



August 5, 2020

Child Support Program Manual Transmittal Letter (CSPMTL) No. 165

TO: All Child Support Program Manual Holders
FROM: Kimberly Hall, Director
SUBJECT: Five Year Rule Review – FFP, Passport & Lottery Rules, and JFS 07699

The Office of Child Support (OCS) has proposed the following rules as "**No Change**" and "**Amended**." 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.

OCS has filed the following rules as **no change**. The effective date of the rules will remain the same as the current rules.

Rule Number	Rule Title	Effective Date of Rule
5101:12-1-60.1	Expenditures Ineligible for Federal Financial Participation Reimbursement	8/01/2014
	This rule describes the expenditures for which a child support enforcement agency (CSEA) shall not request federal financial participation (FFP) reimbursement. This rule is authorized by ORC section 3125.25; and amplifies ORC section 3125.03.	
5101:12-50-34	Passport Denial and Reinstatement	01/01/2015
	This rule describes the passport denial and the reinstatement process of an obligor who has met the criteria. This rule is authorized by ORC section 3125.25, and amplifies ORC section 3125.03.	
5101:12-55-30.1	State Lottery Data Match and Withholding	12/1/2014
	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.	

Rule Number	Rule Title	Effective Date of Rule
	This rule is authorized by ORC section 3125.25, and amplifies ORC section 3123.89.	

OCS has **amended** the following rule.

Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
5101:12-1-60	Expenditures Eligible for Federal Financial Participation Reimbursement	8/01/2014	9/01/2020
<p>This rule describes the support enforcement program services and IV-D services for which a CSEA may request FFP reimbursement. Updated the reference to the Code of Federal Regulations in paragraph (A).</p> <p>This rule is authorized by ORC section 3125.25; and amplifies ORC section 3125.03.</p>			

OCS has **revised** the following form.

Revised Form	Revised Form Title	Prior Effective Date of Form	Effective Date of Revision
JFS 07699	Your Child Support Program Information	6/2019	7/2020
<p>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.</p> <p>This form is being revised to add language regarding upcoming registration requirements, and payment options for the Child Support Customer Service Web Portal.</p>			

INSTRUCTIONS:

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

- A no change rule will continue with the same effective date,
- 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/>

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.

5101:12-1-60 **Expenditures eligible for federal financial participation reimbursement.**

- (A) 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)~~200 (12/26/2013) (circular A-87 of the federal office of management and budget). The current FFP reimbursement rate is sixty-six per cent.

- (B) 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.

- (C) 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 5101:12-1-80.4 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.

Effective: 9/1/2020

Five Year Review (FYR) Dates: 5/26/2020 and 05/26/2025

CERTIFIED ELECTRONICALLY

Certification

07/31/2020

Date

Promulgated Under: 119.03

Statutory Authority: 3125.25

Rule Amplifies: 3125.03

Prior Effective Dates: 12/15/1986, 12/01/1987 (Emer.), 02/29/1988,
10/01/1990, 04/01/1992, 01/01/1993, 06/01/1995,
07/01/2002, 09/01/2007, 02/15/2009, 08/01/2014

5101:12-1-60.1 **Expenditures ineligible for federal financial participation reimbursement.**

- (A) This rule describes expenditures for which a child support enforcement agency (CSEA) shall not request federal financial participation (FFP) reimbursement.
- (B) 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) (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.

Five Year Review (FYR) Dates: 5/26/2020 and 05/26/2025

CERTIFIED ELECTRONICALLY

Certification

05/26/2020

Date

Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03
Prior Effective Dates: 04/01/1992, 06/01/1993, 06/01/1995, 07/01/2002,
09/01/2007, 02/15/2009, 08/01/2014

5101:12-50-34 **Passport denial and reinstatement.**

- (A) 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.
- (B) 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.
- (C) 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.
- (D) 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.

Five Year Review (FYR) Dates: 5/26/2020 and 05/26/2025

CERTIFIED ELECTRONICALLY

Certification

05/26/2020

Date

Promulgated Under: 119.03
Statutory Authority: 3125.25
Rule Amplifies: 3125.03, 3125.25
Prior Effective Dates: 11/09/1981, 06/10/1982 (Emer.), 09/13/1982,
05/01/1986 (Emer.), 07/20/1986, 11/01/1986,
12/20/1988, 03/18/1989, 08/09/1990, 04/01/1991,
11/01/1991, 07/01/1992, 02/11/1993, 09/01/1994,
11/01/1994, 01/01/1996, 08/01/1998, 05/01/2001,
04/11/2003, 07/01/2006, 09/01/2009, 01/01/2015

5101:12-55-30.1 **State lottery data match and withholding.**

- (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.

Five Year Review (FYR) Dates: 5/26/2020 and 05/26/2025

CERTIFIED ELECTRONICALLY

Certification

05/26/2020

Date

Promulgated Under:	119.03
Statutory Authority:	3125.25
Rule Amplifies:	3123.89
Prior Effective Dates:	12/01/2014

<CSEA_Name> County CSEA
<CSEA_ADDR1>
<CSEA_ADDR2>
<CSEA_City>, <CSEA_ST> <CSEA_ZIP>

Telephone Number: <CSEA_Local_Phone_No>
Toll Free Number: <CSEA_800_No>
Fax Number: <CSEA_Fax_No>
CSEA Website: <CSEA_WEB>

<PARTICIPANT_NAME>
<PARTICIPANT_ADDR1> <PARTICIPANT_APT_NO>
<PARTICIPANT_ADDR2>
<PARTICIPANT_CITY, STATE ZIP>
<PARTICIPANT_CNTRY>

Date:<PRINT_DATE>

Case Number:<CASE_NO>
Web ID:<PARTICIPANT_NO>

Ohio Department of Job and Family Services
YOUR CHILD SUPPORT PROGRAM INFORMATION

Ohio's child support program is here to serve you and your family. Each county in Ohio has a child support enforcement agency (CSEA), overseen by the Ohio Department of Job and Family Services' Office of Child Support. Each CSEA offers parent locator and paternity establishment services, as well as assistance to establish, enforce and modify support orders, along with the collection and distribution of support payments. Your new case will be administered by <CSEA_Name> County CSEA. Their contact information can be found at the top of this page.

YOUR NEW CASE NUMBER

This letter was sent to you because information regarding your case has been entered into the statewide case management system known as Support Enforcement Tracking System (SETS). The 10-digit case number listed above has been assigned to you. Please use this case number when communicating with <CSEA_Name> County CSEA.

HOW TO ACCESS YOUR CASE INFORMATION

To access your case information, log onto the Child Support Customer Service Web Portal at www.jfs.ohio.gov/ocs. If you do not have an Ohio driver's license or state ID, you will need your **Web ID** to register, which is listed at the top of this page. After you register, you can check the status of your payments; obtain a payment history; make a credit card payment and view address, employment, health insurance and support order information that is on file. Please contact <CSEA_Name> County CSEA with questions you have about this information.

NOTIFY YOUR CSEA OF CHANGES

When changes occur that affect your case, it is **your** responsibility to notify <CSEA_Name> County CSEA of any issue that may impact your case or support order, including:

- Address or phone number changes for you or your child
- Employment or income changes
- Changes in health insurance coverage for your child
- Changes to a court order, including custody arrangements
- A change that could result in the order terminating, such as a child turning 18 and/or graduating from high school

We recommend that you keep copies of all support-related payments, receipts and correspondence, including documents from your CSEA, for future reference.

PAYMENT OPTIONS

For detailed information about receiving and/or making payments, please visit our website at www.jfs.ohio.gov/ocs

Receiving Payments

Payments can be deposited directly into your financial account or to a prepaid debit card. You can apply for either program online at <https://oh.smartchildsupport.com>. Contact your county CSEA or call 1-888-965-2676 for program or enrollment information.

Making Payments

Payments must be made through an income-withholding order and forwarded to Ohio Child Support Payment Central (CSPC) by the employer or other income source. Before an income withholding begins, or if income withholding is not possible, you can make payments by personal check, money order, cashier's check, credit card, or by a checking or savings account debit.

Payments by personal check, money order or cashier's check must include your name, Social Security number (optional), case number and order number on each payment. If you have multiple cases, please include the amount that should be applied to each case. Make checks payable to Ohio CSPC and mail via standard U.S. mail to:

Ohio CSPC
P.O. Box 182372
Columbus, OH 43218-2372

You can make payments by credit card by logging in to the Child Support Customer Service Web Portal at www.jfs.ohio.gov/ocs or by a checking or savings account debit at <https://oh.smartchildsupport.com>. Additionally, some CSEAs accept cash, check and credit card/debit card payments on site.

ADDITIONAL INFORMATION

If you do not have access to a computer, you may call the Payment Interactive Voice Response (IVR) system toll free at 1-800-860-2555 to learn the amount of the last payment, the date the payment was processed and the total balance due for each order on your case.

You also can contact <CSEA_Name> County CSEA to learn about other ways to request case information.

Ohio Relay Service 711 is available for customers with hearing, speech or visual disabilities.

COMMITMENT TO NONDISCRIMINATION

Individuals eligible for, receiving services from, or benefiting from programs funded through the Ohio Department of Job and Family Services are protected by various laws, regulations, rules and policies against unlawful discrimination on the basis of race, color, religion, disability, age, gender, sexual orientation, political affiliation and national origin.