party that could be levied or attached for support. The requesting party must provide evidence of the institutionalization or incarceration and the inability to pay support during the child's minority.

Either party has experienced a thirty per cent decrease that is beyond the party's control, or an increase in gross income or income-producing assets for a period of at least six months that can reasonably be expected to continue for an extended period of time. The requesting party must provide to the CSEA evidence or information supporting an allegation of a change in status.

The child support order is not in compliance with the guidelines because the child support obligation has terminated for one or more children and a support obligation still exists for another child subject to the support order.

In administrative child support orders over which a court has not taken jurisdiction, to consolidate children of the same parents for whom a duty of support has been established into a single administrative child support order that is in compliance with the guidelines.

Either party requests access to available or improved private health insurance coverage for the child. The requesting party must provide to the CSEA evidence or information supporting the allegation that access to new or improved private health insurance is available.

Either party has experienced an increase or decrease in the cost of child care or ordered health insurance coverage. When the newly reported cost of child care or health insurance would change the existing support obligation by more than ten per cent, then the party meets the criteria for an administrative review. The requesting party must provide to the CSEA evidence or information supporting an allegation of an increase or decrease in the cost of health insurance or child care. When the request is based on a change in the cost of private health insurance, the requesting party must provide to the CSEA evidence regarding the cost of a family plan and the cost of an individual plan.

The child support order was issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly and the private health insurance that is currently being provided in accordance with the support order is no longer accessible or reasonable in cost. The requesting party must provide to the CSEA evidence or information supporting an allegation that the private health insurance is no longer accessible or reasonable in cost.

Either party has become unemployed or been laid off, the unemployment or lay off is beyond the party's control, and the unemployment or lay off has continued uninterrupted for thirty consecutive days. The requesting party must provide to the CSEA evidence of the unemployment or lay off, including evidence that the unemployment or lay off is beyond the party's control. When the amount of the existing child support obligation was calculated based on the annualized income of an individual who is employed in a seasonal occupation, and the cause of the request for a review is a seasonal lay off, then the party does not meet the criteria for an administrative review under this section.

Either party has become unemployed due to a plant closing or mass lay off as defined in the Worker Adjustment and Retraining Notification (WARN) Act, 29 U.S.C. 2101 to 2109 (8/4/1988). The administrative review request may only be made after the worker's last day of employment. The worker's last day of employment is considered the date of that worker's lay off. The worker must provide to the CSEA a copy of the notice of the plant closing or mass lay off provided pursuant to the WARN Act.

Either party has become permanently disabled, reducing his or her earning ability. The requesting party must provide to the CSEA verification of receipt of benefits administered by the social security administration due to the permanent disability or a physician's complete diagnosis and permanent disability determination.

Either party has been institutionalized or incarcerated and cannot pay support for the duration of the child's minority and no income or assets are available to the party that could be levied or attached for support. The requesting party must provide evidence of the institutionalization or incarceration and the inability to pay support during the child's minority.

Either party has experienced a thirty per cent decrease that is beyond the party's control, or an increase in gross income or income-producing assets for a period of at least six months that can reasonably be expected to continue for an extended period of time. The requesting party must provide to the CSEA evidence or information supporting an allegation of a change in status.

The child support order is not in compliance with the guidelines because the child support obligation has terminated for one or more children and a support obligation still exists for another child subject to the support order.

In administrative child support orders over which a court has not taken jurisdiction, to consolidate children of the same parents for whom a duty of support has been established into a single administrative child support order that is in compliance with the guidelines.

Either party requests access to available or improved private health insurance coverage for the child. The requesting party must provide to the CSEA evidence or information supporting the allegation that access to new or improved private health insurance is available.

Either party has experienced an increase or decrease in the cost of child care or ordered health insurance coverage. When the newly reported cost of child care or health insurance would change the existing support obligation by more than ten per cent, then the party meets the criteria for an administrative review. The requesting party must provide to the CSEA evidence or information supporting an allegation of an increase or decrease in the cost of health insurance or child care. When the request is based on a change in the cost of private health insurance, the requesting party must provide to the CSEA evidence regarding the cost of a family plan and the cost of an individual plan.

The child support order was issued or modified in accordance with section 3119.30 of the Revised Code as adopted under Amended Substitute House Bill 119 of the 127th General Assembly and the private health insurance that is currently being provided in accordance with the support order is no longer accessible or reasonable in cost. The requesting party must provide to the CSEA evidence or information supporting an allegation that the private health insurance is no longer accessible or reasonable in cost.
(12) The child support order contains a medical support provision for cash medical support and the obligor reports that his or her annual gross income is now below one hundred fifty per cent of the federal poverty level for an individual. The obligor must provide to the CSEA evidence or information supporting an allegation that his or her annual gross income is below one hundred fifty per cent of the federal poverty level for an individual.

(13) The obligor is a member of the uniformed services and is called to active military service for a period of more than thirty days.

(14) An obligor who received a temporary support order adjustment pursuant to rule 5101:12-60-05.2 of the Administrative Code has notified the CSEA that the obligor's term of active military service has ended and has provided written documentation sufficient to establish that the obligor's employer has violated the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301 to 4333 (10/9/1996).

(F) The CSEA shall provide a JFS 01849 to a party requesting an administrative review within three business days of the request.

(G) The CSEA is not required to administratively review or adjust a child support order when either party elects to proceed through court, either through self-representation or through private counsel, or an action has been filed with the court by either party that may have an impact on the administrative review. When a party elects to proceed through the court and the court subsequently dismisses the action, the CSEA may administratively review the child support order in accordance with this rule.

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(A) This rule describes the circumstances under which an obligor who is a member of the uniformed services may request an administrative review and temporary adjustment of a child support order when called to active military duty pursuant to section 3119.77 of the Revised Code and how the child support enforcement agency (CSEA) shall proceed.

(B) The following definitions are applicable to this rule:

(1) "Active military service" means the performance of active military duty by a member of the uniformed services for a period of more than thirty days.

(2) "Uniformed services" means any reserve component of the armed forces of the United States or the Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.

(C) An obligor in the uniformed services who is called to active military duty may request an administrative review of a child support order. The obligor must complete and submit JFS 01849, "Request for an Administrative Review of the Child Support Order," (rev. 12/2008 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code). The obligor must indicate on the JFS 01849 that the obligor is a member of the uniformed services called to active military service for a period of more than thirty days and provide with the JFS 01849 any orders or other appropriate documentation specifying the commencement date of the active military service and the monthly monetary compensation for that service.

(D) The CSEA shall consider the obligor’s call to active military service as a change of circumstances substantial enough to require an administrative review of the child support order.

(E) The obligor may designate another individual to act on behalf of the obligor in the administrative review and adjustment process by providing the CSEA with a military power of attorney executed pursuant to 10 U.S.C. 1044b (11/30/1993). The CSEA shall allow the individual identified in the military power of attorney to act on the obligor’s behalf during the administrative review and provide the individual with all required administrative review notices.

(F) In accordance with section 3119.773 of the Revised Code, when an amount to be paid under a child support order is adjusted as the result of a request made under this rule, the obligor shall provide to the CSEA written notice of the date of termination of active military service. The notice must be provided no later than the last day of the month in which the service ended. When an obligor who received a temporary child support order adjustment pursuant to this rule fails to notify the CSEA that the term of active military service ended and the obligee or the CSEA has written documentation that the term of active military service ended, the CSEA shall end the temporary adjustment order and reinstate the prior amount of support as of the first day of the month following the date that the active military service ended.

(G) In accordance with section 3119.772 of the Revised Code, when a child support order is adjusted based on an administrative review completed pursuant to this rule, the adjustment shall relate back to the date the CSEA sent the notification of administrative review, or the first day of the month in which the active military service begins, whichever occurs later.

(H) A child support order adjusted under this rule shall:

(1) Revert to the prior amount of support as of the first day of the month following the date that the obligor’s active military service ends; and

(2) Include a statement that the adjustment will end and the prior amount of support will be reinstated as of the first day of the month following the date that the active military service ends, except as otherwise provided in division (C) of section 3119.771 of the Revised Code.
A child support enforcement agency (CSEA) shall evaluate a case when it is determined that an administrative review may be required or a JFS 01849, "Request for an Administrative Review of the Child Support Order" (rev. 12/2008 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), is received. When the CSEA is required to conduct an administrative review, the CSEA shall initiate action to adjust the child support order in accordance with the guidelines.

The CSEA is required to conduct an administrative review when:

1. An administrative review is required pursuant to paragraph (A) or (B) of rule 5101:12-60-05.1 of the Administrative Code;
2. Either party to the child support order requests an administrative review pursuant to paragraph (D) of rule 5101:12-60-05.1 of the Administrative Code;
3. Either party requests an administrative review pursuant to paragraph (E) of rule 5101:12-60-05.1 of the Administrative Code and the requesting party submits sufficient evidence or information to support such a request; or
4. The obligor requests an administrative review pursuant to rule 5101:12-60-05.2 of the Administrative Code and the obligor submits sufficient evidence or information to support such a request.

The CSEA is not required to conduct an administrative review when:

1. Neither party resides in Ohio, unless the request is made in accordance with rule 5101:12-60-05.2 of the Administrative Code. When the CSEA denies such a request for an administrative review, the CSEA shall notify the requesting party to contact the IV-D agency in the requesting party's state of residence.
2. It has been less than thirty-six months from the date of the most recent child support order and the CSEA determines that the request for the administrative review is a frequent request and there is no evidence to support the request. "Frequent request" is defined as more than one request for an administrative review per party in a three-month period. When the CSEA denies such a request for an administrative review, the CSEA shall notify the requesting party of the denial and the reason for the denial.
3. It has been less than thirty-six months from the date of the most recent child support order and the CSEA determines that the requesting party has failed to provide evidence or information, in accordance with paragraph (E) of rule 5101:12-60-05.1 or paragraph (C) of rule 5101:12-60-05.2 of the Administrative Code, necessary to support the administrative review request. When the CSEA denies such a request for an administrative review, the CSEA shall notify the requesting party or the person appointed by the obligor as having military power of attorney of the denial and the reason for the denial.

The CSEA shall complete the evaluation and make a determination of whether an administrative review is required to be conducted within the following time frames:

1. No later than fifteen days after the following:
   a. The thirty-six month anniversary of the date of the most recent child support order when the CSEA is required to complete an administrative review pursuant to paragraph (A) of rule 5101:12-60-05.1 of the Administrative Code;
   b. The date the CSEA identifies that an administrative review is required pursuant to paragraph (B) of rule 5101:12-60-05.1 of the Administrative Code; or
(c) The date the CSEA receives a JFS 01849 from either party requesting an administrative review pursuant to paragraph (D) or (E) of rule 5101:12-60-05.1 of the Administrative Code.

(2) No later than three business days after receipt of a JFS 01849 from an obligor requesting an administrative review pursuant to rule 5101:12-60-05.2 of the Administrative Code.

(E) The CSEA shall conduct the administrative review as follows:

(1) Within one hundred eighty days of receiving a JFS 01849 or locating the non-requesting party, whichever occurs later, the CSEA shall:

   (a) Determine that the request for the administrative review does not meet the administrative review criteria and issue a JFS 07613, "Administrative Adjustment Review Denial Notice" (rev. 10/2007 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the requesting party that includes the reason for the denial, or

   (b) Determine that the request for the administrative review does meet the administrative review criteria, schedule the administrative review in accordance with paragraph (E)(2) of this rule, and:

      (i) Conduct the review to determine whether or not the child support order should be adjusted, or

      (ii) Issue a JFS 01868, "Dismissal of Administrative Review Request" (7/2005 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to dismiss the scheduled review:

         (a) In accordance with paragraph (E)(3)(a) of this rule, or

         (b) At the request of the requesting party before the date certain.

(2) When an administrative review is to be conducted, the CSEA shall schedule the review for a date that is at least forty-five days in the future and issue a JFS 07606, "Administrative Adjustment Review Notification" (rev. 8/2008 effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the last known address of the parties at least forty-five days before the date certain.

(3) The parties are required to provide the CSEA with evidence of their income, available private health insurance, and any other relevant information necessary for the CSEA to properly review the child support order. The parties shall provide the required information no later than the date certain.

   (a) Should the requesting party fail to submit the required information, the CSEA may issue a JFS 01868 to both parties indicating that the administrative review has been abandoned by the requesting party. Both parties have the right to submit a new JFS 01849.

   (b) Should the non-requesting party fail to submit the required information, the CSEA shall proceed in accordance with section 3119.72 of the Revised Code.

(4) When the parties wish to conduct the administrative review sooner than the required forty-five-day time period and the CSEA has sufficient information to proceed with an administrative review, both parties must complete a waiver and submit the waiver to the CSEA. Upon receipt of the completed waivers, the CSEA shall conduct the administrative review on a date specified and agreed upon by both parties and the CSEA. When the parties and CSEA fail to agree upon a date, the administrative review shall occur on the date certain.

(5) It is not necessary for either party to be present at the administrative review.

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On the date the administrative review is conducted, the child support enforcement agency (CSEA) shall calculate the appropriate amount of the support obligations to be paid under the child support order in accordance with rule 5101:12-45-10 of the Administrative Code.

(1) When the non-requesting party's copy of the JFS 07606, "Administrative Review Notification" (rev. 8/2008), is returned to the CSEA as undeliverable (indicating that the non-requesting party failed to comply with the address reporting requirements specified in the existing support order), the CSEA shall proceed with the guidelines calculation using the requesting party's provided information and, for the non-requesting party, imputed income based on reasonable assumptions.

(2) The requesting party may not dismiss the request for an administrative review on or after the date certain.

Except as stated in rule 5101:12-60-05.2 of the Administrative Code, when the CSEA recommends an adjustment to the existing child support order, the effective date of the adjustment shall be the first day of the month following the date certain.

When the non-requesting party's copy of the JFS 07606 is returned to the CSEA as undeliverable (indicating that the non-requesting party failed to comply with the address reporting requirements specified in the existing support order), the date certain shall be preserved.

Within five days of the date the administrative review is conducted, the CSEA shall incorporate the findings and conclusions in the JFS 07724, "Administrative Adjustment Recommendation" (rev. 8/2008), and issue a copy of the JFS 07724 to each party to the child support order by regular mail.

(1) When the non-requesting party's copy of the JFS 07606 is returned to the CSEA as undeliverable (indicating that the non-requesting party failed to comply with the address reporting requirements specified in the existing support order), the CSEA shall not mail the JFS 07724 to either party. Instead, the CSEA shall issue the JFS 01866, "Administrative Review Pending Notice" (rev. 07/2005), to the requesting party within five days of the date certain.

(2) Within three business days of obtaining a valid address for the non-requesting party, the CSEA shall issue the JFS 07724 to both parties by regular mail.

When no party timely objects to the JFS 07724, the CSEA shall, within five days:

(1) When the child support order is a judicial order, submit the JFS 07724 to the court; or

(2) When the child support order is an administrative child support order, issue a JFS 07719, "Administrative Order for Child Support and Medical Support" (rev. 8/2008) to both parties. The CSEA shall incorporate the administrative recommendations in the JFS 07719 and shall issue the JFS 07719 regardless of whether or not the support obligations or medical support provisions are to be adjusted.

Any support order issued as a result of an administrative review shall be subject to the withholding or other deduction notices or orders described in section 3121.03 of the Revised Code.
Rule Amplifies: 3119.60, 3119.61, 3119.63, 3125.03
Prior Effective Dates: 1/1/87 (Emer), 3/20/87, 12/1/87, 12/31/90 (Emer), 2/21/91, 3/18/91, 7/15/92, 9/1/93, 12/31/93, 1/1/95, 6/21/96, 7/22/96, 1/1/98, 12/1/01, 9/1/05, 3/1/09
CSPMTL 104

Effective Date: March 1, 2009 (No Change)

Most Current Prior Effective Date: March 1, 2009

(A) The JFS 07724, "Administrative Adjustment Recommendation" (rev. 8/2008), notifies each party to the child support order of each party's right to request an administrative adjustment hearing and the procedures and time deadlines for requesting the administrative adjustment hearing.

(1) When the order is a court support order, the child support enforcement agency (CSEA) shall submit the JFS 07724 to the court for inclusion in a revised court support order unless either party requests an administrative adjustment hearing within fourteen days of receipt of the JFS 07724.

(a) When the existing court support order contains a deviation granted under section 3119.23 or 3119.24 of the Revised Code or when either party intends to request a deviation, each party has a right to file for a court hearing on the revised amount of a support obligation without first requesting an administrative adjustment hearing.

(b) In order to exercise this right, the party must file the request for a court hearing with the court no later than fourteen days of the date of receipt of the JFS 07724.

(2) When the order is an administrative child support order, the CSEA shall include the recommendation in an amended administrative child support order using the JFS 07719, "Administrative Order for Child Support and Medical Support" (rev. 8/2008), unless either party requests an administrative adjustment hearing within thirty days of the date of receipt of the JFS 07724.

(B) The JFS 07724 is considered to have been received by the parties three business days after the issuance date.

Five Year Review (FYR) Dates: 07/02/2015 and 07/02/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 07/02/2015

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3119.60, 3119.61, 3119.63, 3125.03

Prior Effective Dates: 1/1/87 (Emer), 3/20/87, 12/1/87, 12/31/90 (Emer), 2/21/91, 3/18/91, 7/15/92, 9/1/93, 12/31/93, 1/1/95, 6/21/96, 7/22/96, 1/1/98, 12/1/01, 9/1/05, 3/1/09
CSEAdministrative Adjustment Hearing Process

CSPMTL 104

Effective Date: November 1, 2015
Most Current Prior Effective Date: March 1, 2009

(A) The child support enforcement agency (CSEA) shall schedule and conduct an administrative adjustment hearing in accordance with this rule when the CSEA determines that either party to the child support order has submitted a timely request for an administrative adjustment hearing.

(B) Either party may submit to the CSEA a written request for an administrative adjustment hearing to object to the recommendations contained in the JFS 07724, "Administrative Adjustment Recommendation" (rev. 8/2008).

(1) In accordance with division (B) of section 3119.63 of the Revised Code, when the order is a court support order, the request must be received by the CSEA within fourteen days of the date the parties received the JFS 07724.

(2) In accordance with division (A) of section 3119.62 of the Revised Code, when the order is an administrative child support order, the request must be received by the CSEA within thirty days of the date the parties received the JFS 07724.

(C) The CSEA shall schedule the administrative adjustment hearing for a date no later than fifteen days after the date that the CSEA receives the request. No later than ten days before the hearing is conducted, the CSEA shall issue the JFS 07602, "Administrative Adjustment Hearing Notice" (4/1996), to each party's last known address by regular mail.

(D) The CSEA may grant a request from either party to participate in the hearing via telephone in appropriate circumstances as determined by the CSEA.

(E) The administrative adjustment hearing shall be conducted by a licensed attorney or other qualified person designated by the CSEA director with significant training or experience in conducting hearings that are subject to court review (hereafter both are referred to as "designee"). The designee shall not have been involved in the administrative adjustment recommendations being appealed. The designee shall not have contact with either party about the case outside the hearing process.

(F) The CSEA representative who was involved in the administrative adjustment recommendation being appealed or other person designated by the CSEA who is familiar with the recommendation shall be available for the administrative adjustment hearing to explain the administrative adjustment recommendation, answer relevant questions, and provide appropriate documentation to support the administrative adjustment recommendation.

(G) The designee shall permit one request per party for postponement of the originally scheduled administrative adjustment hearing date. The request must be based on a valid reason, as determined by the CSEA, and received by the CSEA no later than seven days before the scheduled date.

(1) When the CSEA approves the request, the CSEA shall reschedule the administrative adjustment hearing within fifteen days of the original hearing date and issue the JFS 07633, "Rescheduling Administrative Adjustment Hearing Notice" (rev. 4/1996), to each party, notifying the parties of the rescheduled date, time, and location of the administrative adjustment hearing.

(2) When the CSEA determines that no valid reason to postpone the administrative adjustment hearing has been presented by either party, the CSEA shall issue the JFS 01856, "Denial of Request to Reschedule Administrative Review and Adjustment Hearing" (rev. 7/2005), to the requesting party.

(H) The CSEA may deny the request for an administrative adjustment hearing when:

(1) The request for an administrative adjustment hearing is not made by one of the parties or one of a party's authorized representative;
The stated reason for requesting the hearing is unrelated to the administrative adjustment recommendation; or

The request is untimely.

When an administrative adjustment hearing request is denied, the CSEA shall issue a JFS 07728, "Administrative Adjustment Hearing Request Denial Notice" (rev. 11/2001), to each party by regular mail. The JFS 07728 shall indicate the reason(s) for the denial.

At the administrative adjustment hearing, each party shall be given the opportunity to present evidence and testimony to support the party's contention that the CSEA did not correctly evaluate the party's income, when such income information had been provided, or did not make reasonable assumptions with respect to the income of any person who failed to provide income information. Either party may bring a representative to the hearing. The designee may exclude any individual who does not have a valid interest in the proceedings as determined by the designee. The CSEA shall maintain a copy of all exhibits provided by the parties at the administrative adjustment hearing.

Within ten days of the administrative adjustment hearing, the CSEA shall issue the JFS 07770, "Administrative Adjustment Hearing Decision" (rev. 11/2001), to the last known address of both parties by regular mail. The designee shall attach to the JFS 07770 findings of fact based upon the evidence presented at the hearing, relevant citations to the guidelines and other applicable law, a conclusion regarding the correctness of the administrative adjustment review recommendation under appeal, and a recommendation regarding the support obligations and medical support provisions.

The JFS 07770 contains the following notices of each party's right to file for a court hearing to object to the administrative adjustment hearing decision:

1. When the order is a court support order, the parties may file for a court hearing within fifteen days of the issuance date of the JFS 07770.

2. When the order is an administrative child support order, the parties may, within fifteen days of issuance date of the JFS 07770, initiate an action under section 2151.231 of the Revised Code in the juvenile court or other court with jurisdiction under sections 2101.022 and 2301.03 of the Revised Code of the county in which the mother, father, child, guardian, or custodian of the child resides.

Within fifteen days of receiving a request for or being notified of a court hearing, the CSEA shall submit the request, when applicable, the JFS 07724, the JFS 07770, and any attachments to the court. The CSEA's only requirement is to submit the documents to the court. The CSEA does not prepare the motion or represent either party at the hearing.

The CSEA's legal representative shall primarily serve an administrative function rather than that of a legal advocate. When a legal challenge occurs at the court level and the CSEA is requested to appear, the CSEA shall present to the court the facts from the administrative adjustment review and hearing to assure that the guidelines were correctly applied and to explain the JFS 07724.

Effective: 11/01/2015

Five Year Review (FYR) Dates: 07/08/2015 and 07/02/2020

Certification: CERTIFIED ELECTRONICALLY

Date: 09/17/2015

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Statutory Authority: 3125.25

Rule Amplifies: 3119.60, 3119.61, 3119.63, 3125.03

Prior Effective Dates: 12/31/90 (Emer), 2/21/91, 9/1/93, 12/1/01, 9/1/05, 3/1/09
Continuation of Support Obligation Beyond the Child's Eighteenth Birthday

CSPMTL 118

Effective Date: January 1, 2017
Most Current Prior Effective Date: January 1, 2007 (No Change)

(A) Administrative child support orders.

In accordance with section 3119.86 of the Revised Code, support imposed by an administrative child support order shall be continued beyond the child's eighteenth birthday only when the child continuously attends a recognized and accredited high school on a full time basis on and after the child's eighteenth birthday. An administrative child support order shall not remain in effect after the child reaches age nineteen.

(B) Court child support orders.

(1) In accordance with section 3119.86 of the Revised Code, support imposed by a court child support order shall continue beyond the child's eighteenth birthday only when:

(a) The court has determined that the child is mentally or physically disabled and is incapable of supporting or maintaining himself or herself;

(b) The child's parents have agreed to continue support beyond the child's eighteenth birthday pursuant to a separation agreement that was incorporated into a decree of divorce or dissolution; or

(c) The child continuously attends a recognized and accredited high school on a full time basis on and after the child's eighteenth birthday.

(2) In accordance with section 3119.86 of the Revised Code, a court child support order shall not remain in effect after the child reaches nineteen years of age unless the order provides that the duty of support continues after the child reaches age nineteen under the circumstances described in paragraph (B)(1)(a) or (B)(1)(b) of this rule.

(3) In accordance with section 3119.86 of the Revised Code, when a court incorporates a separation agreement described in paragraph (B)(1)(b) of this rule into a decree of divorce or dissolution, the court may not require the duty of support to continue beyond the date the child's parents have agreed support should terminate.

Effective: 01/01/2017
Five Year Review (FYR) Dates: 09/06/2016 and 01/01/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 11/18/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3119.86
Prior Effective Dates: 7/15/92, 1/1/98, 3/9/03, 1/1/07
Purpose of this rule and its supplementary rules.

This rule and its supplemental rules describe how the child support enforcement agency (CSEA) with administrative responsibility for a child support order administratively terminates the current child support obligation and the medical support provisions when a required or optional administrative termination reason exists.

Definitions.

The following definitions, unless otherwise noted, apply to rules in division 5101:12 of the Administrative Code:

1. "Age of majority" has the same meaning as in section 3109.01 of the Revised Code.
2. "Child support order" has the same meaning as in section 3119.01 of the Revised Code. For the purposes of this rule and its supplemental rules, "child support order" includes medical support provisions contained in the child support order.
3. "Overpaid child support" has the same meaning as in rule 5101:12-50-20 of the Administrative Code.

In accordance with section 3119.87 of the Revised Code, the parent who is the residential parent and legal custodian of a child for whom a child support order is issued or the person who otherwise has custody of a child for whom a child support order is issued immediately shall notify, and the obligor under a child support order may notify, the CSEA administering the child support order of any reason for which the child support order should terminate. With respect to a court child support order, a willful failure to notify the CSEA as required by section 3119.87 of the Revised Code is contempt of court.

The CSEA shall initiate an administrative termination investigation to determine whether the child support order should terminate when there is a required administrative termination reason. A required administrative termination reason includes all of the following:

1. The child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis and the child support order requires support to continue past the age of majority only if the child continuously attends a high school after attaining that age;
2. The child ceasing to attend an accredited high school on a full-time basis after attaining the age of majority, if the child support order requires support to continue past the age of majority only if the child continuously attends such a high school after attaining that age;
3. The child support order states that child support shall not remain in effect after the child reaches nineteen years of age unless, in a court child support order, the order provides that the duty of support continues under circumstances described in division (A)(1)(a) or (A)(1)(b) of section 3119.86 of the Revised Code for any period after the child reaches age nineteen;
4. The child's death;
5. The child's marriage;
6. The child's emancipation;
7. The child's enlistment in the armed services when the child no longer attends an accredited high school on a full-time basis;
8. The child's deportation;
A change of legal custody of the child, which includes but is not limited to the granting of permanent custody of the child to a public children services agency or the termination of parental rights of the obligor through another court action;

The child's adoption;

The obligor's death; or

The grandparent to whom support is being paid or a grandparent who is paying support reports that the grandparent's support order should terminate as a result of one of the events described in division (D) of section 3109.19 of the Revised Code.

The CSEA may elect to initiate an administrative termination investigation to determine whether the child support order should terminate when:

There is an administrative child support order and a court child support order has been issued that involves the same parties and child;

The mother and father of the child marry or remarry one another, the child resides with the mother and father, and no other person has legal custody of the child; or

A court makes a controlling order determination and the controlling order is not the administrative child support order or court support order that the CSEA is responsible for enforcing.

When the obligor or obligee requests the CSEA to terminate the child support order and the reason for terminating the child support order is not one of the administrative termination reasons listed in paragraph (D) of this rule or a termination reason utilized by the CSEA in paragraph (E) of this rule, the CSEA shall not administratively terminate the child support order. Instead, the CSEA:

 Shall issue a JFS 07521, "Notice to Continue Support Results of Support Order Termination Investigation" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the last known address of the person who requested the termination of the child support order.

 May elect but is not required to assist the person with filing the action to terminate the child support order with the appropriate court.

In accordance with section 3119.89 of the Revised Code, the CSEA shall not conduct an administrative review and adjustment of the child support order for any other children subject to the child support order until a final administrative or judicial order has been issued regarding the administrative termination investigation's findings and recommendations.

Effective: 09/01/2016

Five Year Review (FYR) Dates: 08/01/2019

Certification: CERTIFIED ELECTRONICALLY

Date: 08/08/2016

Promulgated Under: 119.03

Statutory Authority: 3119.94, 3125.25

Rule Amplifies: 3119.87, 3119.88

Prior Effective Dates: 8/1/90, 4/1/92, 9/1/93, 12/31/93, 1/1/95, 1/1/98, 8/1/98, 12/1/98, 8/1/03, 10/30/03, 9/3/05, 1/1/06, 11/15/08, 8/1/14
Administrative Termination Investigation, Findings and Recommendations, and Impounding Support

CSPMTL 115

Effective Date: September 1, 2016

Most Current Prior Effective Date: February 1, 2016

(A) Administrative termination investigation.

(1) The child support enforcement agency (CSEA) shall complete an administrative termination investigation and issue findings and recommendations regarding whether the child support order should terminate within twenty days of the date the CSEA is notified by either the obligee or obligor or becomes aware that:

(a) A required administrative termination reason as described in paragraph (D)(1), (D)(2), or (D)(3) of rule 5101:12-60-50 of the Administrative Code has occurred or is expected to occur;

(b) A required administrative termination reason as described in paragraphs (D)(4) to (D)(12) of rule 5101:12-60-50 of the Administrative Code has occurred; or

(c) An administrative termination reason described in paragraph (E) of rule 5101:12-60-50 of the Administrative Code exists and the CSEA elects to proceed with the administrative termination process.

(2) During the administrative termination investigation, the CSEA shall determine:

(a) Whether any administrative termination reason exists.

When the CSEA investigation results indicate that any of the administrative termination reasons do not exist, the CSEA shall issue a JFS 07521, "Results of Support Order Termination Investigation" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the last known address of the person who requested the termination of the child support order.

(b) Whether there are other minor children subject to the child support order.

When the CSEA determines that there are other minor children subject to the child support order, the CSEA shall calculate a revised amount of child support and cash medical support for the other minor children as follows:

(i) When the child support order is computed using a sole residential parent or shared parenting computation worksheet, divide the child support and the cash medical support due annually or monthly under the order by the number of children who are the subject of the order; then, subtract the amount due for the child for whom the order should be terminated from the total child support and cash medical support amount due annually or monthly.

(ii) When the child support order is computed using a split parental rights computation worksheet:

(a) The CSEA shall divide the annual or monthly obligation for the non-residential parent of the child for whom support is being terminated by the number of children in the other party's custody contained on the existing child support guidelines worksheet. Next, subtract the amount due for the child for whom the order should be terminated from the total child support amount due annually or monthly under a revised child support payment order. This revised amount of support must then be offset against the other party's support obligation to calculate the revised child support for inclusion in the order. The calculation may result in a new obligor for payment of the child support order.
(b) If the calculation in paragraph (A)(2)(b)(ii)(a) of this rule results in a new child support obligor this individual also becomes the cash medical obligor: if the obligor has not changed this paragraph still refers to the existing cash medical obligor. When cash medical support has been ordered the CSEA shall compare the cash medical obligor’s cash medical support maximum from the existing child support guidelines worksheet with the current United States department of agriculture (USDA) table for the number of children in the other party’s custody. The CSEA shall use the lesser amount as the obligation for cash medical support.

(c) Whether the obligor owes any arrears or other balances.

(d) Whether the CSEA believes it is necessary to continue income withholding or income deduction for the other minor children or arrears payment.

(e) Whether amounts paid pursuant to the child support order being investigated should be impounded because the continued receipt and disbursement would lead to an overpayment by the obligor to the obligee.

(f) Whether an overpayment has been made to the obligee or the Ohio department of job and family services (ODJFS).

(B) Findings and recommendations for an administrative child support order.

(1) When the child support order is an administrative child support order and the administrative termination investigation results indicate that an administrative termination reason exists, the CSEA shall prepare the JFS 07522, "Findings and Recommendations to Terminate the Administrative Child Support Order" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), file the JFS 07522 with the administrative child support record, and issue copies of the JFS 07522 to the obligor and obligee at their last known addresses.

(2) When the CSEA determines that the support has been assigned to ODJFS pursuant to an Ohio works first (OWF) or medicaid assignment and that ODJFS has been or will be overpaid by the obligor, the CSEA shall recommend that the amount overpaid be disbursed in accordance with rules 5101:12-80-10 and 5101:12-80-10.1 of the Administrative Code.

(C) Findings and recommendations for a court child support order.

(1) When the child support order is a court support order and the administrative termination investigation results indicate that an administrative termination reason exists, the CSEA shall:

(a) Compile findings and recommendations and issue or request the clerk of courts to issue copies of the findings and recommendations to the obligor and obligee at their last known addresses.

(b) Include in the findings and recommendations a finding that states the reason for which the child support order and medical support provisions should terminate, a recommendation that the child support order and medical support provisions be terminated, and the effective date of the termination of the child support order and medical support provisions. In addition, the CSEA shall include in the findings and recommendations the following:

(i) When there are other minor children subject to the order:

(a) A finding of whether the child support order should continue for other minor children subject to the order; and

(b) When the CSEA finds that the child support order should continue, a recommendation that the child support order should continue for the other minor children and, in accordance with paragraph (A)(3)(b)(A)(2)(b) of this rule, the amount of child support that should be paid for the other minor children.
(ii) When continued payment and disbursement of payments paid pursuant to the child support order that will be terminated will likely result in an overpayment or an increase in an existing overpayment:

(a) A finding that continued payment and disbursement of payments will likely result in an overpayment or increase an existing overpayment; and
(b) A recommendation that the support be impounded and that all impounded funds be disbursed to the appropriate person by the CSEA after the child support order has been terminated.

When the CSEA determines that the support has been assigned to ODJFS pursuant to an OWF or medicaid assignment and that ODJFS has been or will be overpaid by the obligor, recommend that the amount overpaid be disbursed in accordance with rules 5101:12-80-10 and 5101:12-80-10.1 of the Administrative Code.

(iii) When the obligor owes arrears or other balances:

(a) A finding of the amount of arrears or other balances owed by the obligor and the date of the calculation; and
(b) A recommendation that the obligor be found to owe the arrears and other balances and be ordered to pay a monthly arrears payment amount that is compliant with sections 3121.36 and 3123.14 of the Revised Code.

(iv) When amounts are owed for other minor children or for a payment on arrears, other balances, or other obligations:

(a) A finding to initiate or continue income withholding or deduction; and
(b) A recommendation to initiate or continue income withholding or deduction.

(v) When amounts are not owed for other minor children or for a payment on arrears, other balances, or other obligations:

(a) A finding to terminate income withholding or deduction; and
(b) A recommendation to terminate income withholding or deduction.

(vi) When the obligee was overpaid:

(a) A finding that the obligee was overpaid, the amount the obligee was overpaid, and the date through which the overpayment was calculated; and
(b) A recommendation that the obligee be found to have been overpaid and the amount the obligee was overpaid.

(vii) The following statements:

(a) Both the obligor and obligee have the right to request an administrative hearing to object to the findings and recommendations contained in this notice. To request an administrative hearing, submit a written request for an administrative hearing to the CSEA. The obligor and obligee have thirty days after receipt of the notice containing the findings and recommendations to submit the written request for an administrative hearing to the CSEA. When the obligor or obligee requests an administrative hearing within thirty days of receipt of this notice, which contains the findings and recommendations, no revised court child support order will be issued.

(b) When neither the obligor nor the obligee requests an administrative hearing to object to the findings and recommendations, the findings and recommendations will be submitted to the court for inclusion into a revised or terminated court child support order with no further court hearing.
When the obligee was overpaid, the CSEA may elect to include in the findings and recommendations a recommendation that the obligee repay the obligor the amount the obligee was overpaid.

Impounding support.

1. When the CSEA is aware that support is or may be overpaid, the CSEA shall impound support paid pursuant to the child support order. When the support order is an administrative child support order, the CSEA shall use the JFS 07523, "Administrative Order to Impound Support" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code). When the support order is a court support order, the CSEA shall prepare an impound order and include in the impound order the following:
   a. The reason the support is being impounded; and
   b. The amount of support that is to be impounded.

2. The CSEA shall have copies of the impound order, or JFS 07523, as applicable, issued to the last known addresses of the obligor and obligee.

3. When the CSEA or court had previously issued a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), or JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (effective or revised effective date as identified in rule 5101:12-50-99 of the Administrative Code), the CSEA shall immediately take action to cancel any previously issued JFS 04047 or JFS 04017. The CSEA shall issue written notice of the cancellation by regular mail to the person who was required to comply with the JFS 04047 or JFS 04017.
CSPMTL 94

Effective Date: August 1, 2014

Most Current Prior Effective Date: November 15, 2008

(A) Administrative termination hearing.

(1) The obligor and obligee to the child support order have the right to object to the administrative termination investigation findings and recommendations within thirty days after receipt of the findings and recommendations. The child support enforcement agency (CSEA) shall presume that the obligor and obligee received the findings and recommendations three business days after the date the findings and recommendations were issued.

(2) When an obligor or obligee timely requests an administrative termination hearing, the CSEA shall schedule an administrative termination hearing and issue a JFS 07525, "Notice of Administrative Termination Hearing" (11/2008) (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the obligor and obligee at their last known addresses.

(a) At the administrative termination hearing, the obligor and obligee may present testimony and evidence to prove whether a mistake of fact is contained in the findings and recommendations. "Evidence" has the same meaning as in rule 5101:12-60-05 of the Administrative Code. The obligee and obligor may bring a legal or personal representative to the hearing. The CSEA may exclude any individual who is determined by the CSEA not to have a valid interest in the proceedings.

(b) Within fifteen days of the conclusion of the administrative termination hearing, the CSEA shall:

(i) When the child support order is an administrative child support order, prepare a JFS 07526, "Administrative Termination Hearing Decision" (11/2008) (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), file the JFS 07526 with the administrative child support file, and issue copies of the JFS 07526 to the last known addresses of the obligor and obligee.

(ii) When the child support order is a court support order, prepare an administrative hearing decision and issue copies of the administrative hearing decision to the obligor and obligee.

(3) The CSEA may deny an administrative termination hearing request when the request was not received by the CSEA within thirty days of the date the obligor and obligee received the JFS 07522, "Findings and Recommendations to Terminate the Administrative Support Order" (11/2008) (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code).

(a) The CSEA shall deny an administrative termination hearing request when:

(i) The person requesting the administrative termination hearing was not the obligor or the obligee or the representative of the obligor or obligee; or

(ii) The reason the obligor or obligee requested the administrative termination hearing was not related to the findings and recommendations contained in the JFS 07522.

(b) When the CSEA denies an administrative termination hearing request, the CSEA shall issue the JFS 07524, "Denial of Administrative Termination Hearing Request" (11/2008) (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the address of the person who requested the administrative termination hearing within five days of the receipt of the request.

(B) Court hearing.
The obligor and obligee have the right to object to the JFS 07526, when the child support order is an administrative child support order, or the administrative hearing decision, when the child support order is a court child support order, within thirty days of the date the JFS 07526 or administrative hearing decision is issued, as applicable, by filing an action in one of the following courts:

(a) With respect to an administrative child support order, the juvenile court or other court with jurisdiction under section 2101.022 or 2301.03 of the Revised Code of the county in which the CSEA that issued the order is located.

(b) With respect to a court child support order, in the court that issued the order or that otherwise has jurisdiction over the order.

When the obligor or obligee timely requests a court hearing, the CSEA shall submit a copy of the findings and recommendations and the JFS 07526 or administrative hearing decision, as applicable, to the court within five days of becoming aware of the request for the court hearing.

(C) Administrative termination order.

(1) When neither the obligor nor obligee timely objects to the JFS 07526 or findings and recommendations, the CSEA shall:

(a) When the child support order is an administrative child support order, prepare a JFS 07527, “Administrative Order to Terminate the Administrative Child Support Order” (11/2008) (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), file the JFS 07527 with the administrative child support record, and issue a copy of the JFS 07527 to the obligor and obligee at their last known addresses.

(b) When the child support order is a court support order, prepare an order that incorporates the CSEA's findings and recommendations and file the order and the findings and recommendations with the court.

(2) When neither the obligor nor obligee timely files a motion to object to the administrative hearing decision or JFS 07526, the CSEA shall:

(a) When the child support order is an administrative child support order, prepare a JFS 07527, file the JFS 07527 with the administrative child support record, and issue a copy of the JFS 07527 to the obligor and obligee at their last known addresses.

(b) When the child support order is a court support order, prepare an order that incorporates the administrative hearing decision; file the order, the findings and recommendations, and the administrative hearing decision with the court; and issue or have issued copies of the order that incorporates the administrative hearing decision to the obligor and obligee at their last known addresses.

(D) Disbursement of impounded funds.

The CSEA shall disburse all funds that have been impounded or overpaid to ODJFS in accordance with the court order or rules 5101:12-80-10 and 5101:12-80-10.1 of the Administrative Code within ten days of:

(1) The date the CSEA issues an administrative order terminating the child support order or receives a journalized court order terminating the child support order; or

(2) The effective date of the child support termination, whichever occurs later.

Effective: 08/01/2014
R.C. 119.032 review dates: 04/24/2014 and 08/01/2019
Certification: CERTIFIED ELECTRONICALLY
Date: 06/30/2014
Promulgated Under: 119.03
This rule and its supplemental rules describe the process for a reduction of permanently assigned arrears as a result of an obligor satisfying all the terms and conditions of a waiver, installment plan compromise, lump sum compromise or a family support program.

Procedures submitted by a child support enforcement agency (CSEA) for a waiver and compromise program and approved by the office of child support (OCS) prior to the effective date of this rule and its supplemental rules remain valid except to the extent that any provision of the CSEA procedure is inconsistent with the requirements contained in this rule and its supplemental rules.

The following definitions apply to this rule and its supplemental rules:

1. "Conditionally assigned arrears" has the same meaning as in rule 5101:12-80-10 of the Administrative Code.
2. "Current obligation" has the same meaning as in rule 5101:12-80-10 of the Administrative Code.
3. "Family support program" means a community-based program, approved or administered by the CSEA, in which an obligor may participate to promote financial and/or family stability.
4. "Family support program agreement" means a written agreement between an obligor and a CSEA in which the obligor participates in a family support program in exchange for the CSEA reducing permanently assigned arrears by an amount certain.
5. "Installment plan compromise" means a written agreement between an obligor and a CSEA to reduce permanently assigned arrears by an amount certain in exchange for the obligor to pay a monthly support amount for a specific time period. In exchange for the obligor's compliance, the CSEA reduces permanently assigned arrears by specific amounts at specific time periods.
6. "Lifetime maximum amount" means the total amount the CSEA is authorized to approve locally to be reduced from permanently assigned arrears on a support enforcement tracking system (SETS) case.
7. "Lump sum compromise" means a written agreement between an obligor and a CSEA to reduce permanently assigned arrears by an amount certain in exchange for a lump sum payment of a specified amount. In exchange for the obligor's compliance, the CSEA reduces permanently assigned arrears by a specified amount.
8. "Permanently assigned arrears" means:
   a. Child support, spousal support, past care, or medical support arrears that are permanently assigned to the Ohio department of job and family services (ODJFS) or the Ohio department of medicaid (ODM) pursuant to an Ohio works first (OWF) assignment or permanently assigned to ODJFS, ODM or another state pursuant to an aid to families with dependent children, temporary assistance for needy families, medicaid, or Title IV-E foster care maintenance assignment.
   b. Reimbursement owed to ODJFS or ODM for medical expenses or genetic testing cost.
9. "Unreimbursed assistance" has the same meaning as in rule 5101:12-80-09 of the Administrative Code.
10. "Waiver" means a written agreement between an obligor and a CSEA to reduce permanently assigned arrears to an amount certain, including when the amount certain is zero dollars, without requiring a payment in exchange by the obligor.
CSPMTL 119

Effective Date: January 1, 2017
Most Current Prior Effective Date: October 1, 2010

(A) A child support enforcement agency (CSEA) may elect to establish a procedure for a reduction of permanently assigned arrears that is consistent with rule 5101:12-60-70 of the Administrative Code and its supplemental rules. When a CSEA elects to establish such a procedure, the CSEA shall submit the procedure to the office of child support (OCS) prior to negotiating any agreements for a reduction of permanently assigned arrears.

(B) The CSEA shall submit its procedure for a reduction of permanently assigned arrears to OCS for approval when the CSEA:

(1) Elects to establish a procedure for a reduction of permanently assigned arrears and does not already have such a procedure; or

(2) Amends an approved procedure; or

(3) Has an approved procedure which is inconsistent with the requirements in rule 5101:12-60-70 of the Administrative Code and its supplemental rules; or

(4) Elects to establish or utilize a family support program that will result in a reduction of permanently assigned arrears in excess of the lifetime maximum amount.

(C) A family support program as described in paragraph (B)(4) of this rule, shall include the following:

(1) The name of the program;

(2) The goal(s) of the program;

(3) The obligor's responsibilities in the program;

(4) The frequency the CSEA will reduce the permanently assigned arrears on the support enforcement tracking system (SETS) case;

(5) The amount that may be reduced from the permanently assigned arrears; and

(6) Any other program description requested by OCS.

(D) When the CSEA has an approved procedure that is in accordance with paragraph (A) of this rule:

(1) The CSEA has the authority to deny any request to reduce permanently assigned arrears.

(2) The CSEA director or administrator is authorized to approve, per SETS case, a reduction of permanently assigned arrears up to the lifetime maximum amount of four thousand nine hundred ninety-nine dollars and ninety-nine cents.

   (a) The calculation of the lifetime maximum amount includes the total of all agreements previously entered into on a case.

   (b) When a CSEA has a family support program approved by OCS, as described in paragraph (B)(4) of this rule, the CSEA is authorized to exceed the requirement of paragraph (D)(2) of this rule.

(E) Any payments collected on a SETS case prior to a CSEA receiving a written request for a reduction of permanently assigned arrears from an obligor or obligor's representative shall not be considered to satisfy any of the terms or conditions of the agreement.

(F) The CSEA shall consult with the agency's legal advisor regarding the reduction of any obligation owed to the CSEA.

(G) When a SETS case has a current obligation, the permanently assigned arrears owed are not eligible for a waiver.
During the period when the obligee is receiving Ohio works first (OWF) benefits, the amount of permanently assigned IV-A arrears that may be reduced shall not exceed the amount of unreimbursed assistance (URA) on the SETS case.

The CSEA shall only issue one waiver agreement per SETS case.

There is no limit on the number of compromise agreements or family support program agreements a CSEA may issue per SETS case.

(1) If any agreement exceeds the lifetime maximum amount as calculated pursuant to paragraph (D)(2) of this rule, the CSEA shall submit the request to OCS as described in paragraph (E)(3) of rule 5101:12-60-70.2 of the Administrative Code.

(2) The CSEA and the obligor must satisfy the terms and conditions of the agreement before another agreement can be initiated.

The CSEA shall intervene in any known legal action for a reduction of permanently assigned arrears when the CSEA has not been made a party to the action and the action is pending or the appeal period has not lapsed.

When the CSEA receives a court order for a reduction of conditionally assigned arrears:

(1) The CSEA shall comply with the order unless the CSEA has been notified that the obligor's federal income tax refund offset has been applied to all or part of the conditionally assigned arrears identified in the court order, in accordance with paragraph (D) of rule 5101:12-50-32.6 of the Administrative Code.

(2) The CSEA shall immediately take action to preserve for the state the amount of conditionally assigned arrears that are satisfied by the federal income tax refund, when the CSEA has been notified that the obligor's federal income tax refund offset has been applied to the conditionally assigned arrears and the appeal period for the court order has not lapsed.

Replaces: 5101:12-60-70.1
Effective: 01/01/2017
Five Year Review (FYR) Dates: 01/01/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 12/02/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.24, 3125.25
Prior Effective Dates: 10/01/2010
A reduction of permanently assigned arrears is a negotiation between the child support enforcement agency (CSEA) and the obligor or obligor’s representative. No obligor has a right, either explicit or implied, to require the CSEA or office of child support (OCS) to reduce permanently assigned arrears.

An agreement to reduce permanently assigned arrears shall not:

1. Alter an obligor's requirement to pay the full monthly support obligation amount owed on a support order; or
2. Operate to stay the collection of any current obligation, other arrears or balances.

An obligor or an obligor's representative shall initiate a negotiation for a reduction of permanently assigned arrears by submitting a written request to the CSEA.

1. The CSEA shall require the obligor or the obligor's representative to submit financial records or other relevant documents to demonstrate financial hardship or other hardship, and any other information requested by the CSEA.
2. When an obligor or obligor's representative fails to submit the required documentation, the CSEA shall deny the request. The obligor or obligor's representative has the right to submit a new request.
3. When an obligor or obligor's representative submits a request and the arrears are assigned to another state:
   a. The CSEA shall forward the request to the other state; and
   b. The CSEA shall not reduce the permanently assigned arrears to another state when the other state has not provided the CSEA with written authorization for the reduction of the permanently assigned arrears.

Upon receipt of the written request as described in paragraph (C) of this rule, the CSEA shall initiate action to negotiate a reduction of permanently assigned arrears.

When the CSEA has completed a negotiation for a reduction of permanently assigned arrears, within a reasonable time the CSEA shall:

1. Complete the JFS 07717, "Determination Regarding Negotiation for a Reduction of Permanently Assigned Arrears" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code).
2. Approve or deny a request for a reduction of permanently assigned arrears as described in paragraph (D) of rule 5101:12-60-70.1 of the Administrative Code; or
3. Recommend approval, and submit to OCS, via electronic mail, scanned copies of the signed JFS 07717, and any documentation submitted by the obligor or the obligor's representative, when the requested amount, if approved, would exceed the lifetime maximum amount as described in paragraph (D)(2) of rule 5101:12-60-70.1 of the Administrative Code.
4. Issue a notice to the obligor when the request for a reduction of permanently assigned arrears is denied by the CSEA or OCS, and provide the reason for the denial.

OCS shall acknowledge receipt of the JFS 07717 in accordance with paragraph (E)(3) of this rule. If OCS does not issue a written response within ten business days of acknowledging receipt of the JFS 07717, the CSEA shall consider the pending request as approved.

OCS reserves the right to deny a request from a CSEA if OCS determines there is an undue delay of submission of the request. The CSEA may work with the obligor to resubmit a current request. "Undue
"delay" means a delay in submission of a negotiation contained in a JFS 07717 to OCS in which the information contained in the submission is stale, outdated, or that may have led to a change in position of any participant to the negotiation.

(H) The CSEA shall maintain copies of all the documents described in this rule in the obligor's relevant case record as described in rule 5101:12-10-05 of the Administrative Code.

Replaces: 5101:12-60-70.2
Effective: 01/01/2017
Five Year Review (FYR) Dates: 01/01/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 12/02/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.24, 3125.25
Prior Effective Dates: 10/01/2010
(A) An agreed entry for a reduction of permanently assigned arrears shall only pertain to one support enforcement tracking system (SETS) case.

(B) When a child support enforcement agency (CSEA) or the office of child support (OCS) approves a request for a reduction of permanently assigned arrears, the CSEA shall prepare and issue to the obligor:

1. A JFS 07718, "Administrative Agreed Entry for a Reduction of Permanently Assigned Arrears" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code) when the support order is an administrative child support order.
2. An agreed entry when the support order is a court order that includes:
   (a) The effective date of the agreement;
   (b) The terms and conditions of the agreement:
      (i) For a waiver, the amount the CSEA shall reduce from permanently assigned arrears.
      (ii) For a lump sum compromise:
          (a) The amount the CSEA shall reduce from permanently assigned arrears in exchange for a lump sum payment of a specified amount paid by the obligor; and
          (b) The date by which the obligor shall make the payment.
      (iii) For an installment plan compromise:
          (a) The amount the CSEA shall reduce from permanently assigned arrears for every dollar the obligor pays; and
          (b) The frequency (daily, monthly, quarterly, etc.) the CSEA will review the obligor's payment history to determine compliance with the agreement.
      (iv) For a family support program:
          (a) The name of the program; and
          (b) The amount the CSEA shall reduce from permanently assigned arrears in exchange for the obligor's successful completion of the program; and
      (v) The amount the CSEA shall reduce from any balance owed to the CSEA.
   (c) The following statements:
      (i) The rights of the obligee shall not be prejudiced by the agreement to reduce the permanently assigned arrears; and
      (ii) When the agreed entry is a waiver or family support program, and a balance remains on the SETS case, the obligor is still responsible for paying in full the remaining support obligation amount owed, and is still subject to all of the collection and enforcement techniques; or
      (iii) When the agreed entry is an installment plan compromise, lump sum compromise or family support program, the obligor is still responsible for paying in full the remaining support obligation amount owed on the SETS case, including the current obligation amount, and is still subject to all of the collection and enforcement techniques; and
When the agreed entry is final, neither the obligor nor the CSEA may re-open matters covered by the agreed entry, by court action or otherwise, unless:

(a) The obligor fails to comply with the terms and conditions set forth in the agreed entry; or

(b) The obligor is believed to have acted with intent to defraud the CSEA by furnishing false information or concealing assets or financial history; or

(c) There is a mutual mistake of a material fact sufficient to cause the agreed entry to be reformed or set aside.

When the terms and conditions of the court agreed entry or JFS 07718 have been satisfied, the CSEA shall:

(1) Reduce the permanently assigned arrears by the amount identified in the agreed entry; and

(2) Reduce the unreimbursed assistance (URA) by an amount equal to the amount of permanently assigned arrears that are reduced.

The CSEA shall consider whether it is appropriate to initiate an action to reinstate the permanently assigned arrears when:

(1) The obligor fails to comply with the terms and conditions set forth in the agreed entry; or

(2) The obligor is believed to have acted with intent to defraud the CSEA by furnishing false information or concealing assets or financial history; or

(3) There is a mutual mistake of material fact sufficient to cause the agreed entry to be reformed or set aside.

The CSEA shall provide any of the following upon request by OCS:

(1) A copy of the documents described in paragraph (C)(1) of rule 5101:12-60-70.2 of the Administrative Code; and

(2) A copy of the signed JFS 07718 or journalized agreed entry; and

(3) Any other documentation, as determined by OCS, of agreements to reduce permanently assigned arrears for support orders administered by the CSEA.

Replaces: 5101:12-60-70.2
Effective: 01/01/2017
Five Year Review (F Y R) Dates: 01/01/2022
Certification: CERTIFIED ELECTRONICALLY
Date: 12/02/2016
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.24, 3125.25
Prior Effective Dates: 10/01/2010
Effective Date: January 1, 2017

(A) The child support enforcement agency (CSEA) shall utilize the reporting database provided by the office of child support (OCS) to track and maintain a cumulative record of all requests and agreements for a reduction of permanently assigned arrears, regardless of whether the request is approved or denied.

(1) Upon approval of a procedure as described in paragraph (B) of rule 5101:12-60-70.1 of the Administrative Code, OCS shall provide the reporting database to a CSEA; or

(2) If a CSEA has a previously approved procedure, OCS shall provide the database to the CSEA upon the effective date of this rule.

(B) The CSEA shall merge all prior existing records into the OCS provided database. All other CSEA reporting formats shall be obsolete as of the effective date of this rule.

(C) The CSEA shall submit the OCS provided database, to OCS quarterly, no later than January thirty first, April thirtieth, July thirty first and October thirty first.

(1) The CSEA shall submit the OCS provided database every quarter, even if there are no changes from the previous quarter.

(2) If a CSEA fails to submit the OCS provided database and supply the required data, OCS may revoke a CSEA's approved procedure.

(D) OCS reserves the right to make changes or updates to the reporting database. OCS will provide the revised version of the reporting database to the CSEA’s once it’s completed.

Effective: 01/01/2017

Five Year Review (FYR) Dates: 01/01/2022

Certification: CERTIFIED ELECTRONICALLY

Date: 12/02/2016

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.24, 3125.25
CSPMTL 130

**Effective Date: February 1, 2018**

(A) This rule describes the process a child support enforcement agency (CSEA) may use to initiate a reduction of permanently assigned arrears.

(B) The CSEA may initiate a reduction of permanently assigned arrears on an arrears only support enforcement tracking system (SETS) case when all of the following conditions exist:

1. All of the arrears are permanently assigned to the state, as defined in rule 5101:12-60-70 of the Administrative Code;
2. There has been no collection received on the SETS case during the past two years; and
3. There is documentation in the case record that:
   - All manual and automated location efforts have been unsuccessful for the past two years; or
   - All enforcement efforts have been unsuccessful for the past two years.

(C) Upon approval of the CSEA, or OCS (when applicable) the CSEA shall:

1. Prepare and file the JFS 04057, "Notice to Court or Administrative Case Record of a Reduction of Permanently Assigned Arrears" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code) with the court when the order is a judicial order, or in the administrative record when the order is an administrative order; and
2. Issue the JFS 04057 by ordinary, first class mail to the obligor's last known address.

(D) The CSEA shall comply with all other provisions in rules 5101:12-60-70 to 5101:12-60-70.4 of the Administrative Code.

Effective: 2/1/2018

Five Year Review (FYR) Dates: 02/01/2023

Certification: CERTIFIED ELECTRONICALLY

Date: 01/04/2018

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.24, 3125.25
The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 01849, "Request for an Administrative Review of the Child Support Order" (rev. 2/2009);
(B) JFS 01856, "Denial of Request to Reschedule Administrative Review and Adjustment Hearing" (rev. 7/2005);
(C) JFS 01866, "Administrative Review Pending Notice" (rev. 07/2005);
(D) JFS 01867, "Right to Request an Administrative Review of the Support Order" (rev. 7/2005);
(E) JFS 01868, "Dismissal of Administrative Review Request" (7/2005);
(F) JFS 04057, "Notice to Court or Administrative Case Record of a Reduction of Permanently Assigned Arrears" (2/2018);
(G) JFS 07049, "Notice of Right to Request Administrative Review of Child and Medical Support Order" (2/2009);
(H) JFS 07521, "Results of Support Order Termination Investigation" (rev. 6/2014);
(I) JFS 07522, "Findings and Recommendations to Terminate the Administrative Child Support Order" (rev. 6/2014);
(J) JFS 07523, "Administrative Order to Impound Support" (11/2008);
(K) JFS 07524, "Denial of Administrative Termination Hearing Request" (11/2008);
(L) JFS 07525, "Notice of Administrative Termination Hearing" (rev. 2/2009);
(M) JFS 07526, "Administrative Termination Hearing Decision" (11/2008);
(N) JFS 07527, "Administrative Order to Terminate the Administrative Child Support Order" (11/2008);
(O) JFS 07602, "Administrative Adjustment Hearing Notice" (4/1996);
(P) JFS 07606, "Administrative Adjustment Review Notification" (rev. 8/2008);
(Q) JFS 07613, "Administrative Adjustment Review Denial Notice" (rev. 10/2007);
(R) JFS 07633, "Rescheduling Administrative Adjustment Hearing Notice" (rev. 4/1996);
(S) JFS 07717, "Determination Regarding Negotiation for a Reduction of Permanently Assigned Arrears" (rev. 1/2017);
(T) JFS 07718, "Administrative Agreed Entry for a Reduction of Permanently Assigned Arrears" (rev. 1/2017);
(U) JFS 07719, "Administrative Order for Child Support and Medical Support" (rev. 8/2008);
(V) JFS 07724, "Administrative Adjustment Recommendation" (rev. 8/2008);
(W) JFS 07728, "Administrative Adjustment Hearing Request Denial Notice" (rev. 11/2001); and
(X) JFS 07770, "Administrative Adjustment Hearing Decision" (rev. 11/2001).

Effective: 6/15/2018
Five Year Review (FYR) Dates: 8/1/2019
Certification: CERTIFIED ELECTRONICALLY
Date: 05/31/2018
5101:12-70 - Interstate Actions
This rule and its supplemental rules describe the procedures for processing an intergovernmental case for child support enforcement services.

An initiating or responding child support enforcement agency (CSEA) as defined in this rule shall process intergovernmental cases in accordance with this rule and its supplemental rules, federal regulations found at 45 C.F.R. 303.7 effective January 03, 2011, and provisions of the Uniform Interstate Family Support Act (UIFSA)(2008) enacted as sections 3115.01 to 3115.593115.102 to 3115.903 of the Revised Code. This rule and its supplemental rules do not apply when a court is acting as the tribunal pursuant to division (X)(CC) of section 3115.043115.102 of the Revised Code.

The following definitions, as well as those found in section 3115.043115.102 of the Revised Code, apply to this rule and its supplemental rules:

1. "Agency," for the purpose of this rule, means a child support enforcement agency (CSEA), acting as a tribunal in accordance with section 3115.053115.203 of the Revised Code, another state, a tribal IV-D agency, or an agency in a country, as defined in this rule.

2. "Central authority" means the agency designated by a government to facilitate support enforcement with a foreign reciprocating country (FRC) pursuant to section 459A of the Social Security Act effective July 01, 1997 entity designated by the United States or a foreign county described in division (E)(4) of section 3115.102 the Revised Code to perform the functions specified in the convention.

3. "Child Support Enforcement Network" (CSENet) is an electronic communications network developed by the federal office of child support enforcement (OCSE) that automatically transmits and receives child support case information to and from other states. States use standard CSENet transactions to electronically request or report the obligor location, establishment of paternity and child support order, enforcement of the child support order, and collection activities as well as to transfer interstate case information in a standardized format.

4. "Continuing exclusive jurisdiction" (CEJ) is a tool for use in determining which child support order shall be the controlling order as well as in determining the correct jurisdiction in which a controlling order may be modified means the authority an issuing tribunal has to modify an order to the exclusion of all other jurisdictions. A state has CEJ over a valid child support order issued in that state at any time either the individual obligee, obligor or the child resides in that state or the parties have consented in a record or open court that the tribunal of the state may continue to exercise jurisdiction to modify its order.

5. "Controlling order state" means:
   (a) The state in which the only child support order was issued; or
   (b) Where multiple orders exist, the state in which the order determined by a tribunal to control the prospective current child support order was issued.


7. "Country" means a foreign country (or a political subdivision thereof) declared to be an FRC under section 459A of the Social Security Act and any foreign country (or political subdivision thereof) with which the state has entered into a reciprocal arrangement for the establishment and enforcement of child support obligations to the extent consistent with federal law pursuant to section 459A(d) of the Social Security Act. "Foreign country" means a country, including a
political subdivision of the country, other than the United States, that authorizes the issuance of
support orders to which at least one of the following applies:

(a) It has been declared under the law of the United States to be a foreign reciprocating
country;

(b) It has established a reciprocal arrangement for child support with this state as provided in
section 3115.308 of the Revised Code;

(c) It has enacted a law or established procedures for the issuance and enforcement of
support orders that are substantially similar to the procedures under this chapter;

(d) It is a country in which the convention is in force with respect to the United States.

(7)(8) "Form" means a federally-approved document used for the establishment and enforcement of
child support obligations whether compiled or transmitted in written or electronic format. In
interstate cases, such forms include those used for child support enforcement proceedings
under UIFSA and described in rule 5101:12-10-70-05.11 of the Administrative
Code.

(9) "Home state" means the state or foreign country in which a child lived with a parent or person
acting as parent for at least six consecutive months immediately preceding the time of filing of a
petition or comparable pleading for support and, if a child is less than six months old, the state
or foreign country in which the child lived from birth with any of them. A period of temporary
absence of any of them is counted as part of the six-month or other period.

(9)(10) "Initiating agency" means an agency in which an individual has applied for or is receiving
services and the agency initiates a two state intergovernmental case to a responding
jurisdiction.

(9)(11) "Intergovernmental case" means a case in which the obligor lives and/or works in a
different jurisdiction than the obligee and child(ren) that has been referred by an initiating
agency to a responding agency for services. Person or entity that is eligible to receive support
resides in one state or country, and the person obligated to pay support resides in, has income
or assets from, or the order is from, another state or country. An intergovernmental case may
include any combination of referrals between states, tribes, and countries. An intergovernmental
case also may include cases a case in which a state agency is seeking only to collect support
arrearages, whether owed to the family or assigned to the state.

(12) "International case" means an intergovernmental case in which the person or entity that is
eligible to receive support resides in one country, and the person obligated to pay support
resides in, has income or assets from, or the order is from, another country.

(13) "Interstate case" means an intergovernmental case in which the obligor lives and/or
works in a different state than the obligee and child(ren) that has been referred by an initiating
state to a responding state for services. An interstate case includes only a case between states
or between a state and the United States territories. An interstate case may include a case in
which a state is seeking only to collect support arrearages, whether owed to the family or
assigned to the state. Person or entity that is eligible to receive support resides in one state, and
the person obligated to pay support resides in, has income or assets from, or the order is from,
another state.

(14) "Long arm jurisdiction" means the exercise of a state's personal jurisdiction over a non-resident.

(15) "One-state remedies" means the exercise of a state's jurisdiction over an obligor for the
purpose of direct establishment, enforcement, or other action by a state against an obligor in
accordance with the long arm provision of UIFSA.

(16) "Registration" means the act of taking jurisdiction over a child support order that was
issued by a tribunal of another state for the purpose of enforcement or modification of that order
in Ohio as requested by the initiating agency. Act of filing in a tribunal of this state a support order
or judgment determining parentage of a child issued in another state or a foreign country.
"Responding agency" means the agency that is providing services in response to a referral from an initiating agency in an intergovernmental case.

"State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.

"Tribunal" has the same meaning as in division (X) of section 3115.01 of the Revised Code means, pursuant to section 3115.102 of the Revised Code, a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

"Uniform Interstate Family Support Act" (UIFSA) means the model act promulgated by the "National Conference of Commissioners on Uniform State Laws" (NCCUSL) now known as the "Uniform Law Commission" (ULC) and mandated by section 466(f) of the Social Security Act to be in effect in all states.

Effective: 07/01/2016
Five Year Review (FYR) Dates: 03/22/2016 and 07/01/2021
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Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3115.102, 3115.903, 3125.03
Prior Effective Dates: 1/1/98, 3/1/03, 9/1/05, 11/1/11
This rule describes the general responsibilities that apply to a child support enforcement agency (CSEA) irrespective of the CSEA role in the case as either an initiating or responding agency.

The CSEA shall:

1. Use federally approved forms in intergovernmental cases, unless a country has provided alternative forms as part of its chapter in "A Caseworker's Guide to Processing Cases with Foreign Reciprocating Countries." These forms are available at [http://www.acf.hhs.gov/programs/cse/international/](http://www.acf.hhs.gov/programs/cse/international/). When using a paper version, the CSEA meets this requirement by providing the number of complete sets of required documents needed by the responding agency, if one is not sufficient under the responding agency's law;

2. Within thirty business days of receiving a request, provide any order and payment record information requested by a state IV-D agency for a controlling order determination and reconciliation of arrearages, or notify the state IV-D agency when the information will be provided;

3. Notify the other agency within ten business days of receipt of new information on an intergovernmental case;

4. Cooperate with requests for limited services such as quick locate, service of process, assistance with discovery, assistance with genetic testing, teleconferenced hearings, administrative reviews, and copies of court orders and payment records. Requests for other limited services may be honored at the state's option; and

5. Transmit requests for information and provide requested information electronically to the greatest extent possible.

Effective: 07/01/2016

Five Year Review (FYR) Dates: 03/22/2016 and 07/01/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 06/01/2016

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Prior Effective Dates: 11/1/11
CSPMTL 111

Effective Date: July 1, 2016

Most Current Prior Effective Date: November 1, 2011

(A) Each state child support agency is required by federal regulations at 45 C.F.R. 303.7(b), effective January 3, 2011, to establish an interstate central registry (ICR) responsible for receiving, transmitting, and responding to inquiries on all incoming intergovernmental cases. The ICR in Ohio is located within the Ohio department of job and family services (ODJFS), office of child support (OCS).

(B) The ICR shall take the following steps within ten business days of receiving an intergovernmental case:

1. Review the petition and any child support enforcement network (CSNet/CSENet) transaction for accuracy and completeness;
2. Perform location as needed;
3. Partially complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS);
4. Forward the petition to the child support enforcement agency (CSEA) in the county with administrative responsibility for the case; and
5. Acknowledge receipt of the petition to the child support agency in the initiating state and advise it of the name and address of the CSEA where the petition was sent for processing.

(C) When the documentation received with a case is incomplete and cannot be remedied by the ICR without the assistance of the initiating agency, the ICR must forward the case to the county with administrative responsibility for the case for any action that can be taken pending necessary action by the initiating agency.

(D) The ICR shall take the following steps within five business days of receiving a case status inquiry from another child support agency:

1. Contact the CSEA with administrative responsibility for the case to determine the status of the case when the requested information is not available through SETS; and
2. Provide the inquiring agency with an update on the status of the case.

(E) When another state issues an income withholding order directly to the obligor employer that is located in Ohio, the obligor may object to the income withholding order by contacting the ICR within OCS to request an investigation. The obligor may object to the income withholding order under the following circumstances:

1. The obligor is not subject to the support order; or
2. The obligor does not have a duty of support under any tribunal pursuant to which the income withholding order was issued.

(F) When the ICR receives a request for investigation, the ICR will conduct an investigation and send the results to the obligor who requested the investigation within fifteen days after the date on which the request was made.

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5101:12-70-05.3 Requirements for Initiating CSEA in Intergovernmental Cases

CSPMTL 111

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Most Current Prior Effective Date: November 1, 2011

(A) This rule describes the requirements that an initiating child support enforcement agency (CSEA) shall follow when processing an intergovernmental case.

(B) In addition to the general responsibilities described in rule 5101:12-70-05.1 of the Administrative Code, the initiating CSEA has the following responsibilities:

(1) Determine whether a child support order(s) exists in a case using the federal and state case registries, state records, information provided by the recipient of services, and other relevant information available to the CSEA;

(2) Determine in which state a determination of the controlling order and reconciliation of arrearages may be made where multiple orders exist;

(3) Determine whether the obligor is in another jurisdiction and whether it is appropriate to use long arm jurisdiction to establish paternity and establish, modify, and enforce a support order, including medical support and income withholding;

(4) Within twenty days of completing the actions required in paragraphs (B)(1) to (B)(3) of this rule and receiving any necessary information needed to process the case: refer the case to the appropriate state central registry, tribal IV-D program, or central authority of a county for action, if one-state remedies are not appropriate.

(a) Ask the CSEA with administrative responsibility for the case, or refer the case to the appropriate responding state IV-D agency for a determination of the controlling order and a reconciliation of arrears if needed; and

(b) Refer the case to the appropriate state central registry, tribal IV-D program, or central authority of a country for action, if one-state remedies are not appropriate.

(5) Provide the responding agency sufficient and accurate information to act on the case by submitting with each Uniform Interstate Family Support Act (UIFSA)(2008) petition any necessary documentation and intergovernmental forms required by the responding agency;

(6) Within thirty days of receipt of the request for information, provide the responding agency with an updated intergovernmental form and any necessary additional documentation, or notify the responding agency when the information will be provided;

(7) Notify the responding agency at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support under an initiating state's order being enforced in the responding jurisdiction;

(8) Submit all past-due support owed in IV-D cases that meet the certification requirements for federal tax offset;

(9) Send a request for review and adjustment of a child support order to another state jurisdiction within twenty days of determining that a request for review and adjustment should be sent to the other state, including any needed information from the requestor;

(10) Distribute and disburse any support collections received;

(11) Notify the responding agency within ten business days of case closure pursuant to rule 5101:12-10-70 of the Administrative Code and the reason(s) for such action;

(12) Instruct the responding agency to close its interstate intergovernmental case and to stop any withholding notice the responding agency has sent to an employer payor before the CSEA sends a withholding notice, unless the two states jurisdictions reach an alternative agreement on how to proceed; and
(13) When the CSEA has closed its case and has not notified the responding agency to close its corresponding case, the CSEA shall make a diligent effort to locate the obligee, including use of the federal parent locator service and the state parent locator service, and accept, distribute and disburse any payment received from a responding agency.

(C) Notification requirements for the initiating CSEA include:

(1) Send a copy of a notice received from a court to an obligee within two business days of receiving it from the court;

(2) Send a copy of a written communication from the obligor or the obligor's attorney to the obligee within two business days of receiving it from the court;

(3) Notify the obligee within ten business days if jurisdiction over the obligor cannot be obtained;

(4) Furnish a certified statement by the custodian of the record of the amounts and dates of all payments received to a requesting party or child support agency of another state. The CSEA may use a stamp on the record to indicate that it is a true and accurate statement of arrears.

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This rule describes the requirements that a responding child support enforcement agency (CSEA) shall follow when receiving a request for services from an initiating agency.

In addition to the general responsibilities described in rule 5101:12-70-05.1 of the Administrative Code, the responding CSEA has the following responsibilities:

1. Accept and process an intergovernmental request for services. The CSEA may not refuse to process a request on the basis that an initiating state could have utilized one-state or long arm processes;

2. Within seventy-five days of receipt of an intergovernmental form and documentation from the Ohio interstate central registry (ICR):
   a. Provide location services when the request is for location services or when the form or documentation does not include adequate location information on the obligor;
   b. When unable to proceed with the case because of inadequate documentation, notify the initiating agency of the needed information or corrections;
   c. When the documentation received with a case is incomplete and cannot be remedied without the assistance of the initiating agency, process the case to the extent possible pending necessary action by the initiating agency;

3. Within ten business days of locating the obligor in a different state, the CSEA must return the forms and documentation, including the new location, to the initiating agency, or if directed by the initiating agency, forward the forms and documentation to the central registry in the state where the obligor has been located, and notify the Ohio interstate central registry (ICR) where the case has been sent;

4. When the request is for the determination of the controlling order:
   a. File the controlling order determination request with the appropriate court within thirty days of receipt of the request or location of the obligor, whichever occurs later; and
   b. Notify the initiating state agency, the controlling order state, and any state where a support order in the case was issued or registered, of the controlling order determination and any reconciled arrearages within thirty days of receipt of the determination from the court.

5. When the request is for the determination of the controlling order:
   a. File the controlling order determination request with the appropriate court within thirty days of receipt of the request or location of the obligor, whichever occurs later; and
   b. Notify the initiating state agency, the controlling order state, and any state where a support order in the case was issued or registered, of the controlling order determination and any reconciled arrearages within thirty days of receipt of the determination from the court.

6. Provide any necessary services as it would in an intrastate IV-D case as described in division 5101:12 of the Administrative Code;

7. Provide timely notice to the initiating agency in advance of any hearing before a court that may result in establishment or adjustment of an order;
(8) Identify any fees or costs deducted from support payments when forwarding payments to the initiating agency;

(9) Within ten business days of receipt of instructions for termination of services from an initiating state agency, stop the income withholding notice and close the case, unless the two states reach an agreement on how to proceed. If the controlling order was issued by Ohio, the CSEA shall terminate services in accordance with rule 5101:12-10-70 of the Administrative Code.

When the CSEA has administrative responsibility for the Ohio controlling order, it shall remain the custodian of the records for the controlling order. The CSEA shall assist any agency that requests information or documentation needed for the registration or enforcement of the order.

(10) Notify the initiating agency when a case is closed.

(C) Other responsibilities for the responding CSEA include:

(1) Notify the child support agency in the initiating state of the correct Ohio case number whenever an application received from the Ohio interstate central registry (ICR) is merged into an existing case by the CSEA;

(2) Enable a court in Ohio or tribunal in another state to obtain jurisdiction over the party that resides in Ohio;

(3) Request the Ohio court with jurisdiction to set a date, time, and place for a hearing, when appropriate;

(4) Provide a statement of the amounts and dates of all payments received, when requested by a case participant or the child support agency of another state. The statement must be certified by the custodian of the records. The CSEA may use a stamp on the record to indicate that it is a true and accurate statement;

(5) Pay the costs of processing intergovernmental cases, including the costs of genetic testing.

(D) When processing and enforcing an intergovernmental case, the laws of Ohio shall apply.

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This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to establish paternity in intergovernmental cases. When a determination of paternity has been made pursuant to the laws of another jurisdiction, that determination must be recognized in Ohio, and the issue of paternity may not be re-litigated or used as a defense to an action brought pursuant to rule 5101:12-70-05 of the Administrative Code and its supplemental rules section 3115.315 of the Revised Code.

Paternity may be established either by:

1. Using long arm jurisdiction, or
2. Sending a Uniform Interstate Family Support Act (UIFSA) petition, which requests the establishment of paternity from the initiating CSEA to an interstate central registry (ICR) in a responding state or to the central authority in another country or tribe.

The initiating CSEA shall determine whether long arm jurisdiction shall be used to establish paternity. The CSEA and its legal staff should carefully consider the facts of a case to determine whether one of the conditions described in Ohio's long arm statute exists. Long arm jurisdiction may exist over a party living outside the state of Ohio if one or more conditions described in section 3115.201 of the Revised Code apply.

1. When it determines that long arm jurisdiction exists and that its use is appropriate, the CSEA shall establish paternity pursuant to Chapter 5101:12-40 of the Administrative Code and shall not initiate a UIFSA petition to the state where the other party resides. The CSEA may also use OMB 0970-0085 "Transmittal #3 - Request for assistance/discovery" to request assistance with service of process or genetic testing from the child support agency in the other state, if necessary; or
2. When it determines that long arm jurisdiction does not exist or would be inappropriate, the CSEA shall initiate a UIFSA petition to the ICR in the state, or to the central authority of another country or tribe, where the other party resides within twenty days of determining that the other party resides in another jurisdiction.

A responding CSEA has the following responsibilities:

1. Immediately upon receipt from the Ohio ICR of a UIFSA petition that requests the establishment of paternity, verify the residence address of the party who resides in Ohio and, if necessary, transfer the UIFSA petition to the CSEA with administrative responsibility for the case:
   a. Verify the residence address of the party who resides in Ohio;
   b. If necessary, transfer the UIFSA petition to the CSEA with administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code; and
   c. Establish paternity pursuant to section 3115.305 of the Revised Code;

2. The responding CSEA that has administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:
   a. Notify the child support agency in the initiating agency of any additional information needed to proceed with the case;
   b. Process the case to the extent possible pending receipt of the additional information needed from the child support agency in the initiating jurisdiction; and
(c) Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction.

(3) Establish paternity pursuant to section 3115.16 of the Revised Code.

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Rule Amplifies: 3115.201, 3115.203, 3115.304, 3115.305, 3115.315, 3125.03
Prior Effective Dates: 1/1/98, 3/1/03, 9/1/05, 11/1/11
A child support order may be established either by:

1. Using long arm jurisdiction, or
2. Sending a Uniform Interstate Family Support Act (UIFSA) petition that requests the establishment of a child support order from an initiating CSEA to an interstate central registry (ICR) in a responding state, or to the central authority of another country or tribe.

The initiating CSEA shall determine whether long arm jurisdiction shall be used to establish a child support order. The CSEA and its legal staff should carefully consider the facts of a case to determine whether one of the conditions described in Ohio's long arm statute exists. Long arm jurisdiction may exist over a party living outside the state of Ohio if one or more conditions apply as described in section 3115.03115.201 of the Revised Code.

1. When it determines that long arm jurisdiction exists and is appropriate, the CSEA shall establish a child support order pursuant to rule 5101:12-45-05 of the Administrative Code and shall not initiate a UIFSA petition to the jurisdiction where the obligor lives. It may also use OMB 0970-0085 "Transmittal #3 - Request for assistance/discovery," to request assistance from the child support agency in the other state with service of process if necessary.

2. When it determines that long arm jurisdiction does not exist or would be inappropriate, the CSEA shall initiate a UIFSA petition to the ICR in the state where the obligor resides, or to the central authority of another country or tribe within twenty days of determining that the obligor resides in another jurisdiction.

A responding CSEA has the following responsibilities:

1. Immediately upon receipt from the Ohio ICR of a UIFSA petition that requests the establishment of a child support order pursuant to rule 5101:12-45-05 of the Administrative Code and shall not initiate a UIFSA petition to the jurisdiction where the obligor lives. It may also use OMB 0970-0085 "Transmittal #3 - Request for assistance/discovery," to request assistance from the child support agency in the other state with service of process if necessary.

2. The responding CSEA that has administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:

   a. Notify the child support agency in the initiating jurisdiction of any additional information needed to proceed with the case;
   b. Process the case to the extent possible pending receipt of the additional information needed from the child support agency in the initiating jurisdiction; and
   c. Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction.
Establish a support order pursuant to section 3115.16 of the Revised Code.

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Prior Effective Dates: 1/1/98, 3/1/03, 9/1/05, 11/1/11
The Uniform Interstate Family Support Act (UIFSA)(2008) requires that only one valid order may exist for the purpose of enforcing a support obligation prospectively, beginning with the date on which the determination of controlling order is made. After a controlling order is determined, it becomes the only order that may be prospectively enforced, and sets the non-modifiable terms. Non-modifiable terms of a controlling order include the duration of the order and the dates of the emancipation termination of the child order. A controlling order may not be determined more than once.

When there is any question regarding the validity of an order, a controlling order determination must be made. A controlling order determination shall only be made by a court with personal jurisdiction over both the obligee and obligor, and must be made prior to any enforcement action or any action to modify a support order.

The initiating CSEA child support enforcement agency (CSEA) shall take the following steps before any enforcement actions can be taken:

1. Identify all existing support orders;
2. Determine whether a child support order(s) exists in a case using the federal and state registry, state records, information provided by the recipient of services, and other relevant information available to the CSEA;
3. Determine in which state a determination of the controlling order and reconciliation of arrearages may be made where multiple orders exist. Obtain certified copies of each order along with all payment records and arrearage calculations for each order;
4. Determine whether the obligor is in another jurisdiction and whether it is appropriate to use one-state remedies to establish paternity and establish, modify, and enforce a support order, including medical support and income withholding;
5. Examine each existing order to verify that it contains a child support order provision and appears valid on its face;
6. Verify the current residential state of the obligee, obligor, and child to which the order applies;
7. Verify the residential address of the child for the six-month period prior to the date on which the action is taken;
8. Within twenty days of completing the actions required in paragraphs (C)(1) to (C)(4) of this rule and, if appropriate, receipt of any necessary information needed to process the case:
   a. Refer the case to the appropriate responding state agency for a determination of the controlling order and a reconciliation of arrearages if such a determination is necessary; and
   b. Refer any intergovernmental case to the appropriate state central registry, tribal program, or central authority of a country for action, if long arm jurisdiction is not appropriate;
   c. When the respondent and petitioner reside in Ohio, the initiating CSEA shall do the following:
      i. When the respondent and petitioner reside in the same county, the initiating CSEA shall determine the controlling order; or
      ii. When the respondent and petitioner reside in different counties, the initiating CSEA shall refer the case to the county where the respondent resides to 5101:12-10-03 and 5101:12-10-04 of the Administrative Code for the determination of the controlling order.
(D) The responding CSEA shall take the following actions:

(1) Determine which of the states with support orders have continuing exclusive jurisdiction (CEJ). A state has CEJ over a support order issued in that state at any time either the individual obligee, obligor, or the child resides in that state or the parties have consented in a record or open court that the tribunal of the state may continue to exercise jurisdiction to modify its order.

(2) Reconcile the arrearages for all support orders.

(3) File the appropriate pleadings with the court, including recommended language regarding which order should be determined the controlling order and a calculation of the reconciled arrearages based upon the following principles:
   
   (a) If only one of the states with an order has CEJ, recommend the order in the state with CEJ be determined the controlling order;
   
   (b) If more than one of the states with a order has CEJ, recommend the order in the home state of the child be determined the controlling order;
   
   (c) If more than one of the states with a order have CEJ, but no state is the home state of the child, recommend the most recently issued valid order be determined the controlling order; and
   
   (d) If none of the states with an order have CEJ, recommend that the court issue a new order that will be determined to be the controlling order.

(4) After the court has made the controlling order determination, prepare the OMB 0970-0085, "Notice of determination of controlling order," and send it with a certified copy of the controlling order determination to the tribunal (typically in care of the child support agency in each state) that issued or registered any of the support orders used to determine the controlling order.

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This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to enforce support orders in intergovernmental cases.

When two or more support orders exist, only the support order that has been determined to be the controlling order may be enforced. Therefore, before any action is taken to enforce a support order, the initiating CSEA shall conduct an investigation to identify the number of support orders that may exist in the case and take any necessary steps as described in rule 5101:12-70-05.3 of the Administrative Code.

Support orders in intergovernmental cases in interstate cases may be enforced either by:

1. Sending a direct income withholding as described in sections 3115.32 to 3115.37 of the Revised Code, if it is verified that an obligor is employed or receives income in another state and a determination is made that direct income withholding is appropriate; or
2. Sending a Uniform Interstate Family Support Act (UIFSA) petition that requests the enforcement of support from an initiating CSEA to an interstate central registry (ICR) in a responding state, or to the central authority of another country or tribe.

A CSEA shall determine whether direct income withholding is available and appropriate to enforce a controlling order. Prior to sending the income withholding notice, the CSEA shall verify that the laws of the state where the obligor's payor is located permit the direct withholding of the type of income being received.

An initiating CSEA shall determine whether direct income withholding is appropriate to enforce a controlling order. Prior to sending the income withholding notice, the CSEA shall verify that the laws of the state where the obligor's payor is located permit the direct withholding of the type of income being received.

An initiating CSEA shall have the following responsibilities when it determines that direct income withholding is appropriate:

1. It shall prepare an income withholding notice as described in rule 5101:12-50-10.2 of the Administrative Code; and
2. It shall send the income withholding notice directly to the obligor's payor in the other state.

An initiating CSEA shall have the following responsibilities when it is unable to verify a source of income for the obligor or when it determines that direct income withholding is inappropriate:

1. Prepare a UIFSA petition within twenty days of determining that an obligor resides in another jurisdiction; and
2. When the controlling order has been issued by the state where the obligor resides, send a UIFSA petition requesting enforcement of the controlling order to the ICR in that state; or
3. When the controlling order has been issued by a state other than the state where the obligor resides, take each of the following actions:
   a. Obtain a certified copy of the controlling order and all modifications of the controlling order including certified payment records for which the registration is being requested;
   b. Prepare a UIFSA petition that requests registration of the controlling order; and
(G) UIFSA petitions requesting the registration of a support order for enforcement may be sent simultaneously to any state where the obligor lives or has property or has assets. A CSEA must maintain records of all actions taken to enforce a support order using the registration process described in this rule.

(H) A responding CSEA has the following responsibilities:

1. Immediately upon receipt from the Ohio ICR of a UIFSA petition, which requests the enforcement of a controlling order, verify the residence address of the obligor and:
   a. When the CSEA has verified that the obligor resides in the same county as the responding CSEA, the CSEA shall take the actions requested in the petition; or
   b. When the CSEA has verified that the obligor has moved to another county, the CSEA may transfer the petition to the CSEA with administrative responsibility as described in rule 5101:12-10-03 of the Administrative Code, or shall:
      i. Determine which county has administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code;
      ii. Determine if a transfer is required, and forward the forms and documentation to the county with administrative responsibility; and
      iii. Notify the initiating agency and the Ohio ICR of the transfer.
   c. When the CSEA has verified that a support order exists in a different Ohio county, the CSEA may transfer the petition to the CSEA with administrative responsibility as described in rule 5101:12-10-03 of the Administrative Code, or shall:
      i. Determine which county has administrative responsibility pursuant to rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code;
      ii. Determine if a transfer is required, and forward the forms and documentation to the county with administrative responsibility; and
      iii. Notify the initiating agency and the Ohio ICR of the transfer.

2. The responding CSEA with administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:
   a. Notify the child support agency in the initiating jurisdiction of any additional information needed to proceed with the case;
   b. Process the case to the extent possible pending receipt of the additional information needed from the child support agency in the initiating jurisdiction; and
   c. Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction.

3. Register the controlling order if all information necessary to register the order has been received. A controlling order that is registered and confirmed in Ohio is enforceable in the same manner and subject to the same procedures as an order issued by Ohio.

(I) When all of the parties to a case reside in Ohio and the controlling order exists in a jurisdiction other than Ohio, the controlling order may be registered for enforcement in Ohio pursuant to sections 3115.601 to 3115.616 of the Revised Code by the CSEA with administrative responsibility as described in rule 5101:12-10-04 of the Administrative Code. In these circumstances:

1. The initiating CSEA shall be the CSEA that has an open case for the obligee, or, if there is no open case, the county where the obligee resides. The initiating CSEA has the following responsibilities:
(a) Obtain a certified copy of the controlling order and all modifications of the controlling order including certified payment records for which the registration is being requested;
(b) Prepare a UIFSA petition requesting registration of the controlling order;
(c) Send the UIFSA petition to the responding CSEA in the county where the obligor resides; and
(d) Transfer the support enforcement tracking system (SETS) case, or, if unable to transfer the case, close the SETS case in order to allow the responding CSEA to open a new case in SETS.

(2) The CSEA in the county where the obligor resides shall be the responding CSEA and has the following responsibilities:
(a) Notify the initiating CSEA of any additional information that is needed to proceed with the case;
(b) Process the case to the extent possible pending receipt of the additional information needed from the initiating CSEA;
(c) Complete case intake process in SETS using information from the UIFSA petition and any information received from the CSENet transaction;
(d) Register the controlling order for enforcement pursuant to sections 3115.39 to 3115.51 of the Revised Code.

(3) When the obligor and obligee reside in the same county, the CSEA in that county shall:
(a) Obtain a certified copy of the controlling order and all modifications of the controlling order including certified payment records for which the registration is being requested; and
(b) Register the controlling order pursuant to sections 3115.39 to 3115.51 of the Revised Code.

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**CSPMTL 111**

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**Most Current Prior Effective Date:** November 1, 2011

(A) This rule describes the responsibilities that an initiating or responding child support enforcement agency (CSEA) has to modify a controlling order in an intergovernmental case.

(B) For purposes of this rule, "petitioner" means the person or entity requesting the modification. "Respondent" means the person or entity who did not request the modification.

(C) No part of the controlling order may be modified that is not modifiable under the laws of the state that issued the controlling order, such as the duration of the support order.

(D) An Ohio controlling order can be modified in Ohio only when at least one party to the support order resides in Ohio either the obligor, individual obligee, or the child resides in Ohio, or the parties have consented in a record or open court that the tribunal in Ohio, may continue to exercise jurisdiction to modify its order.

(E) A controlling order shall only be modified by:

1. The state where the controlling order was issued when that state has continuing exclusive jurisdiction (CEJ) because any party to the order resides in that state; or
2. The state where the non-requesting party resides when no party to the order resides in the controlling order state has CEJ; or
3. The state where all parties have filed written consents in the issuing tribunal that has personal jurisdiction over either party to modify the order and assume CEJ.

When paragraph (E)(2) or (E)(3) of this rule applies, the state that modifies the support order assumes the controlling order.

(F) An initiating CSEA has the following responsibilities:

1. Verify the state that issued the controlling order.
2. Verify the current residential address of the respondent.
3. Determine whether the state where the respondent resides is the state that issued the controlling order.
4. Regardless where a party resides in Ohio, the Ohio CSEA that has the controlling order shall conduct the CSEA with administrative responsibility as described in rules 5101:12-10-03 and 5101:12-10-04 of the Administrative Code shall conduct the modification as appropriate in accordance with rules 5101:12-60-05 to 5101:12-60-05.6 of the Administrative Code.
5. Take the following actions within twenty days of determining that the respondent resides in the controlling order state:
   a. Prepare a Uniform Interstate Family Support Act (UIFSA) petition requesting the modification and, if requested, enforcement of the controlling order; and
   b. Send the UIFSA petition to the interstate central registry (ICR) in the state where the respondent resides.
6. Take the following actions within twenty days of determining that the respondent does not reside in the controlling order state:
   a. Prepare a UIFSA petition requesting the registration of the controlling order for modification and containing, including all forms required by rule 5101:12-70-05.11 of the Administrative Code, and other documents as necessary; and
(b) Send the UIFSA petition to the ICR in the state where the party who has not requested the modification resides, unless both the parties have submitted signed documents to the initiating CSEA agreeing to grant jurisdiction to modify the controlling order to another state.

(G) A responding CSEA has the following responsibilities:

1. Immediately upon receipt of a UIFSA petition requesting modification of a support order from the Ohio ICR, verify the residence address of the respondent and, if necessary, transfer the UIFSA petition to the responding CSEA with administrative responsibility for the case.

2. The responding CSEA with administrative responsibility for the case shall take the following actions within seventy-five days of receipt of the UIFSA petition:
   a. Notify the child support agency in the initiating jurisdiction of any additional information needed to process the case;
   b. Process the case to the extent possible pending receipt of the additional information from the child support agency in the initiating jurisdiction;
   c. Complete the case intake process in the Ohio case registry, support enforcement tracking system (SETS), using information from the UIFSA petition and any information received from the child support enforcement network (CSENet) transaction; and
   d. Register the controlling order for modification or modification and enforcement pursuant to sections 3115.39 to 3115.513115.601 to 3115.616 of the Revised Code.

3. Review the order for modification using the administrative review process pursuant to rules 5101:12-60-05 to 5101:12-60-05.6 of the Administrative Code.

(H) When all of the parties to a case reside in Ohio and the controlling order exists in a jurisdiction other than Ohio was issued by another state, the controlling order may be registered for modification and enforcement in Ohio. In these circumstances:

1. The initiating CSEA shall be the CSEA that has an open case for the obligee, or, if there is no open case, the county where the obligee resides. The initiating CSEA has the following responsibilities:
   a. Obtain a certified copy of the controlling order and all modifications of the controlling order including certified payment records for which the registration is being requested;
   b. Prepare a UIFSA petition requesting registration of the controlling order;
   c. Send the UIFSA petition to the responding CSEA in the county where the obligor resides; and
   d. Transfer the support enforcement tracking system (SETS) case, or, if unable to transfer the case, close the SETS case in order to allow the responding CSEA to open a new case in SETS.

2. The CSEA in the county where the obligor resides shall be the responding CSEA and has the following responsibilities:
   a. Notify the initiating CSEA of any additional information needed to proceed with the case;
   b. Process the case to the extent possible pending receipt of the additional information needed from the initiating CSEA;
   c. Complete the case intake process in the Ohio case registry, SETS, using information from the UIFSA petition and any information received from the CSENet transaction; and
   d. Register the controlling order for modification and enforcement pursuant to sections 3115.39 to 3115.513115.601 to 3115.616 of the Revised Code; and
(e) Review the order for modification using the administrative review process pursuant to rule 5101:12-60-05 of the Administrative Code and its supplemental rules if the UIFSA petition requested modification and enforcement.

(3) When the obligor and obligee reside in the same county, the CSEA in that county shall:

(a) Obtain a certified copy of the controlling order and all modifications of the controlling order including certified payment records for which the registration is being requested;

(b) Register the controlling order pursuant to sections 3115.39 to 3115.54, 3115.601 to 3115.616 of the Revised Code; and

(c) Review the order for modification using the administrative review process pursuant to rule 5101:12-60-05 of the Administrative Code and its supplemental rules if the UIFSA petition requested modification and enforcement.

(I) Once a controlling order has been registered for modification in Ohio, it is enforceable in the same manner and is subject to the same procedures as an order issued by Ohio, except that the duration of the order and dates of emancipation of the children or termination of the order continue to be the terms of the order as it was originally issued in the controlling order state. The enforcement of the modified order may be accomplished by registering the modified order in the state where the obligor or the obligor's property is located if appropriate.

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Rule Amplifies: 3115.206, 3115.304, 3115.305, 3115.609, 3115.610, 3115.611, 3115.612, 3115.613, 3115.614, 3125.03
Prior Effective Dates: 1/1/98, 3/1/03, 9/1/05, 11/1/11
This rule describes the responsibilities of the child support enforcement agency (CSEA) to use the child support enforcement network (CSENet) in the processing of interstate cases to the greatest extent possible.

CSENet is an electronic communications network developed by the federal office of child support enforcement (OCSE) that transmits and receives child support information to and from other states in a standardized format. A CSENet user is able to initiate and respond to case activities in other states.

CSENet standard transactions consist of three parts:

1. Function codes that identify the function being performed. The function codes are:
   - COL (collection);
   - CSI (case status information);
   - ENF (enforcement);
   - EST (establishment);
   - LO1 (quick locate);
   - MSC (managing state cases); and
   - PAT (paternity).

2. Action codes that identify the action being taken. The action codes are:
   - A (acknowledgment);
   - C (cancel);
   - M (reminder);
   - P (provide);
   - R (request); and
   - U (update).

3. Reason codes, which are five-letter codes, define the specific reason for the transaction.

The CSEA shall use CSENet to take the following actions:

1. Request location information on a putative father or absent parent from a state that has CSENet quick locate capability with Ohio. A CSENet "Quick Locate" (LO1) transaction shall be used for this purpose.

2. Request case information, including support order information, from a state that has CSENet case status information capability with Ohio. A CSENet "Case Status Information" (CSI) transaction shall be used for this purpose.
(3) Request the establishment of paternity from a state that has CSENet paternity capability with Ohio. A CSENet "Paternity" (PAT) transaction shall accompany a Uniform Interstate Family Support Act (UIFSA)(2008) petition for this purpose.

(4) Request the establishment of a support order from a state that has CSENet establishment capability with Ohio. A CSENet "Establishment" (EST) transaction shall accompany a UIFSA petition for this purpose.

(5) Request the enforcement of a support order from a state that has CSENet enforcement capability with Ohio. A CSENet "Enforcement" (ENF) transaction shall accompany a UIFSA petition for this purpose.

(6) Transmit case status and information to a state that has CSENet managing state cases capability with Ohio. A CSENet "Managing State Cases" (MSC) transaction shall be used for this purpose.

(E)(D) When a CSEA receives an incoming CSENet transaction, it shall take the actions required by the transaction within thirty days.

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The following forms shall be used in processing interstate cases under the Uniform Interstate Family Support Act (UIFSA)(2008). To the greatest extent practical, the child support enforcement agency (CSEA) shall transmit requests for information and provide requested information through the child support enforcement network (CSENet) or electronic document exchange (EDE). When transmitting information electronically, the CSEA shall provide paper documents if requested by the responding agency.

1. The OMB 0970-0085 "Child Support Agency Confidential Information Form" shall be used to safeguard the privacy of individuals by providing a means to record personal information on a separate document that is not served on the parties or filed with a tribunal.

2. The OMB 0970-0085 "Child Support Agency Request for Change of Support Payment Location Pursuant to UIFSA § 319" shall be used by a CSEA to make a request to the state that issued the support order to change the payment location of the order.

3. The OMB 0970-0085 "Child Support Enforcement Transmittal #1 - Acknowledgment" shall be used to inform the initiating jurisdiction of the responding jurisdiction's receipt of a "Child Support Enforcement Transmittal #1 - Initial Request" and to request any additional information or documentation needed to take further action on the request.

4. The OMB 0970-0085 "Child Support Enforcement Transmittal #1 - Initial Request" shall be used as a cover letter to refer an interstate case to a responding state's interstate central registry (ICR).

5. The OMB 0970-0085 "Child Support Enforcement Transmittal #2 - Subsequent Actions" shall be used to request or provide additional information or documents in previously referred cases. The CSEA shall not use the "Child Support Enforcement Transmittal #2-Subsequent Actions" to make an initial referral, only for subsequent communication. This form shall only be used when CSENet functionality is not available with the other agency.

6. The OMB 0970-0085 "Child Support Enforcement Transmittal #3 - Request for Assistance/Discovery" shall be used to obtain limited assistance with activities such as service of process, discovery, or genetic testing in cases where a tribunal or CSEA of this state may exercise personal jurisdiction over a nonresident. A CSEA that receives a "Child Support Enforcement Transmittal #3 - Request for Assistance/Discovery" requesting limited assistance from another state shall not open a case.

7. The OMB 0970-0085 "Child Support Locate Request" shall be used to request locate information regarding the parent, employer, wages, or assets of a putative father or obligor. The CSEA shall not send a "Child Support Locate Request" to a state with which Ohio has CSENet quick locate capability. If Ohio has CSENet quick locate capability with a state, the CSEA shall send a CSENet transaction for quick locate to that state as described in rule 5101:12-70-05.10 of the Administrative Code. This form may also be used to request locate information on an obligee since CSENet cannot be used to obtain locate information on obligees.

8. The OMB 0970-0085 "Declaration in Support of Establishing Parentage" shall be used to supplement the "Uniform Support Petition" to summarize the evidence available to establish parentage. A separate "Declaration in Support of Establishing Parentage" is required for each child for whom parentage is at issue.

9. The OMB 0970-0085 "General Testimony" shall be used to provide detailed information and evidence available to support the action requested in the "Child Support Enforcement Transmittal #1 - Initial Request."
(10) The OMB 0970-0085 "Letter of Transmittal Requesting Registration" shall be used to request registration of an existing order for enforcement and/or modification. The purpose of the form is to provide specific order information to the responding state. A separate "Letter of Transmittal Requesting Registration" shall be prepared for each order for which registration is being requested.

(11) The OMB 0970-0085 "Notice of Determination of Controlling Order" shall be used to notify the child support agencies and tribunals in other states of a determination of controlling order that has been made by a court in Ohio.

(12) The OMB 0970-0085 "Personal Information Form for UIFSA § 311" shall be used to safeguard the privacy of individuals by providing a means to record personal information on a separate document that may be filed with a tribunal, but should not be filed in a public access file.

(13) The OMB 0970-0085 "Uniform Support Petition" shall be used as a legal pleading to provide the petitioner with a means to request specific action or relief, show enough facts to notify the respondent of the claim being made, and to assert that the responding tribunal has jurisdiction.

(14) The OMB 0970-0152 "Administrative Subpoena" shall be used to subpoena any financial or other information needed to establish, modify, or enforce a support order.

(15) The JFS 01132, "Notice of Lien" (effective or revised effective date as identified in rule 5101:12-70-99 of the Administrative Code) shall be used to request that a lien be placed on property owned by an obligor in a state other than Ohio.

(B) The initiating CSEA shall prepare and send UIFSA petitions consisting of forms described in paragraph (A) of this rule in the combinations listed in paragraphs (B)(1) to (B)(6) of this rule, to the ICR in the responding state for the purpose of requesting child support program actions as follows:

(1) To request the establishment of paternity and support, the initiating CSEA shall send:
   (a) The "Child Support Agency Confidential Information Form";
   (b) The "Personal Information Form for UIFSA § 311";
   (c) The "Child Support Enforcement Transmittal #1 - Initial Request";
   (d) The "Uniform Support Petition";
   (e) The "Declaration in Support of Establishing Parentage"; and
   (f) The "General Testimony."

(2) To request the establishment of a support order, the initiating CSEA shall send:
   (a) The "Child Support Agency Confidential Information Form";
   (b) The "Personal Information Form for UIFSA § 311";
   (c) The "Child Support Enforcement Transmittal #1 - Initial Request";
   (d) The "Uniform Support Petition"; and
   (e) The "General Testimony."

(3) To request the modification of a controlling order that was issued in a state where the obligee or obligor resides, the initiating CSEA shall send:
   (a) The "Child Support Enforcement Transmittal #1 - Initial Request";
   (b) The "Uniform Support Petition"; and
   (c) The "General Testimony."

(4) To request the registration for modification or the registration for modification and enforcement of a controlling order that was issued in a state other than the state where the obligee or obligor resides, the initiating CSEA shall send:
   (a) The "Child Support Agency Confidential Information Form";
(5) To request the enforcement of a controlling order that was issued in a state where the obligor resides, the initiating CSEA shall send the "Child Support Enforcement Transmittal #1 - Initial Request."

(6) To request the registration for enforcement of a controlling order that was issued in a state other than the state where the obligor resides, the initiating CSEA shall send:

(a) The "Child Support Agency Confidential Information Form";
(b) The "Personal Information Form for UIFSA § 311";
(c) The "Child Support Enforcement Transmittal #1 - Initial Request"; and
(d) The "Letter of Transmittal Requesting Registration."

(C) In addition to the forms described in paragraph (B) of this rule, child support agencies in responding states may require that other documents be included in a UIFSA petition. The CSEA may contact the ICR in the state where the UIFSA petition will be sent to determine whether any additional documents are required.

(D) Forms are available at the office of child support enforcement (OCSE) website under the international resources section, for cases with countries for whom the convention on the international recovery of child support and other forms of family maintenance, concluded at "The Hague" on November 23, 2007, is in effect.

(E) Forms for cases with countries that are "Federal Reciprocating Countries" (FRC) with the United States are available at the OCSE website under the international resources section.
The form identified in this rule is referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective date of the form is as follows:

JFS 01132, "Notice of lien" (rev. 11/2016/2018).

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Five Year Review (FYR) Dates: 7/1/2021

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Prior Effective Dates: 07/01/2016
5101:12-80 - Collections and Disbursements
The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, 110 Stat. 2105, 42 U.S.C. 654b, requires all states to operate a state disbursement unit (SDU) for the purpose of collecting and disbursing support payments from a single physical location. The state disbursement unit (SDU) must be integrated with a statewide automated child support system.

In accordance with PRWORA and section 3121.43 of the Revised Code, a payment due under a support order shall be collected and disbursed by the support disbursement unit (SDU) in the office of child support (OCS) within the Ohio department of job and family services. SDU, which is integrated with the support enforcement tracking system (SETS), is divided into two operations:

1. Child support payment central (CSPC), which is responsible for collecting and disbursing payments, and
2. Payment analysis and account reconciliation (PAAR). PAAR has two sections:
   a. Payment analysis, which is responsible for completing financial corrections, establishing recoupment accounts, issuing manual checks, and processing exception items; and
   b. Account reconciliation, which is responsible for reconciling the accounts used by SDU in providing support enforcement program services, including return deposit items.

The following definitions apply to Chapter 5101:12-80 of the Administrative Code:

1. "Cover the fiscal impact" means to credit the OCS master concentration account with funds from a make-whole account or from a child support enforcement agency (CSEA) in order to disburse a payment to the correct payee.
2. "CSEA" means a government entity providing support services to clients within a specified county or counties.
3. "CSPC collection accounts" mean the bank, credit union, or savings and loan association accounts that are used by CSPC for depositing collections received at CSPC.
4. "Exception item" means a payment that requires additional processing, as described in rule 5101:12-80-05.4 of the Administrative Code, in order to resolve a problem related to the payment.
5. "Make-whole accounts" mean the bank, credit union, or savings and loan association accounts that are used to reimburse the OCS master concentration account.
6. "OCS master concentration account" means the bank, credit union, or savings and loan association account that OCS maintains in accordance with section 3121.48 of the Revised Code for the deposit of support payments OCS receives as trustee for remittance to the persons entitled to receive the support payments.
7. "Post" means to enter a payment in the CSPC automated payment processing system.
8. "Posting identifiers" mean the five data elements used to post payments. They are the:
   a. SETS case number;
   b. Order or recoupment account number;
   c. Obligor's social security number;
   d. Obligor's name; and
(e) Obligee's name.

(8)(9) "Recoupment account" means a repayment account established by PAAR for the repayment of funds through CSPC.

(9)(10) "Remitter" means any entity or individual (e.g., obligor, obligee, employer, financial institution, third party) that submits a payment to CSPC or a CSEA.

(D) Payments received by CSPC shall be allocated and disbursed according to division 5101:12 of the Administrative Code.

(E) The CSEA shall establish and maintain an e-mail account to serve as the CSEA's central point of contact with SDUSDB for payment-related issues. The CSEA shall:

1. Name the e-mail account in accordance with the format "county name_financial" (e.g., franklin_financial);
2. Ensure staff are available to monitor the e-mail account; and
3. When a response is necessary, reply within one business day of receiving the incoming e-mail from SDUSDB.

(F) The CSEA shall respond to remitter inquiries regarding collection and disbursement. The CSEA and shall only direct a remitter to CSPC when: the remitter wants to enroll in the electronic payment process:

1. The remitter wants to enroll in the electronic payment process, or
2. The remitter has placed a stop payment on a check that has been sent to CSPC.

(G) The remitter may contact CSPC if they have questions about payments currently being processed by CSPC that cannot be resolved by the CSEA.

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In accordance with section 3125.29 of the Revised Code, a child support enforcement agency (CSEA) with administrative responsibility may collect funds from an obligor who makes a payment in person at the CSEA. When an obligor has more than one support order, the CSEA shall ask the obligor to identify what amounts of the payment to apply to the applicable support orders.

For the purposes of this rule, the "CSEA depository account" means the bank, credit union, or savings and loan association account used for the sole purpose of transmitting to child support payment central (CSPC) the payments-in-person received by the CSEA.

A payment mailed to the CSEA by a remitter is not considered a payment-in-person but, instead, is considered a payment misdirected to the CSEA. The CSEA shall forward the misdirected payment and the envelope that contained the misdirected payment to CSPC for processing. The CSEA may mark the date received on the envelope but shall not further mark on the envelope and shall not mark on the misdirected payment.

When an obligor fails to include posting instructions with a misdirected payment, the CSEA may attach a separate document to the misdirected payment that includes any posting identifiers known to the CSEA.

The CSEA shall record the misdirected payment on the JFS 07739, "Child Support Payment Central Check Traveler" (6/2007), and forward the JFS 07739 to CSPC with the misdirected payment.

Each CSEA shall notify the office of child support (OCS) of the CSEA's decision to accept or not accept payments-in-person at the CSEA. The notification must be in writing, signed by the CSEA director or administrator, and shall include:

- The county name;
- A declaration as to whether the CSEA will accept or not accept payments-in-person; and
- When a CSEA elects to accept payments-in-person at the CSEA, the notification shall include the:
  - Name and address of the financial institution for the CSEA depository account;
  - CSEA depository account number; and
  - Routing/transit number of the CSEA depository account.

A CSEA that elects to accept payments-in-person shall:

- Maintain a CSEA depository account;
- Collect and post payments using procedures in accordance with this rule and based on generally accepted business and accounting practices as authorized under section 117.43 of the Revised Code;
- Place a notice in clear view in the area where payments are made that notifies an obligor making a payment that payments made in person at the CSEA after twelve noon may be identified as being made on the next business day; and
- Maintain a balance equal to the sum of all collections deposited the previous business day to allow CSPC to transfer the funds to a CSPC collection account.

Collect payments for any obligor with a child support case in Ohio regardless of the county of administrative responsibility. The CSEA will either post a payment or forward the payment to
CSPC using the JFS 07739 when a payment is received for a case administered by another Ohio CSEA.

(F) Payment posting.

(1) When a payment-in-person is received by twelve noon, the CSEA shall post and approve the payment-in-person by two p.m. on the same business day.

(2) When a payment-in-person is received after twelve noon and by two p.m., the CSEA may post and approve the payment-in-person by two p.m. on the same business day or shall post and approve the payment-in-person by two p.m. on the next business day.

(3) When a payment-in-person is received after two p.m., the CSEA shall post and approve the payment-in-person by two p.m. on the next business day.

(G) The CSEA employee that collects the payment-in-person or posts the payment-in-person shall not be the CSEA employee that approves the payment-in-person for release to CSPC, unless a waiver has been granted by the office of child support enforcement (OCSE).

To obtain the waiver, the CSEA shall submit a waiver request to OCS. OCS will forward the request to the OCSE regional office and notify the CSEA whether OCSE has granted the waiver.

(H) The CSEA shall ensure that every CSEA employee that has access to or control of payments-in-person collected at the CSEA is covered by a bond against loss of payments from employee dishonesty. In accordance with section 329.01 of the Revised Code, each bond shall be for an amount determined by the board of county commissioners, with a surety or bonding company authorized to do business in this state, and deposited with and retained by the county treasurer.

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(A) When a payment is received at the child support enforcement agency, the date of collection is the date the payment is posted and approved in the child support payment central (CSPC) automated payment processing system.

(B) The date of collection for internal revenue service (IRS) and Ohio department of taxation (ODT) payments is the date the office of child support (OCS) receives the tax offset file from the federal office of child support enforcement (OCSE) or ODT.

(C) A payment received by CSPC after the financial processing is completed for the day is considered to be received on the next business day.

Replaces: 5101:12-80-05.2
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Payment processing involves five steps:

1. A payment is deposited in a child support payment central (CSPC) collection account and transferred to the office of child support master concentration account.

2. The payment is posted when the payment contains at least two of the five posting identifiers, as defined in paragraph (C) of rule 5101:12-80-05 of the Administrative Code.

3. The payment is transferred via electronic file from the CSPC automated payment processing system to the support enforcement tracking system (SETS).

4. The payment is credited to the corresponding case/order combination or recoupment account in SETS.

5. The payment is disbursed.

A payment that is not an exception item shall be disbursed:

1. In accordance with rules 5101:12-50-32 to 5101:12-50-32.10 of the Administrative Code, when the payment is a federal income tax refund offset payment;

2. Within fifteen days after the end of the month of collection, when the payment is assigned under a Title IV-E foster care maintenance assignment;

3. Within two business days after the end of the month of collection, when the payment was assigned pursuant to an Ohio works first assignment during the month of collection, the payment is for the amount of funds retained by the state that exceeds the amount of cash assistance paid to the family, and the payment is disbursed to the family; or

4. Within two business days of the date of collection, for any other payment.
A The purpose of this rule is to identify the responsibilities of the office of child support (OCS) and the child support enforcement agency (CSEA) to process an exception item in order to disburse the payment.

B Unprocessable payment.

1. An unprocessable payment is a payment that child support payment central (CSPC) is unable to deposit. An unprocessable payment includes, but is not limited to, a check that is not addressed to CSPC, a mutilated check, and a payment made payable to an entity or individual other than CSPC.

2. CSPC will research an unprocessable payment for up to three business days. When the payment remains unprocessable after three business days, CSPC will mark "void" on the payment and return the payment to the remitter.

C Suspense payment.

1. A suspense payment is a payment that is deposited by CSPC but is not posted. A suspense payment includes, but is not limited to, funds that are to be refunded to the remitter, a payment that does not contain at least two posting identifiers, and/or a balance and the balance of a collection that remains after the obligations have been that can be correctly posted are credited.

2. CSPC shall or the CSEA may will research a suspense payment. When a payment remains in suspense following CSPC research, CSPC will forward the payment to payment analysis and account reconciliation (PAAR) for continued research and resolution.

   a. When the payment is resolved, the payment is posted.

   b. When the payment remains in suspense after four months and is not a return deposit item, PAAR will return the payment to the remitter. When the remitter is unknown, the payment will be held in suspense indefinitely as a permanently unresolved payment.

D Unidentified payment.

1. An unidentified payment is a payment that has been deposited by CSPC and posted but, because of missing or invalid information, cannot be applied to the correct case/order combination or recoupment account. An unidentified payment will display on the unidentified payment list in the support enforcement tracking system (SETS).

2. The CSEA shall review the unidentified payment list in SETS each business day in order to research and resolve an unidentified payment. Once an unidentified payment is resolved, the CSEA shall apply the payment to the correct case/order combination or recoupment account in SETS.

E Misapplied payment.

1. A misapplied payment is a payment or a portion of a payment that has been deposited by CSPC, posted, and applied to the wrong case/order combination or recoupment account in SETS. A misapplied payment is the result of:

   a. A support disbursement unit (SDU) support disbursement bureau (SDB) error, which results from a technical processing error or when the payment posted posting information sent to SETS differs from the instructions provided by the remitter.

   b. A CSEA error, which results from a case setup error, a case update delay, an incorrect balance caused by a manual balance adjustment, or when the CSEA provides incorrect posting instructions.
A misapplied payment does not include a remitter error.

(2) The CSEA shall submit through SETS a request to PAAR for a financial correction to resolve a misapplied payment.

(3) PAAR shall complete a financial correction to resolve a misapplied payment when PAAR determines that a financial correction is necessary, either upon receipt of a financial correction request from the CSEA or as a result of research conducted by PAAR. When PAAR denies a financial correction request, PAAR will notify the CSEA of the reason for denial.

(F) Incorrect disbursement.

(1) An incorrect disbursement occurs when a misapplied payment is disbursed.

(a)(2) When an incorrect disbursement is identified, funds shall be transferred from a make-whole account to the OCS master concentration account and a payment shall subsequently be disbursed to the correct payee.

If an incorrect disbursement occurs because of a CSEA error the CSEA shall cover the fiscal impact.

(b) The CSEA shall cover the fiscal impact of an incorrect disbursement that occurs because of a CSEA error.

(2)(3) When there is an incorrect disbursement due to a CSEA error, the CSEA shall, within one business day of becoming aware of the error, initiate steps to make funds available to reimburse the make-whole account.

(a) The CSEA shall notify PAAR via e-mail that the process to correct the error has been initiated.

(b) Within thirty days of the date funds are transferred from the make-whole account to the OCS master concentration account, the CSEA shall reimburse the make-whole account by an amount equal to the amount of funds transferred from the make-whole account. Should the CSEA fail to reimburse the make-whole account within the thirty days, OCS will withhold from the monthly summary accounting report check an amount equal to the amount of funds transferred from the make-whole account.

(G) Return deposit item.

(1) A return deposit item (RDI) is a payment that has been deposited and is returned unpaid by the payor’s financial institution as a result of situations including, but not limited to, a non-sufficient funds check, a check that lacks endorsement, or a check issued from a closed account.

(2) When CSPC deposits a payment that is subsequently returned unpaid by the remitter’s financial institution, CPSC may take action to prevent receiving another RDI from the same remitter. These actions include, but are not limited to, labeling the remitter’s account number as a derogatory item, no longer accepting personal or business checks from the remitter, requiring the remitter to make subsequent payments in the form of certified check, money order, or cashier’s check, and sending the RDI to the attorney general or a collection agency for recovery.

(3) When the CSEA has knowledge that the remitter has requested or may request a stop payment on a check issued to CSPC the CSEA shall notify CSPC. If the CSEA fails to notify CSPC of a known stop payment the CSEA shall cover the fiscal impact of the RDI.

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This rule describes the process to replace a check issued by child support payment central (CSPC) when the check is lost, stolen, destroyed, or mutilated.

When the payee requests a replacement check because the original check was mutilated and the payee submits the mutilated check with the request, the child support enforcement agency (CSEA) shall mark "void" on the mutilated check and fax a copy of the JFS 07741, "Child Support Payment Central (CSPC) Check Void Request" (rev. 11/2010) replacement request and the mutilated check to CSPC.

When the payee requests a replacement check because the original check was lost, stolen, or destroyed and the payee does not have the original check, the CSEA shall verify whether the original check has been redeemed. The CSEA shall complete the verification no earlier than fourteen days after the date that the original check was issued.

(1) When the original check is not redeemed, the CSEA shall have the payee complete the JFS 04021, "Affidavit for stop payment" (rev. 12/2002), and the JFS 07749, "Child Support Payment Central (CSPC) Stop Payment Request" (rev. 11/2010). The payee shall have the JFS 04021 submit the notarized JFS 04021 and shall return the documents to the CSEA and the CSEA shall submit the documents to CSPC to the CSPC.

(2) When the original check is redeemed, the CSEA shall notify the payee that the original check has been redeemed and is not eligible for replacement.

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Recoupment is a process that is used to:

1. Refund an erroneous payment to the correct payee. An erroneous payment is a payment or a portion of a payment that was issued in error.

2. Refund overpaid child support to an obligor upon termination of a support order, in response to a request from an obligor for the refund or pursuant to an order. "Overpaid child support" has the same meaning as in rule 5101:12-50-20 of the Administrative Code.

The child support enforcement agency (CSEA) shall not use the recoupment process to:

1. Return to the obligor a payment that allocates to future monthly obligations when there is an ongoing support obligation.

2. Recover funds that an obligee received due to an incorrect disbursement in order to issue the funds to the correct obligee.

When an erroneous payment is the result of a remitter error, the remitter is responsible for resolving the error. When the CSEA elects to assist a remitter, via the recoupment process, in recovering a payment issued as a result of a remitter error, the CSEA shall cover the fiscal impact of the remitter error.

When a CSEA covered the fiscal impact of an erroneous payment or a remitter error, the CSEA shall retain the recovered funds for reimbursement.

Upon determining that a recoupment is necessary, the CSEA:

1. Shall submit the JFS 07031, "Recoupment Account Creation Request" (12/2007), to payment analysis and account reconciliation (PAAR).

2. Shall issue the JFS 04090, "Notice of Erroneous Payment" (rev. 04/2007), to the person who received the funds, when there is no order requiring the repayment of funds.

   When a person fails to complete the JFS 04090, the CSEA may recover the funds by filing an action with a court requesting an order for repayment of the amount due.

3. May issue the JFS 04090 to the obligee when the recoupment is to recover overpaid child support in accordance with rule 5101:12-50-20 of the Administrative Code.

PAAR shall establish a recoupment account when PAAR determines that such an account is necessary, either in response to receiving a JFS 07031 from a CSEA or through PAAR's own research. Upon establishing the recoupment account, PAAR will notify the CSEA that the recoupment account has been established.

A recoupment account shall not be satisfied through the deduction of child support payments unless the obligee has consented to the action via the JFS 04090 or the court has ordered the action.

The CSEA is responsible for the enforcement of the recoupment account. When a person wants to change the terms of an existing JFS 04090, the CSEA shall:

1. Issue a new JFS 04090 to the person; and

2. Upon receipt of the new JFS 04090 that has been signed by the person, submit the JFS 07026, "Recoupment Account Maintenance Request" (12/2007), to PAAR.

Financial corrections shall not be utilized to redirect funds from a case/order combination to a recoupment account unless there is a misapplied payment.
When a person consents on the JFS 04090 to apply current support payments due to the person as an obligee in a case/order combination towards repayment on a recoupment account, the payments must first allocate to the case/order combination before disbursing to the recoupment account.

(J) The CSEA shall not use administrative techniques authorized for the purpose of collecting support payments (e.g., income withholding, case establishment in SETS, monetary sub-orders) to enforce a recoupment account.

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CSPMTL 110

Effective Date: February 9, 2006 (no change)

Most Current Prior Effective Date: February 9, 2006 (no change)

(A) In accordance with section 3121.50 of the Revised Code, the office of child support, Ohio department of job and family services, is authorized to issue, and support obligees required to accept the issuance of, support payments by means of electronic disbursement. The purpose of electronic disbursement of support payments is to reduce the time required to deliver support payments to obligees.

(B) "Electronic disbursement" means a form of electronic funds transfer by means of direct deposit to a bank, savings and loan, or credit union account, or transfer to a magnetic strip card, such as a stored-value card.

(C) Issuance of support payments by paper check from the office of child support shall cease as soon as practicable and payments to support obligees shall be delivered by electronic disbursement.

(D) Unless the obligee can establish the existence of circumstances that would render access to funds disbursed by electronic means impossible, a request by an obligee to continue to receive payments by paper check will not be granted.

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Prior Effective Dates: 2/9/06
The unreimbursed assistance (URA) is the total amount of assistance paid to the family that has not been reimbursed from child support and spousal support collections retained by the Ohio department of job and family services pursuant to the assignment of support. This rule describes when assistance paid to the family is to be included in the URA.

(B) Definitions.

(1) The following definitions apply to all rules in division 5101:12 of the Administrative Code.

(a) "Assistance" and "assistance paid to the family" have the same meaning as in action transmittal 99-10 (9/15/1999), which can be located on the federal office of child support enforcement's website.

(b) "Unreimbursed assistance" means the cumulative amount of assistance paid to the family that has not been repaid by retained assigned support collections.

(2) The following definitions apply to this rule:

(a) "Caretaker" means an adult or minor head of household with whom a child who receives Ohio works first (OWF) or medicaid resides but is not the parent of the minor child a person who is caring for a minor child but is not the parent of the minor child.

(b) "Family" means a unit of people who receive OWF Ohio works first (OWF) benefits together. A "family" is either a parent/child family or caretaker/child family, as described in paragraph (C) of this rule.

(c) "Minor child" means, in accordance with section 5107.02 of the Revised Code:

(i) An individual who has not attained the age of eighteen; or

(ii) An individual who has not attained the age of nineteen and is a full-time student in a secondary school or in the equivalent level of vocational or technical training.

(C) OWF URA.

(1) A minor child who resides with a parent and receives OWF benefits is considered a parent/child family, for OWF URA purposes. Any OWF paid to that parent/child family is added to that parent/child family's OWF URA. The parent/child family can also include any of the following:

(a) The parent or parents of the minor child, when the parent or parents receive OWF benefits with that parent/child family.

(b) A sibling, step-sibling, or half-sibling of the minor child, when the sibling receives OWF benefits with that parent/child family.

(c) A minor child of any of the minor children of the family, when that minor child receives OWF benefits with that parent/child family.

(d) A minor child who is temporarily absent from the parent's home, when that minor child continues to receive OWF benefits with that parent/child family.

(2) A minor child who resides with a caretaker and receives OWF benefits is considered a caretaker/child family, for OWF URA purposes. Any OWF paid to that caretaker/child family is added to that caretaker/child family's OWF URA. The caretaker/child family can also include any of the following:

(a) The caretaker of the minor child, when the caretaker receives OWF benefits with that caretaker/child family.
(b) A sibling of the minor child who resides with the family, when the sibling receives OWF benefits with that caretaker/child family.

(c) A minor child of any of the minor children of the family who resides with the family, when that minor child receives OWF benefits with that caretaker/child family.

(3) When any member of the family no longer receives OWF benefits with that family, then that member is no longer included in that family's OWF URA. When that member receives OWF benefits with or as a new family, any OWF paid to the new family is added to the new family's OWF URA. Any OWF paid to the original family is not added to the new family's OWF URA.

(D) Title IV-E foster care maintenance (FCM) URA.

(1) When a minor child receives FCM benefits, any FCM paid for that minor child is added to that minor child's FCM URA.

(2) When that child had received OWF benefits with a family before receiving FCM benefits, then the OWF paid to that family is not added to the child's FCM URA. When a child had received FCM benefits before receiving OWF benefits with a family, any FCM benefits paid to the child is not added to the family's OWF URA.

(E) The total amount of URA paid to the family that may be recovered through the IV-D program is limited by the total amount of the assigned support obligation.

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Rule Amplifies: 3125.03, 5107.20
Prior Effective Dates: 12/1/08
All support collections shall allocate according to the standard hierarchy described in this rule except as follows:

1. When a support collection is received from unemployment compensation, the collection shall not allocate to spousal support, processing charges, or debt.
2. When a support collection is received from a state income tax refund offset, the collection shall not allocate to processing charges or debt.
3. When a support collection is received from a federal income tax refund offset, the collection shall allocate in accordance with rule 5101:12-80-10.1 of the Administrative Code.

Unless otherwise noted, the following definitions are applicable to all rules in Chapter 5101:12-80 of the Administrative Code:

1. "Accrue" means to add the unpaid portion of the current obligation to any previously accumulated arrears.
2. "Arrears" means the cumulative amount of any unpaid current obligation, unpaid processing charges, and any other debt owed by the obligor.
3. "Assigned arrears" means:
   a. Child, past care, or spousal support arrears that are assigned to the Ohio department of job and family services (ODJFS) pursuant to a public assistance assignment.
   b. Child support arrears that are assigned to ODJFS pursuant to a Title IV-E foster care maintenance (FCM) assignment.
   c. Medical support arrears that are assigned to ODJFS pursuant to a medicaid assignment.
4. "Conditionally assigned arrears" means child, past care, or spousal support arrears that accrued before the child or family received public assistance when the assignment was entered into before October 1, 2009.
   a. "Assigned conditionally assigned arrears" means arrears that accrued before the child or family received public assistance and are temporarily assigned to ODJFS while the child or family currently receives public assistance.
   b. "Unassigned conditionally assigned arrears" means the child or family no longer receives public assistance so the arrears are unassigned unless the collection is from a federal tax refund offset. When the collection is from a federal tax refund offset, the arrears are assigned to ODJFS.
5. "Current obligation" means the amount the obligor is ordered to pay each month for any of the following:
   a. Current child support.
   b. Current spousal support.
   c. Current cash medical support.
   d. Current ongoing medical support.
   Current obligation does not include arrears, debt, processing charges, or other charges.
6. "Debt," for the purposes of this rule and its supplemental rules, means an amount owed by the obligor for any of the following:
   a. Attorney fees.
(b) Court costs.
(c) Filing fees.
(d) Genetic testing costs.
(e) Interest.
(f) Other fees.

(7) “Determination," for the purposes of this rule and its supplemental rules, means the amount of arrears or other debt has been established by the default process as described in Chapter 5101:12-55 of the Administrative Code, court order(s), or other legally-binding process.

A determination is also referred to as an "adjudication."

(8) "Futures" means support collections received that exceed the current obligation and all ordered payments, arrears, debts and balances.

(a) "Assigned futures" means futures that accrue while the family or child receive public assistance or the child receives FCM benefits.

(b) "Unassigned futures" means futures that accrue while the family is not receiving public assistance and the child is not receiving public assistance or FCM benefits.

(9) "Never assigned arrears" means:
(a) Child, past care, or spousal support arrears that accrue while the child or family does not receive public assistance.

(b) Child support arrears that accrue while the child does not receive FCM benefits.

(c) Unassigned pre-assistance arrears.

(10) "Ordered payment" means a monthly payment obligation based upon a determination.

(11) "Past care support" means an amount a court orders pursuant to division (F) of section 3111.13 of the Revised Code for the obligor to pay for the support of a child for the period of time before the establishment of a child support order.

"Past care support" does not include child support arrears that accrue because of failure to pay or because a support order has an effective date that is before the date the support order is journalized.

(12) "Permanently assigned arrears" means:
(a) Child, past care, or spousal support arrears that accrued before or while the child or family received public assistance, when the public assistance assignment was entered into before October 1, 1997.

(b) Child, past care, or spousal support arrears that accrue while the child or family receives public assistance, when the public assistance assignment is entered into on or after October 1, 1997.

(c) In an FCM case:
   (i) Child support arrears that accrue while the child receives FCM benefits; and
   (ii) Child support arrears that accrued before the child was receiving FCM benefits that are assignable, as described in rule 5101:12-80-14.2 of the Administrative Code.

(13) "Public assistance," means Ohio works first and aid to families with dependent children benefits.

(14) "Unassigned arrears" means arrears that are not assigned pursuant to a public assistance, FCM, or medicaid assignment.
(a) "Unassigned during assistance arrears" means the amount of permanently assigned
arrears that exceed the URA amount when the child or family stops receiving public
assistance.

Unassigned during assistance arrears do not accrue.

(b) "Unassigned pre-assistance arrears" means the amount of previously assigned arrears
that accrued before the family or child received public assistance or before the child
received FCM benefits and that exceed the URA amount when:

(i) The child or family stops receiving public assistance; or

(ii) The child stops receiving FCM benefits, in accordance with paragraph (D) of rule

Unassigned pre-assistance arrears are converted to never assigned arrears when
public assistance or FCM benefits stop.

(15) "Unreimbursed assistance" has the same meaning as in rule 5101:12-80-09 of the
Administrative Code.

(C) In accordance with paragraph (A) of this rule, support collections shall allocate:

(1) First to the current obligation in the following order:

(a) Child support;

(b) Spousal support;

(c) Cash medical support;

(d) Ongoing medical support;

(2) Then to ordered payments in the following order:

(a) Child support arrears;

(b) Past care support;

(c) Spousal support arrears;

(d) Cash medical support arrears;

(e) Ongoing medical support arrears;

(f) Reimbursement for birth costs ordered to be paid to ODJFS;

(g) Reimbursement for medical expenses other than birth costs ordered to be paid to
ODJFS;

(h) Reimbursement for medical expenses ordered to be paid to an individual other than
ODJFS;

(3) Then to processing charges for the current obligation when the case has an active income
withholding notice.

(4) Then according to the following hierarchy:

(a) For a case not currently receiving public assistance or FCM benefits:

(i) First to never assigned arrears in the following order:

(a) Child support;

(b) Past care support;

(c) Spousal support;

(ii) Then to unassigned conditionally assigned arrears in the following order:

(a) Child support;
Past care support;
Spousal support;

(iii) Then to permanently assigned arrears in the following order:
Child support;
Past care support;
Spousal support;

(iv) Then to assigned medical support arrears in the following order:
Cash medical support;
Ongoing medical support;
Reimbursement for birth costs ordered to be paid to ODJFS;
Reimbursement for medical expenses other than birth costs ordered to be paid to ODJFS;

(v) Then to unassigned during assistance arrears in the following order:
Child support;
Past care support;
Spousal support;

(vi) Then to unassigned medical support arrears in the following order:
Cash medical support;
Ongoing medical support;
Reimbursement for medical expenses ordered to be paid to an individual other than ODJFS;

(b) For a case currently receiving public assistance or FCM benefits:

(i) First to permanently assigned arrears in the following order:
Child support;
Past care support;
Spousal support;

(ii) Then to assigned conditionally assigned arrears in the following order:
Child support;
Past care support;
Spousal support;

(iii) Then to unassigned conditionally assigned arrears in the following order:
Child support;
Past care support;
Spousal support;

(iv) Then to never assigned arrears in the following order:
Child support;
Past care support;
Spousal support;

(v) Then to assigned medical support arrears in the following order:
(a) Cash medical support;
(b) Ongoing medical support;
(c) Reimbursement for birth costs ordered to be paid to ODJFS;
(d) Reimbursement for medical expenses other than birth costs ordered to be paid to ODJFS;

(vi) Then to unassigned during assistance arrears in the following order:
(a) Child support;
(b) Past care support;
(c) Spousal support;

(vii) Then to unassigned medical support arrears in the following order:
(a) Cash medical support;
(b) Ongoing medical support;
(c) Reimbursement for medical expenses ordered to be paid to an individual other than ODJFS;

(5) Then to processing charges for the current obligation when the case does not have an active income withholding notice;

(6) Then to ordered payments on debt in the following order:
(a) Genetic testing fees;
(b) Court costs;
(c) Filing fees;
(d) Attorney fees;
(e) Other fees;
(f) Interest on unassigned arrears;
(g) Interest on assigned arrears;
(h) Interstate processing fees;

(7) Then to processing charge arrears;

(8) Then to debt in the following order:
(a) Genetic testing fees;
(b) Court costs;
(c) Filing fees;
(d) Attorney fees;
(e) Other fees;
(f) Interest on unassigned arrears;
(g) Interest on assigned arrears;
(h) Interstate processing fees;

(9) Then any remaining funds shall:
(a) Allocate to the current obligation(s) for the future month(s); or
(b) Be issued to the obligor when:
   (i) The current obligation has been terminated or the current obligation is zero but collections continue to be received;
(ii) The collection is from an Ohio state income tax refund offset; 
(iii) The collection is from unemployment compensation; 
(iv) The collection is appropriately identified as a lump sum payment.

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Prior Effective Dates: 1/1/98, 9/20/01, 9/1/03, 6/15/06, 10/1/09, 5/1/11
A federal income tax refund offset collection shall allocate to arrears that are eligible to be submitted for federal refund tax offset, as described in paragraph (C) of rule 5101:12-50-32.1 of the Administrative Code.

The collection shall allocate according to the following hierarchy:

1. First to permanently assigned child support arrears;
2. Then to permanently assigned past care support arrears;
3. Then to permanently assigned spousal support arrears;
4. Then to assigned conditionally assigned child support arrears;
5. Then to assigned conditionally assigned past care support arrears;
6. Then to assigned conditionally assigned spousal support arrears;
7. Then to unassigned conditionally assigned child support arrears;
8. Then to unassigned conditionally assigned past care support arrears;
9. Then to unassigned conditionally assigned spousal support arrears;
10. Then to never assigned child support arrears;
11. Then to never assigned past care support arrears;
12. Then to never assigned spousal support arrears;
13. Then to assigned cash medical support arrears;
14. Then to assigned ongoing medical support arrears;
15. Then to reimbursement for birth costs ordered to be paid to the Ohio department of job and family services (ODJFS);
16. Then to reimbursement for medical expenses other than birth costs ordered to be paid to ODJFS;
17. Then to unassigned during assistance child support arrears;
18. Then to unassigned during assistance past care support arrears;
19. Then to unassigned during assistance spousal support arrears;
20. Then to unassigned cash medical support arrears;
21. Then to unassigned ongoing medical support arrears;
22. Then to reimbursement for medical expenses ordered to be paid to an individual other than ODJFS.

Any remaining funds shall be issued to the obligor unless the child support enforcement agency has negotiated an alternative allocation with the obligor.

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**Effective Date: August 1, 2016**

**Most Current Prior Effective Date:** October 1, 2009 (No Change)

(A) When the office of child support (OCS) or a child support enforcement agency (CSEA) receives a collection for or from an obligor with more than one support order and there are no instructions included with the collection or remitter instructions cannot be obtained for apportioning the payment between the support orders, OCS or the CSEA shall identify the qualified support orders and prorate the collection. A prorated collection shall be allocated in accordance with rules 5101:12-80-10 and 5101:12-80-10.1 of the Administrative Code.

(B) For the purpose of the calculations described in this rule:

1. A support order or a case without a support order is considered a "qualified" support order when:
   1. The collection is received as a result of a notice of proposed action having been issued to the obligor; or
   2. The obligor makes the support payment and a notice of proposed action has not been issued to the obligor.

2. "Monthly obligation" means the sum of the current obligation and any ordered payment(s).

(C) Scenarios illustrating qualified support orders include:

1. An obligor has three support orders and two of the support orders were submitted for and met all the criteria for a federal income tax refund offset. The two support orders that were submitted for offset would be considered qualified support orders for purposes of prorating a federal income tax refund offset; the third support order would not be considered a qualified support order and so would not receive any of the prorated federal income tax refund offset collection.

2. An obligor has three support orders and the CSEA issued an order to the obligor's employer to attach a lump sum payment on two of the support orders. Only the support orders that the lump sum order was issued for would be considered qualified support orders for purposes of prorating the lump sum payment.

3. One CSEA has administrative responsibility for an obligor's two support orders and a second CSEA has administrative responsibility for the same obligor's third support order. The obligor makes a payment in person at the CSEA that has two orders. Those orders, therefore, are the only support orders qualified for proration of the payment made by the obligor at the CSEA. The support order that the CSEA does not have administrative responsibility for is not considered a qualified support order for the purposes of prorating the payment made by the obligor at the CSEA.

4. One CSEA has administrative responsibility for an obligor's two support orders and a second CSEA has administrative responsibility for the same obligor's third support order. Only the first CSEA issues income withholding notices for the two support orders to the obligor's employer. The employer subsequently sends in a support payment without posting identifiers and remitter instructions cannot be obtained. Only the two support orders from the first CSEA are considered qualified support orders for the purposes of prorating the payment received from the employer.

(D) When the collection is not a federal income tax refund offset, OCS or the CSEA shall prorate the collection using the following calculations:

1. When the collection is not sufficient to satisfy all of the unpaid monthly obligations owed on the qualified support orders:
   1. First, add the unpaid monthly obligation for each qualified support order to determine the total unpaid monthly obligation amount;
Then, for each qualified support order:

(i) Divide the unpaid monthly obligation by the total unpaid monthly obligation amount to determine the prorated percentage for the order; and
(ii) Multiply the collection by the prorated percentage to determine the amount of the collection to apply to the order.

(2) When the collection is a lump sum payment and is not sufficient to satisfy the total arrears obligations owed on the qualified support orders:

(a) First, add the arrears amount owed for each qualified support order to determine the total arrears amount;

(b) Then, for each qualified support order:

(i) Divide the arrears amount for each order by the total arrears amount to determine the prorated percentage for each order; then
(ii) Multiply the collection by the prorated percentage to determine the amount of the collection to apply to the order.

(2)(3) When the collection equals or exceeds the unpaid monthly obligation for each qualified support order, satisfy the unpaid monthly obligations for each qualified support order.

When the monthly obligations for each qualified support order are satisfied and a balance remains from the collection that is less than the total arrears and debts owed on the qualified support orders:

(a) For each qualified support order, add the total unpaid arrears and debts for the order to determine the outstanding amount owed on the order;

(b) Add the outstanding amounts owed on each order to determine the total outstanding amount owed;

(c) Divide the balance of the collection by the total outstanding amount owed to determine the prorated percentage; and

(d) For each qualified support order, multiply the outstanding amount owed on the order by the prorated percentage to determine the amount of the balance to apply to the order.

(3)(4) When all of the monthly obligations, arrears, and debts are satisfied and funds remain from the collection, use the proration calculation described in paragraph (D)(1) of this rule to apply the remaining funds to future current obligations, allocate any remaining funds to the current obligation(s) for the future month(s), for each qualified support order:

(a) First, add the monthly obligation for each qualified support order to determine the total monthly obligation amount;

(b) Then, for each qualified support order:

(i) Divide the balance of the collection by the total monthly obligation amount to determine the prorated percentage; and
(ii) Multiply the monthly obligation by the prorated percentage to determine the amount of the balance to apply to the order.

(5) When the collection is a lump sum payment, and the collection equals or exceeds the total amount of arrears owed on the qualified support orders:

(a) Satisfy all of the arrears owed on the qualified support orders, then

(b) When the arrears are satisfied, issue any remaining balance to the obligor in accordance with rule 5101:12-80-10.1 of the Administrative Code, unless the CSEA has negotiated an alternative allocation with the obligor.
When the collection is from a federal tax refund offset, OCS or the CSEA shall prorate the collection using the following calculations:

1. When the collection is not sufficient to satisfy all of the eligible arrears owed on the qualified support orders:
   a. For each qualified support order, add the unpaid eligible assigned arrears for the order to determine the outstanding assigned arrears amount owed on the order;
   b. Add the outstanding assigned arrears amount owed on each order to determine the total outstanding assigned arrears amount owed;
   c. Divide the collection by the total outstanding assigned arrears amount owed to determine the prorated percentage;
   d. For each qualified support order, multiply the outstanding assigned arrears amount owed on the order by the prorated percentage to determine the amount of the collection to apply to the order; and
   e. Repeat the process described in paragraphs (E)(1)(a) to (E)(1)(d) of this rule for all eligible unassigned arrears owed on the qualified support orders.

2. When the collection equals or exceeds the total amount of eligible arrears owed on the qualified support orders:
   a. Satisfy all of the eligible arrears owed on the qualified support orders, then
   b. When the eligible arrears are satisfied, issue any remaining balance to the obligor, unless the CSEA has negotiated an alternative allocation with the obligor, in accordance with paragraph (C) of rule 5101:12-80-10.1 of the Administrative Code.

Effective: 08/01/2016
Five Year Review (FYR) Dates: 09/22/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 06/27/2016
Promulgated Under: 119.03
Statutory Authority: 3121.71, 3125.25
Rule Amplifies: 3125.03, 3121.43, 3121.52, 3121.54, 3121.56
Prior Effective Dates: 6/15/06, 10/1/09
Limited Assignment, PRWORA Assignment, and Distribution of Assigned Support Collections

Effective Date: February 1, 2016

Most Current Prior Effective Date: October 1, 2009

(A) The purpose of this rule is to provide definitions and describe the provisions of limited assignment and Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) assignment. This rule and its supplemental rules do not apply to medical support. Medical support assignment is limited to any medical support obligation that is ordered to be paid during the period that the individual that is the subject of the medical support obligation is also a Medicaid recipient.

(B) The following definitions are applicable to this rule and its supplemental rules:

1. "Assignment period" means a finite time period when support is assigned because public assistance or Title IV-E foster care maintenance (FCM) benefits are received. Any break in the public assistance or FCM benefits is a termination of the assignment period.

2. "Current assistance case" means a IV-D case currently receiving public assistance or FCM benefits.

3. "Distribution" means the monthly process of determining the amount of a support collection the Ohio department of job and family services (ODJFS) is entitled to retain pursuant to a public assistance or FCM assignment, and the amount of the collection owed to the family.

   a. The support enforcement tracking system (SETS) calculates distribution during month end processing.

   b. The child support enforcement agency (CSEA) shall use the JFS 07027, "Single Order Distribution Record" (rev. 06/1993)(effective or revised effective date as identified in rule 5101:12-80-99 of the Administrative Code), and JFS 07028, "Multiple Order Distribution Record" (rev. 06/1993)(effective or revised effective date as identified in rule 5101:12-80-99 of the Administrative Code), to complete distribution on support collections received before a case was converted to SETS.

4. "Former assistance case" means a IV-D case that formerly received public assistance or FCM benefits.

5. "Limited assignment," in accordance with 42 U.S.C. 608(a)(3) (June 18, 2008), means child, past care, or spousal support is assigned to ODJFS pursuant to a public assistance assignment only during the period that the child or family receives public assistance.

   "Limited assignment" applies to child, past care, and spousal support that is assigned on or after October 1, 2009.

6. "Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) assignment" means child, past care, or spousal support is assigned to ODJFS pursuant to a public assistance assignment in accordance with paragraph (D) of this rule.

   "PRWORA assignment" applies to child, past care, and spousal support that is assigned on or after October 1, 1997 and before October 1, 2009.

7. "Public assistance" is defined in rule 5101:12-80-10 of the Administrative Code.

8. "Sweep" means the transfer of a balance amount from one account to another as a result of an assignment period starting or terminating.

(C) Provisions of PRWORA assignment and limited assignment.

1. Any public assistance assignment period that starts on or after October 1, 1997 and before October 1, 2009 is subject to PRWORA assignment provisions, including a public assistance assignment period that starts before October 1, 2009 and is still active on October 1, 2009.
(2) Any public assistance assignment period that starts on or after October 1, 2009 is subject to limited assignment provisions.

PRWORA assignment and limited assignment provisions only apply to a public assistance assignment and do not apply to an FCM or medicaid assignment.

(D) PRWORA assignment provisions.

(1) Upon the effective date of the public assistance assignment period:
   (a) Current support is assigned to ODJFS.
   (b) Unassigned arrears sweep to conditionally assigned arrears.
      (i) Never assigned arrears sweep to assigned conditionally assigned arrears.
      (ii) Unassigned conditionally assigned arrears sweep to assigned conditionally assigned arrears.
      (iii) Unassigned during assistance arrears sweep to assigned conditionally assigned arrears.
   (c) Permanently assigned arrears remain permanently assigned arrears.
   (d) Unassigned futures shall be used to reduce the next month’s current obligation. When unassigned futures were issued to the obligee before the effective date of the assignment period, the CSEA shall not recoup the funds from the obligee.

(2) During the assignment period, arrears that accrue are permanently assigned arrears.

(3) Upon termination of the public assistance assignment period:
   (a) Current support is unassigned.
   (b) Support arrears are treated as follows:
      (i) Permanently assigned arrears that are:
          (a) Less than or equal to the unreimbursed assistance (URA) amount remain permanently assigned arrears.
          (b) Greater than the URA amount sweep to unassigned during assistance arrears.
      (ii) Conditionally assigned arrears that are:
          (a) Less than or equal to the URA amount sweep to unassigned conditionally assigned arrears.
          (b) Greater than the URA amount sweep to never assigned arrears.
   (c) Futures are treated as follows:
      (i) Assigned futures sweep to unassigned futures.
      (ii) Unassigned futures remain unassigned.

(E) Limited assignment provisions.

(1) Upon the effective date of the public assistance assignment period:
   (a) Current support is assigned to ODJFS.
   (b) Unassigned arrears remain unassigned arrears.
      (i) Never assigned arrears remain never assigned arrears.
      (ii) Unassigned conditionally assigned arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, shall remain unassigned conditionally assigned arrears.
(iii) Unassigned during assistance arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, shall remain unassigned during assistance arrears.

(c) Permanently assigned arrears remain permanently assigned arrears.

(d) Unassigned futures shall be used to reduce the next month’s current obligation. When unassigned futures were issued to the obligee before the effective date of the assignment period, the CSEA shall not recoup the funds from the obligee.

(2) During the assignment period, arrears that accrue are permanently assigned arrears.

(3) Upon termination of the public assistance assignment period:

(a) Current support is unassigned.

(b) Unassigned arrears remain unassigned arrears.

(i) Never assigned arrears remain never assigned arrears.

(ii) Unassigned conditionally assigned arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, remain unassigned conditionally assigned arrears.

(iii) Unassigned during assistance arrears, created by termination of a previous public assistance assignment period that was subject to PRWORA assignment provisions, remain unassigned during assistance arrears.

(c) Permanently assigned arrears that are:

(i) Less than or equal to the URA amount remain permanently assigned arrears.

(ii) Greater than the URA amount sweep to never assigned arrears.

(d) Futures are treated as follows:

(i) Assigned futures sweep to unassigned futures.

(ii) Unassigned futures remain unassigned.

Effective: 02/01/2016

Five Year Review (FYR) Dates: 09/23/2015 and 02/01/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 12/30/2015

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.24

Prior Effective Dates: 8/1/75, 5/21/79, 8/1/82, 12/1/86, 12/1/87, 8/1/90, 6/1/93, 3/9/01, 9/20/01, 6/15/06, 10/1/09
A) The purpose of this rule is to describe distribution in a Title IV-D public assistance case.

B) In a current assistance case, support collections shall be distributed as follows:

1) Current obligation.
   a) The amount collected for and applied to the current obligation that is less than or equal to
      the current month's public assistance grant shall be retained and used to reimburse the
      current month's public assistance grant.
      Following reimbursement, the balance of the current month's public assistance grant
      shall be added to the unreimbursed assistance (URA) amount.
   b) The amount collected for and applied to the current obligation that exceeds the current
      month's public assistance grant shall be retained and used to reimburse the URA.
   c) The amount collected for and applied to the current obligation that exceeds the current
      month's public assistance grant and the URA amount shall be owed to the family.

2) Arrears.
   a) The amount collected for and applied to assigned arrears that is less than or equal to the
      URA amount shall be retained and used to reimburse the URA.
   b) The amount collected for and applied to assigned arrears that is greater than the URA
      amount shall be owed to the family.
   c) The amount collected for and applied to unassigned arrears shall be owed to the family.

3) Futures.
   The amount collected for and applied to assigned futures shall be held and applied to the
   current obligation(s) in the following month(s).

C) In a former assistance case, support collections shall be distributed as follows:

1) Current obligation.
   The amount collected for and applied to the current obligation shall be issued to the obligee.

2) Arrears.
   a) The amount collected and applied to unassigned arrears shall be issued to the obligee.
   b) The amount collected and applied to permanently assigned arrears shall be retained and
      used to reimburse the URA.
   c) The amount collected from a federal tax refund offset and applied to conditionally
      assigned arrears shall be retained and used to reimburse the URA.

Five Year Review (FYR) Dates: 09/22/2015 and 09/22/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 09/22/2015
Promulgated Under: 119.03
Statutory Authority: 3125.25, 5107.05
Rule Amplifies: 3121.43, 3123.19, 5107.20
Prior Effective Dates: 8/1/75, 5/21/79, 8/1/82, 12/1/86, 12/1/87, 8/1/90, 6/1/93, 3/9/01, 9/20/01, 6/15/06, 10/1/09
Most Current Prior Effective Date: October 1, 2009

CSPMTL 108

Effective Date: October 1, 2009 (No Change)

(A) The purpose of this rule is to describe the provisions of assignment and distribution in a Title IV-D/Title IV-E foster care maintenance (FCM) case.

(B) Upon the effective date of the FCM assignment period:

1. Current child support is assigned to ODJFS.
2. Never assigned child support arrears sweep to permanently assigned child support arrears.

(C) The following definitions are applicable to this rule:

1. "FCM non-waiver case" means a case in which distribution is completed using:
   a. The actual IV-E grant amount, when the amount is available; or
   b. A predetermined average IV-E grant amount, when the actual IV-E grant amount is not available.

2. "FCM waiver case" means a case in which distribution is not completed because:
   a. During the FCM assignment period all child support is assigned and retained by the state; and
   b. Upon the termination of the FCM assignment period:
      i. Any permanently assigned child support arrears remain permanently assigned child support arrears; and
      ii. Assigned futures sweep to unassigned futures.

3. "Grant amount" means the amount of Title IV-E funds the Title IV-E agency spends on an FCM-eligible child in a calendar month.
   a. "Actual IV-E grant amount" means the actual amount of funds spent on a child in a calendar month.
   b. "Average IV-E grant amount" means a predetermined average amount of funds spent on a child in a calendar month.

(D) Distribution in an FCM non-waiver case.

In a current assistance case, support collections shall be distributed as follows:

   a. The amount collected for and applied to the current obligation that is less than or equal to the current month's grant amount shall be retained and used to reimburse the current month's grant.
   b. Following reimbursement, the balance of the current month's grant shall be added to the unreimbursed assistance (URA) amount. The amount collected that is greater than the current month's grant amount shall be owed to the Title IV-E agency.

2. Arrears.
   a. The amount collected for and applied to arrears that is less than or equal to the URA amount shall be retained and used to reimburse the URA.
   b. The amount collected for and applied to arrears that is greater than the URA amount shall be owed to the Title IV-E agency.

3. Futures.
The amount collected for and applied to assigned futures shall be held and applied to the current obligation(s) in the following month(s).

(4) Upon the termination of the FCM assignment period:
   (a) Any amount of permanently assigned child support arrears that are greater than the URA amount shall sweep to never assigned child support arrears; and
   (b) Assigned futures shall sweep to unassigned futures.

Five Year Review (FYR) Dates: 09/22/2015 and 09/22/2020
Certification: CERTIFIED ELECTRONICALLY
Date: 09/22/2015
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Statutory Authority: 3125.25, 5107.05
Rule Amplifies: 3121.43, 3123.19, 5107.20
Prior Effective Dates: 8/1/75, 5/21/79, 8/1/82, 12/1/86, 12/1/87, 8/1/90, 6/1/93, 3/9/01, 9/20/01, 6/15/06, 10/1/09
Support payments collected and distributable by the Ohio department of job and family services office of child support that meet the requirements of this rule shall be reported and remitted to the Ohio department of commerce division of unclaimed funds in accordance with the procedures set forth in section 169.03 of the Revised Code.

For the purposes of this rule, the following assumptions are made:

1. In accordance with section 3125.02 of the Revised Code, the office of child support is a person formed under the laws of the state of Ohio.
2. In accordance with section 3121.48 of the Revised Code, the office of child support is a holder of money as trustee for remittance of support payments it receives to the person entitled to receive the support payment.
3. As trustee pursuant to section 3121.48 of the Revised Code, the office of child support is a fiduciary for the benefit of the person entitled to receive a support payment.
4. The person entitled to receive a support payment in accordance with Chapter 3121. of the Revised Code is the owner of the support payment and shall be referred to in this rule and any supplemental rule(s) as the "obligee," as that term is defined in division (B)(3) of section 3119.01 of the Revised Code.

A support payment shown by the records of the office of child support to have been distributable to the obligee shall be considered unclaimed funds three years from the date payable or distributable pursuant to either division (J) or (K) of section 169.02 of the Revised Code.

The division of unclaimed funds in the Ohio department of commerce, and the office of child support in the Ohio department of job and family services shall treat the funds described in paragraph (C) of this rule as unclaimed funds, and in accordance with the provisions of Chapter 169. of the Revised Code.

R.C. 119.032 review dates: 10/04/2013 and 10/01/2018
Certification: CERTIFIED ELECTRONICALLY
Date: 10/04/2013
Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 169.03, 3125.03
Prior Effective Dates: 9/1/89, 4/1/92, 12/1/94, 6/1/95, 4/24/00 (Emer), 7/10/00, 10/15/01, 11/8/04, 11/15/08
Effective Date: February 1, 2016

The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

(A) JFS 04021, "Affidavit for stop payment" (rev. 12/2002);
(B) JFS 04090, "Notice of Erroneous Payment" (rev. 04/2007);
(C) JFS 07026, "Recoupment Account Maintenance Request" (12/2007);
(D) JFS 07027, "Single Order Distribution Record" (rev. 06/1993);
(E) JFS 07028, "Multiple Order Distribution Record" (rev. 06/1993);
(F) JFS 07031, "Recoupment Account Creation Request" (12/2007);
(G) JFS 07739, "Child Support Payment Central Check Traveler" (6/2007);
(H) JFS 07741, "Child Support Payment Central (CSPC) Check Void Request (11/2010); and

Effective: 02/01/2016

Five Year Review (FYR) Dates: 02/01/2021

Certification: CERTIFIED ELECTRONICALLY

Date: 12/30/2015

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03, 3125.25
Forms
JFS 00594  Lump Sum Notification

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=00594
JFS 01709  Confidentiality of Information Reference Guide

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01709
JFS 01715  Waiver of Service of Notice of Order to Appear for Administrative Support Hearing
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01715
JFS 01729  Monthly Time Sheet for Non-Dedicated Principle Staff
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01729
JFS 01730   Dedicated Principle Staff Exception Report

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01730
JFS 01731  Monthly Time Summary for Governmental Contractor

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01731
JFS 01731I Instructions for JFS 01731, Monthly Time Summary for Governmental Contractor
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01731
JFS 01834  Notice of Ohio Income Tax Refund Offset for Child Support Overpayment
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01834
JFS 01835  Notice of Ohio Income Tax Refund Offset for Overdue Support
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01835
JFS 01849  Request for an Administrative Review of the Support Order
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01849
JFS 01850  Notice of Scheduled Income Tax Refund Offset Review

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01850
JFS 01851 Notice of Denial of Request for Tax Refund Offset Review

http://www.ohiojoblink.ohio.gov/forms/findform.asp?formnum=01851
JFS 01852  Decision on Request for Collection of Child Support Overpayment
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01852
JFS 01853  Notice Regarding Request to Reschedule Tax Refund Offset Review
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01853
JFS 01854  Request for Collection of a Child Support Overpayment
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01854
JFS 01856  Denial of Request to Reschedule Administrative Review & Adjustment Hearing
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01856
JFS 01866  Administrative Review Pending Notice

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01866
JFS 01867   Right to Request an Administrative Review of the Support Order
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01867
JFS 01868  Dismissal of Administrative Request
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01868
JFS 01871  Notice to Obligor's Income Withholding Regarding SETS Case Number Change
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01871
JFS 01872  Notice to Obligor Regarding SETS Case Number Change
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01872
JFS 01873  Notice to Obligee's Employer Regarding SETS Case Number Change
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01873
JFS 01974  Contact Letter

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=01974
JFS 02015  IV-D Contract Time Study
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=02015
JFS 02015I Instructions for JFS 02015, IV-D Contract Time Study
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=02015
JFS 02750  Instructions for Completing Child Support Administrative Fund Monthly Financial Statement

Pursuant to CSEM 5041, each county child support enforcement agency (CSEA) is required to submit an ODHS 2750 for each month, which must be received no later than the 20th day of the month following the report month. For example, the January report is due no later than February. Reports should be mailed to:

Ohio Department of Human Services
Office of Fiscal Services
Bureau of County Finance and Technical Assistance
30 East Broad Street, 30th Floor
Columbus, Ohio 43266-0423

A one year supply of the ODHS 2750 will be distributed from the department's warehouse annually.

A. FUND STATEMENT

Section A (Lines 1, 2, 3, and 4) is prepared by each county auditor's office to identify fund balances (beginning and ending), total receipts, and total expenditures for the Child Support Administrative Fund (CSAF).

1. **Cash balance in fund at beginning of month**: The beginning cash balance must be the same as the ending balance from the prior month's ODHS 2750. For the initial month of CSEA operation, the beginning balance will be zero.

2. **Receipts total (Line 2a + 2b + 2c)**: The receipts total must be the sum of Lines 2a through 2c of Section A.
   
   (a) **New resources** (state or locally provided): New resources are those funds each county must deposit to maintain the balance in the CSAF. An example of such a deposit and the coding: funds transferred to the CSAF by the Board of County Commissioners to provide match, coded with program code 901 and classification code 71.

   (b) **Advance from ODHS**: Line 2b reflects the total monthly ODHS advance (state allocation, FFP, and incentives). Receipts in the form of advances are to be coded with program code 908 and classification code 70.

   (c) **Other Receipts**: Line 2c reflects all cancelled warrants, refunds for disbursements originally paid through the CSAF, and other receipts not included in Lines 2a and 2b.

3. **Disbursements**: The figure for Line 3 represents expenditures and transfers actually made from the CSAF.

4. **Cash balance at end of month** (Line 1 + 2 - 3): The ending cash balance is obtained by adding the figures from Section A, Lines 1 and 2, and subtracting the figure from Section A, Line 3, to obtain the cash balance at the end of the month.

B. CERTIFICATION OF COUNTY AUDITOR

Section B is the county auditor's certification. The county auditor must certify the transactions and balance shown in Section A in accordance with CSEM 5041. A signature stamp may be used for the county auditor, or another person may sign the auditor's name as long as that person also signs on the line indicated "signed by". The CSEA may delay obtaining the county auditor's certification according to procedures in CSEM 5041.

C. CERTIFICATION OF THE CSEA DIRECTOR

Section C is the CSEA director's certification. The county CSEA director must certify the accuracy and amount of disbursements in accordance with CSEM 5041. A signature stamp may be used for the CSEA director, or another person may sign the CSEA director's name as long as that person also signs on the line indicated "signed by".
ODHS is responsible for reporting expenditures by the functional categories of the Child Support program to the federal government. Child Support Random Moment Sample (CS-RMS) is a method by which this is accomplished.

Expenditures from the child support administrative fund reported under program code 020 are allocated to program areas through participation in CS-RMSEach county CSEA has a CS-RMS coordinator who contacts direct staff in the CSEA at random times throughout the CS-RMS reporting quarter to check program-related activity on the ODHS 2712 "Child Support Random Moment Sample Observation Form." For example, a CSEA investigator would be contacted by the county CS-RMS coordinator and asked to check on the ODHS 2712 indicating that she/he is working on IV-D related paternity establishment at the moment contacted.

Policy regarding CS-RMS is contained in CSEM 5041.1A copy of the ODHS 2712 and instructions, and county CS-RMS coordinators instructions for administering the ODHS 2712 are contained in Appendix 5-9, and Appendix 5-10, respectively.

Except for SETS direct charge, single-purpose purchased services, multi-purpose purchased services reported under direct code, shared costs, countywide central service plan payments, and non-reimbursable expenditures, all expenditures from the CSAF are reported using program code 020 Child Support Cost PoolThe Office of Fiscal Services subsequently applies the program percentages resulting from the CS-RMS sample to allocate expenditures to program area and category of service.

Expenditure for a single-purpose purchased service is reported using the appropriate program code(s) (not 020) and classification code 30Single-purpose purchased services are services purchased from providers under contract with the CSEA falling into only one category of child support activity.

Expenditure for a multi-purpose purchased service may be reported in one of two ways: (1) The expenditure may be reported as 020-30Use of 020-30 means the expenditure will be allocated by CS-RMS(2) The expenditure may be allocated by an auditable method for distributing costs developed by the CSEA and provider, and reported under the appropriate direct program code(s) (not 020) and classification code 30.

An example of a single-purpose purchased service is blood testing expensesThat service, which relates only to paternity establishment, is purchased from a provider under contract with the CSEAAs a single-purpose purchased service, costs would be reported using the appropriate program code(s) (not 020) and classification code 30.

An example of a multi-purpose purchased service is a contract with the prosecutor for establishment, modification, and enforcement of supportThe contract involves several categories of child support activity, and is not a single-purpose purchased serviceCosts for prosecutor services under contract with the CSEA would be reported using program code 020 and classification code 30 for CS-RMS allocation, or would be allocated by an auditable method for distributing costs, and reported under the appropriate direct program code(s) (not 020) and classification code 30.
**ODHS 2750 Codes**

### PROGRAM CODES -- EXPENDITURES OR RECEIPTS

Codes used to complete the ODHS 2750 consist of five digits configured as follows:

<table>
<thead>
<tr>
<th>Digits 1-3 Program</th>
<th>Digits 4-5 Classification</th>
</tr>
</thead>
</table>

The following three digits (000-) represent the program for which expenditures were made or receipts deposited.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>010</td>
<td>Shared Costs</td>
</tr>
<tr>
<td>015</td>
<td>Countywide Central Services</td>
</tr>
<tr>
<td>020</td>
<td>Child Support Cost Pool</td>
</tr>
<tr>
<td>137</td>
<td>Medical Collections to Reimburse Title XIX Medicaid</td>
</tr>
<tr>
<td>132</td>
<td>Paternity Establishment, IV-A TANF/OWF, IV-E foster care cases</td>
</tr>
<tr>
<td>112</td>
<td>Paternity Establishment, non-IV-A and non-IV-E cases</td>
</tr>
<tr>
<td>131</td>
<td>Parent Location, IV-A TANF/OWF and IV-E foster care cases</td>
</tr>
<tr>
<td>111</td>
<td>Parent Location, non-IV-A and non-IV-E cases</td>
</tr>
<tr>
<td>135</td>
<td>Support Order Establishment or Modification, IV-A TANF/OWF and IV-E foster care cases</td>
</tr>
<tr>
<td>115</td>
<td>Support Order Establishment or Modification, non-IV-A and non-IV-E cases</td>
</tr>
<tr>
<td>134</td>
<td>Collection, Distribution, and Disbursement, IV-A TANF/OWF and IV-E foster care cases</td>
</tr>
</tbody>
</table>

- **010 Shared Costs**: Includes payment to the public assistance fund for the child support program's portion of indirect costs when the CSEA is located in the CDHS.
- **015 Countywide Central Services**: Payment to the county commissioners for the cost of central services assigned to the CSEA by a countywide central service plan.
- **020 Child Support Cost Pool**: All expenditures from the CSEA with the exception of SET charge, single-purpose purchased services, multi-purpose purchased services reported under direct code, shared costs, countywide central service plan payments, and nonreimbursable expenditures.
- **137 Medical Collections to Reimburse Title XIX Medicaid**: Establishing an order for the recovery of birth costs paid by Medicaid and/or enforcing, collecting, and disbursing medical payments for IV-A TANF/OWF, IV-E foster care, and Medicaid only cases. Expenditures for these activities are not reimbursed through CSEA IV-D funds, rather through Title XIX Medicaid via a contract agreement with the CDHS.
- **132 Paternity Establishment, IV-A TANF/OWF, IV-E foster care cases**: Activities relating to establishing paternity for IV-A TANF/OWF and IV-E foster care cases.
- **112 Paternity Establishment, non-IV-A and non-IV-E cases**: Activities relating to establishing paternity for non-IV-A and non-IV-E cases.
- **131 Parent Location, IV-A TANF/OWF and IV-E foster care cases**: Activities associated with locating absent parents and putative fathers for IV-A TANF/OWF and IV-E foster care cases.
- **111 Parent Location, non-IV-A and non-IV-E cases**: Activities associated with locating absent parents and putative fathers for non-IV-A and non-IV-E cases.
- **135 Support Order Establishment or Modification, IV-A TANF/OWF and IV-E foster care cases**: Activities to establish or modify support orders for IV-A TANF/OWF and IV-E foster care cases, including health insurance, but excluding recovery of cash payments to reimburse Title XIX Medicaid.
- **115 Support Order Establishment or Modification, non-IV-A and non-IV-E cases**: Activities to establish or modify support orders for non-IV-A and non-IV-E cases, including health insurance, but excluding recovery of cash payments to reimburse Title XIX Medicaid.
- **134 Collection, Distribution, and Disbursement, IV-A TANF/OWF and IV-E foster care cases**: Activities associated with collecting, distributing, and disbursing collections for IV-A TANF/OWF and IV-E foster care cases.
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>114</td>
<td>Collection, Distribution, non-IV-A and non-IV-E cases</td>
<td>Activities associated with collecting, distributing, and disbursing collections for non-IV-A and non-IV-E cases.</td>
</tr>
<tr>
<td>133</td>
<td>Support Enforcement, IV-A TANF/OWF and IV-E foster care cases</td>
<td>Activities directed at enforcing support obligations for IV-A TANF/OWF and IV-E foster care cases.</td>
</tr>
<tr>
<td>113</td>
<td>Support Enforcement, non-IV-A and non-IV-E cases</td>
<td>Activities directed at enforcing support obligations for non-IV-A and non-IV-E cases.</td>
</tr>
<tr>
<td>130</td>
<td>Administrative Title IV-D, IV-A TANF/OWF and IV-E foster care cases</td>
<td>Administrative activity for IV-A TANF/OWF and IV-E foster care cases that is related to the IV-D program but is not addressed by the other program codes.</td>
</tr>
<tr>
<td>110</td>
<td>Administrative Title IV-D, non-IV-A and non-IV-E cases</td>
<td>Administrative activity for non-IV-A and non-IV-E cases that is related to the IV-D program but is not addressed by the other program codes.</td>
</tr>
<tr>
<td>136</td>
<td>Child Support Incentives</td>
<td>Incentives transferred from the child support administrative funds to the county general revenue fund with approved waiver.</td>
</tr>
<tr>
<td>120</td>
<td>Genetic-Testing Fees, Local Contract or to Other State, IV-A TANF/OWF and IV-E foster care cases</td>
<td>IV-D expenditures under a local contract or to another state for genetic testing for paternity determinations for IV-A TANF/OWF and IV-E foster care cases.</td>
</tr>
<tr>
<td>122</td>
<td>Genetic-Testing Fees, Local Contract or to Other State, non-IV-A and non-IV-E cases</td>
<td>IV-D expenditures under a local contract or to another state for genetic testing for paternity determinations for non-IV-A and non-IV-E cases.</td>
</tr>
<tr>
<td>601</td>
<td>Special Project, Hamilton County</td>
<td>Special project. To be used only by the Hamilton County CSEA.</td>
</tr>
<tr>
<td>603</td>
<td>Visitation/Access Pilot Project Contract(s)</td>
<td>Expenditures under a contract(s) for the visitation/access pilot project. To be used only by the project's pilot CSEAs.</td>
</tr>
<tr>
<td>700</td>
<td>SETS Direct Charge: Validation; and Travel and per diem for Trainees and Spearheads</td>
<td>Direct charge of the following SETS activities: validation; and travel and per diem for trainees and spearheads.</td>
</tr>
<tr>
<td>701</td>
<td>SETS Direct Charge: Conversion; Site Preparation; Salaries for On-Loan Trainers; and Travel and per diem for On-Loan Trainers</td>
<td>Direct charge of the following SETS activities: conversion; site preparation; salaries for on-loan trainers; and travel and per diem for on-loan trainers.</td>
</tr>
<tr>
<td>799</td>
<td>Costs Authorized by ODHS to Be Reported Under Code 799</td>
<td>Limited to costs authorized by ODHS to be reported under Code 799. To be reimbursed by ODHS. To be used with activity code 20.</td>
</tr>
<tr>
<td>885</td>
<td>Disbursement of Recovered Genetic Testing Fees, Statewide Contract</td>
<td>Disbursement to ODHS of recovered fees paid by ODHS under one or more of the statewide genetic testing contracts for paternity determination.</td>
</tr>
<tr>
<td>899</td>
<td>Nonreimbursable Expenditures</td>
<td>Expenditures not reimbursable through the Title IV-D program. Includes non-IV-D expenditures. Includes transfers to the depository account to cover insufficient funds in the depository account (for example, to cover uncollectible checks, i.e., offsets returned to the taxpaying parent) or invalid offsets returned to the disbursement account. Includes the transfer of insufficient funds to the depository account.</td>
</tr>
</tbody>
</table>
unclaimed collections, previously held in the CSEA’s deposit account, to the county treasurer. Includes the transfer of unclaimed collections, previously held in a trust fund in the treasury of the county, to the CSEA’s depository account by the payee has claimed the funds.

| 990 | CSEA Closeout | Disbursement to ODHS for repayment of an overpayment administrative fund or receipt from ODHS because of an underpayment to the administrative fund. If a disbursement to ODHS, use classification code 20. If a receipt from ODHS, classification code 70. |

**PROGRAM CODES -- RECEIPTS ONLY**

The following three digits (000-) represent the program for which receipts were deposited.

<p>| 150 | Application Fee | Application fee for IV-D services regardless of whether fee is charged by obligee or absorbed by the CSEA. To be used with classification code 20. If absorbed by the CSEA, fee is also reported as a negative receipt under program-classification 903-71. |
| 151 | Credit Reporting Agency Fees | Fees received from credit reporting agencies (CRAs) for data on IV-D cases provided by the CSEA. Applicable through December 31, 1997. |
| 152 | Processing Charge, IV-D | Processing charge received from obligors for IV-D cases. |
| 153 | Investment Income (amounts earned through investment) | Income earned from interest, investments, or other income producing activities resulting from fees and child support collections for IV-D cases. |
| 154 | Recovered Clerk of Court Fees, Recovered Court Costs, and Other Recovered Payments, excluding recovered genetic-testing fees | Recovery of IV-D allowable payments such as IV-D allowable clerk of court fees and court costs paid by the CSEA. Excludes recovered genetic-testing fees. |
| 155 | Miscellaneous Fees | Fees received for miscellaneous charges, such as photocopy expenses, for IV-D cases. |
| 156 | Recovered Genetic-Testing Fees Paid by the CSEA | Recovery of IV-D allowable genetic-testing expenditures for paternity determination paid by the CSEA. |
| 157 | Unclaimed Collections That Have Lost Unclaimed Status | Unclaimed IV-D collections that have lost unclaimed status. |
| 158 | Interest on Assigned Arrears | Interest paid on assigned arrears. |
| 159 | Fines Imposed on Obligors That the CSEA Has Retained | Fines imposed on obligors in IV-D cases that the CSEA has retained. |
| 901 | Share of Title IV-D | Receipts for the county share of the child support program. |
| 902 | Audits | Receipts applied against audit exceptions taken by ODHS on the CSEA. |</p>
<table>
<thead>
<tr>
<th>Classification Code</th>
<th>Expense Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>903</td>
<td>Nonreimbursable Receipts</td>
</tr>
<tr>
<td>904</td>
<td>Recovered Genetic-Testing Fees Paid Under Statewide Contract</td>
</tr>
<tr>
<td>908</td>
<td>Advances from State</td>
</tr>
<tr>
<td>991</td>
<td>Processing Charge, Non-IV-D</td>
</tr>
</tbody>
</table>

**CLASSIFICATION CODES**

The two-digit classification code (-00) represents the classification of the expense.

<table>
<thead>
<tr>
<th>Classification Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Compensation</td>
</tr>
<tr>
<td>20</td>
<td>Operations</td>
</tr>
<tr>
<td>22</td>
<td>ADP Services/Equipment</td>
</tr>
<tr>
<td>24</td>
<td>Training</td>
</tr>
<tr>
<td>30</td>
<td>Purchased Services, Current Allocation</td>
</tr>
<tr>
<td>35</td>
<td>Purchased Services, Prior Allocation</td>
</tr>
<tr>
<td>61</td>
<td>SETS Validation Purchased-Services Contracts</td>
</tr>
<tr>
<td>62</td>
<td>SETS Conversion Purchased-Services Contracts</td>
</tr>
</tbody>
</table>

- **01 Compensation**: All employee salaries, wages, and benefits. Includes salary and benefits for SETS dedicated staff.
- **20 Operations**: Includes supplies, postage, utilities, telephone, facilities, expenses, printing, travel and transportation, purchased and rented equipment, etc. Includes transfers to depository account to cover insufficient funds in depository account. Includes purchase for SETS validation and conversion activities.
- **22 ADP Services/Equipment**: Includes automatic data-processing services and/or equipment purchased from other public or private agencies where prior approval has been granted.
- **24 Training**: Includes tuition, travel, registration fees, and allowable training materials. Includes travel costs for SETS on-loan trainers, tutors, and spearheads.
- **30 Purchased Services, Current Allocation**: Costs related to services purchased from providers under contracts with the CSEA. Includes cost of genetic testing for paternity determination for interstate cases. Excludes purchased-services contracts for SETS. Charged to current allocation.
- **35 Purchased Services, Prior Allocation**: Same as classification code 30, except 35 is charged back to prior allocation.
- **61 SETS Validation Purchased-Services Contracts**: Costs for SETS validation purchased-services contracts.
- **62 SETS Conversion Purchased-Services Contracts**: Costs for SETS conversion purchased-services contracts.
<table>
<thead>
<tr>
<th>63</th>
<th>SETS Site Preparation Purchased-Services Contracts</th>
<th>Costs for SETS site preparation purchased-services contracts</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>Deposits, State</td>
<td>Monthly state advances and other state-provided resources</td>
</tr>
<tr>
<td>71</td>
<td>Deposits, Local</td>
<td>Nonfederal share of Title IV-D, nonreimbursable. Includes recovery of funds from obligors for expenses reported as nonreimbursable.</td>
</tr>
</tbody>
</table>
JFS 03377  Employer/Health Plan Administrator Health Insurance Verification Request

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=03377
JFS 03399  Notice of Administrative Mistake of Fact Hearing
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=03399
JFS 04001  Request for Case Information
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04001
JFS 04008  Request for Good Cause Waiver
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04008
JFS 04009  Approval of Good Cause Waiver

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04009
JFS 04010  Denial of Good Cause Waiver

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04010
JFS 04017  Notice to Deduct Funds for Child and Spousal Support
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04017
JFS 04032  Notice to Provide Cash Medical Support

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04032
JFS 04033  Notice to Provide Private Health Insurance
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04033
JFS 04034  Notice of Selection of Health Plan Options
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04034
JFS 04035  Notice of Available Health Plan Options
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04035
JFS 04037  Medical Support Enforcement Administrative Mistake of Fact Hearing Decision
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04037
JFS 04041 Notice to Suspend Professional, Motor Vehicle Operator and Recreational License
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04041
JFS 04042  Notice to Reinstate/Reissue a License

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04042
JFS 04043  Notice to Payor/Office of Unemployment Compensation/Financial Institution to Terminate the Withholding from Obligor's Income/Assets

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04043
JFS 04045  Advance Notice to Obligor of Income Withholding Action
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04045
JFS 04047  Income Withholding for Support

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04047
JFS 04049  Notice to Obligor of Default and Potential Action
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04049
JFS 04052 Notice to Person, Other than Child Support Obligor, Having Ownership Interest in an Account

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04052
JFS 04055   Financial Institution Account Withdrawal Directive

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04055
JFS 04057  Notice to Court or Administrative Case Record of a Reduction of Permanently Assigned Arrears

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04057
Instructions for completing the JFS 04070, Addendum to the Administrative Order to Modify the Birth Record - Child's Surname

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04070
JFS 04090  Notice of Erroneous Payment

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04090
JFS 04098  Notice to Employer/Health Plan Administrator of Expiration or Termination of Withholding Requirements Under the National Medical Support Notice

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=04098
JFS 07005  Child Support Enforcement Agency Lien on Real Property
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07005
JFS 07006  Discharge of Lien
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07006
JFS 07010  Request for Exception to Electronic Disbursement Enrollment

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07010
John幸福
State of Ohio
Department of Job and Family Services

Tax Information Safeguarding Authorization Agreement

http://www.ohio.gov/odjfs/state.oh.us/forms/findform.asp?formnum=07014
JFS 07015  Certification of Compliance with Competitive Sealed Bid Requirements
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07015
JFS 07016  IV-D Contract Security Addendum
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07016
JFS 07017I Instructions for Completing JFS 07017
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07017
JFS 07018  IV-D Contract

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07018
JFS 07020  Governmental Contractor IV-D Contract Budget
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07020
JFS 07022  Notice to Obligor: Inclusion on Poster

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07022
JFS 07023  Selection for "Most Wanted List"

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07023
JFS 07024  "Most Wanted List" Fact Sheet
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07024
JFS 07026  Recoupment Account Maintenance Request

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07026
JFS 07031-IREcoupment Account Creation Request Instructions
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07031
JFS 07034  Governmental Contractor Monthly Expense Report
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07034
JFS 07035  IV-D Contractor Invoice

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07035
JFS 07037  IV-D Contract Amendment

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07037
JFS 07038-SPA  Acknowledgement of Paternity Affidavit (Spanish Version)
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07038
JFS 07046  Notice of Case Status
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07046
JFS 07048  Ohio New Hire Reporting

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07048
JFS 07049  Notice of Right to Request Administrative Review of Child and Medical Support Order

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07049
JFS 07052  Notice of Administrative Mistake-of-Fact Hearing

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07052
JFS 07058  Medical Support Mistake of Fact Hearing Decision
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07058
JFS 07070  Notice to Terminate the State Lottery Prize Award Intercept Directive
http://www.ohio.gov/forms/findform.asp?formnum=07070
JFS 07071  State Lottery Prize Award Intercept Directive
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07071
JFS 07072  Safeguarding of Internal Revenue Service, Ohio Department of Taxation, Federal Parent Locator Service, and Unemployment Compensation Information

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07072
JFS 07073  Request to Submit a Case to U.S. District Court
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07073
JFS 07078  JFS Code of Responsibility

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07078
JFS 07230  Notice to Obligor: Proposed Action to Suspend License to Practice Law
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07230
JFS 07521  Notice to Continue Support

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07521
JFS 07522  Findings and Recommendations to Terminate the Administrative Child Support Order

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07522
JFS 07523  Administrative Order to Impound Support
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07523
JFS 07526  Administrative Termination Hearing Decision
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07526
JFS 07527   Administrative Order to Terminate the Administrative Child Support Order
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07527
JFS 07543  Request for Cooperative Information
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07543
JFS 07543  Request for Cooperative Information (2\textsuperscript{nd} Request)

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07543
JFS 07544  Administrative Review for Income Tax Refund Offset Review Results
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07544
JFS 07613 Administrative Adjustment Review Denial Notice
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07613
JFS 07636 Verification of Imprisonment

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07636
JFS 07642  Financial Institution Information Request
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07642
JFS 07699  Your Child Support Program Information

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07699
JFS 07700  SETS User Access Application

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07700
JFS 07707  Address Information Request
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07707
JFS 07713  Child Welfare Agency Locate-Only Request
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07713
JFS 07717  Determination Regarding Negotiation for a Reduction of Permanently Assigned Arrears

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07717
JFS 07726  Administrative Order for Transmittal of Lump Sum Payment

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07726
JFS 07739  Child Support Payment Central Check Traveler
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07739
JFS 07747  Forged Signature Affidavit
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07747
JFS 07754  Notice of Request for Paternity Determination and Order to Appear for Genetic Tests

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07754
JFS 07758  Notice of Withdrawal of Passport Denial
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07758
JFS 07759  Ad Hoc Report Request
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07759
JFS 07768  Child Support Computation Worksheet - Sole Residential Parent or Shared Parenting Order

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07768
JFS 07770  Administrative Adjustment Hearing Decision
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07770
JFS 07773  CSEA Administrative Order Paternity Finding Inconclusive
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07773
JFS 07774  CSEA Administrative Order Establishment of Paternity
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07774
JFS 07780  Addendum to Court Child Support Order
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07780
JFS 07782  Notice of Administrative Hearing to Establish a Support Order
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07782
JFS 07782SPA  Aviso De Audiencia Administrativa Para Establecer Una Orden De Manutencion De Menores

http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07782
JFS 07783  Payment History Report
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=07783
JFS 08079  Paternity and Acknowledgment of Paternity Affidavit
http://www.odjfs.state.oh.us/forms/findform.asp?formnum=08079