

Notification of Policy Changes

(FY2017 Appropriation Act - Public Act 268 of 2016)

April 1, 2017

Sec. 222. (1) The department shall make the entire policy and procedures manual available and accessible to the public via the department website.

(2) The department shall report no later than April 1 of the current fiscal year on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, the senate and house fiscal agencies, and policy offices. The department shall attach each policy bulletin issued during the prior calendar year to this report.



Michigan Department of
Health & Human Services

RICK SNYDER, GOVERNOR
NICK LYON, DIRECTOR

**THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES 2016 POLICY CHANGES
DUE TO A PUBLIC ACT**

Sec. 222(2) The department shall report no later than April 1 of the current fiscal year on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, the senate and house fiscal agencies, and policy offices. The department shall attach each policy bulletin issued during the prior calendar year to this report.

The MDHHS policies made to implement a public act during 2016:

**ADULT SERVICES
2014 PA 138****ASB 2016-001
Effective**

January 1, 2016.

Subject(s)**ASM 138**

Counties with an individual county rate of \$8.15 have been increased to \$8.50. The increase reflects the new minimum wage rate which takes effect January 1, 2016. A historical view of individual rates are located in ASCAP on the provider assignment screen.

The agency rate for Marquette County was corrected to reflect the accurate hourly rate. ASB 2016-003

**ASB 2016-003
Effective**

August 1, 2016.

Subject(s)

Maximum payment levels

ASM 140

The adult services specialist is allowed to approve a maximum of \$799.99 a month.

Payment levels of \$800 - \$1599.99 a month must be approved by the supervisor.

Payment levels of \$1600 a month and over require prior approval from the MDHHS Long Term Care Policy Section. The specialist must receive a copy of the Policy Decision (DCH-1785) from the Long Term Care Policy Section before submitting the authorization.

BRIDGES

2016 PA 268

BPB 2016-005
Effective

March 1, 2016.

Subject

Electronic Benefit Transfer Changes for Deceased or Incarcerated Individuals

BAM 401E

FIP, SDA, RCA, FAP

If an individual is either deceased or incarcerated (in prison) and has **ever** had access to a Bridge card, their access, as well as the authorized representative's access, will be terminated once updated accordingly in Bridges. If there are other members of the household who are entitled to the benefits, a new head of household (HOH) will need to be determined from one of the remaining adult group members.

If the HOH is deceased or incarcerated, available benefits may be transferred to another group member who is the new HOH. Benefit transfers must be approved by policy. Adoption Subsidy

2016 PA 268

BPB 2016-008
Effective

May 9, 2016.

Subject(s)

Flint Water Group

BEM 148

Medicaid Only

A new policy item has been created to detail eligibility for the Flint Water Group.

2015 PA 56

BPB 2016-011
Effective

July 1, 2016.

Subject(s)

Attendance Compliance Test

BEM 245

FIP Only

If verification is returned that a dependent child or minor parent that is receiving FIP is not attending school full-time, an attendance compliance test is required before taking appropriate action regarding the FIP group.

2016 PA 268

EFFECTIVE

September 1, 2016.

Subject(s)

Children's Clothing Allowance.

FAMILY INDEPENDENCE PROGRAM (FIP)

The 2016 Fiscal Appropriation Act included funding for the children's clothing allowance. The allowance is intended to assist FIP families to purchase school clothing for their children.

The children's clothing allowance for the 2016 fiscal year is \$157 per child and is excluded as income for all programs.

**ELIGIBILITY
CRITERIA**

- The FIP eligibility determination group (EDG) must be active as a child-only FIP EDG.

- All eligible children on the child-only FIP EDG will receive the clothing allowance. The eligible child must be eligible for FIP during September 2016. This includes children receiving SSI in the FIP EDG. Disqualified children will not receive the clothing allowance supplement.

Exception: Children disqualified for not having a social security number will receive the clothing allowance supplement.

Definition

A child-only FIP EDG is defined as an EDG in which there is not an eligible adult on the EDG. These could include the following:

- Ineligible grantees (grandparents, aunt or uncle that are not recipients on the FIP EDG).
- Parent(s) receiving SSI.
- Unrelated guardians who are court appointed.
- A FIP EDG in which an eligible adult is disqualified will not receive a clothing allowance supplement.

PAYMENTS

Bridges will automatically issue supplements for the children's clothing allowance to FIP EDGs with qualifying children who are eligible for September FIP payments in Bridges as of the single deadline date of August 31, 2016. The children's clothing allowance supplement is deposited into the client's EBT cash account.

The supplement amount will include \$157 for each eligible child. The supplement will be automatically issued if the FIP EDG is active on August 31, 2016 for September benefits. A supplement will be deposited into the client's EBT cash account at the same time as the FIP payment is issued, but will appear as a separate payment. The supplement will be viewable in Bridges under Benefit Issuance and View Benefits.

Any request for new FIP EDG openings or member adds for September 2016 that are processed after the initial clothing allowance monthly payroll run for September will require an exception. Please contact Bridges Resource Center in order to request a supplement for the FIP EDG.

Note: Once the funding for the children's clothing allowance is depleted, there will be no additional funds allocated, regardless of the eligibility of the FIP EDG.

A letter from the Michigan Department of Health and Human Services director will be mailed to eligible clothing allowance supplemental households in August. This letter advises eligible families of the allowance coming in September to help with the cost of children's clothing.

For questions regarding this bulletin please contact the FIP policy mailbox: Policy-FIP-SDA-RAP@michigan.gov.

2016 PA 268

BPB 2016-016
Effective

November 1, 2016.

Subject(s)

Flint Emergency Declaration CDC

BEM 709

Beginning November 11, 2016, children under age four and pregnant women who consumed water from the Flint water system and lived, worked or received childcare or education at an address that was serviced by the Flint water system at any time from April 25, 2014 through August 14, 2016 and currently reside in the Flint water system area may be eligible for Child Development and Care (CDC) assistance. For this special population there is no income test or need requirement. There is a simplified application, recommended shortened standard of promptness and specific exceptions around program requirements and authorizing the need/eligibility reason. This policy item identifies exceptions to the standard CDC process and is applicable to Genesee County only.



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

IV-D MEMORANDUM 2016-001

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: January 4, 2016

SUBJECT: Michigan's Adoption of the Uniform Interstate Family Support Act (UIFSA) 2008

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces changes to intergovernmental case processing due to the passage of UIFSA 2008, as required by the [Preventing Sex Trafficking and Strengthening Families Act](#) (Public Law 113-183). Michigan's UIFSA 2008¹ is a comprehensive revision to UIFSA 1996. It provides the framework for intergovernmental paternity and support establishment, and enforcement and modification of child support obligations.

The 2008 updates² to UIFSA address many concerns related to UIFSA 1996. UIFSA 2008 provides clarifying language, and incorporates the necessary provisions of the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (Hague Convention). UIFSA 2008 applies to any case where the child resides in a different state, country or tribal nation than the non-custodial parent (NCP), and long-arm jurisdiction or direct enforcement actions are not possible. Additionally, it applies to cases where income and/or assets are located in another state, country or tribal nation. Updates to Michigan's UIFSA statute were passed on December 16, 2015, and UIFSA 2008 replaces UIFSA 1996.

¹ Public Act 255 of 2015

² The 2008 updates to UIFSA are referred to UIFSA 2008 in this IV-D Memorandum.

After OCS completes its analysis of UIFSA 2008 along with the upcoming revised federal intergovernmental forms, OCS will update the *Michigan IV-D Child Support Manual*. The federal Office of Child Support Enforcement (OCSE) is updating and developing federal intergovernmental forms to assist in processing cases under UIFSA 2008. OCSE anticipates that these forms will be available in early 2016.

DISCUSSION:

Table of Contents

A. Background..... 3

B. Provisions of UIFSA 2008 4

1. Article 1, “General Provisions,” Sections 101-105..... 4

2. Article 2, “Jurisdiction,” Sections 201-211 5

 a. Section 201 – Jurisdiction over Nonresidents – Consent 5

 b. Section 202 – Duration of Personal Jurisdiction..... 5

 c. Section 205 – Continuing, Exclusive Jurisdiction (CEJ) – Changes to Modification Jurisdiction 5

 d. Section 207 – Determination of Controlling Order (DCO) Process..... 6

3. Article 3, “Civil Provisions of General Application,” Sections 301-319..... 7

 a. Section 304 – Duties of the Initiating State..... 7

 b. Section 307 – Duties of the Support Enforcement Agency..... 7

 c. Section 311 – Pleadings and Accompanying Documents 7

 d. Section 312 – Revisions to Nondisclosure of Information 8

 e. Section 316 – Special Rules of Evidence and Procedure 8

 f. Section 319 – Receipt and Disbursement of Payments – Redirection of Payments 9

4. Article 4, “Establishment of Support or Determination of Parentage,” Sections 401-402 10

 a. Section 401 – Petition to Establish Support Order – Changes to Temporary Support Orders..... 10

5. Article 5, “Enforcement of Support Order Without Registration,” Sections 501-507 10

 a. Section 501 – Employer’s Receipt of Income Withholding Order of Another State..... 10

 b. Section 502 – Employer’s Compliance With Income Withholding Order of Another State 11

 c. Section 504 – Immunity From Civil Liability..... 11

 d. Section 506 – Contest by Obligor..... 11

e. Section 507 – Administrative Enforcement of Orders.....	11
6. Article 6, “Registration, Enforcement, and Modification of Support Order,” Sections 601-616.....	12
a. Section 615 – Jurisdiction to Modify Child Support Order of a Foreign Country.....	12
b. Section 616 – Procedure to Register Child Support Order of Foreign Country for Modification.....	13
7. Article 7, “Support Proceeding Under Convention,” Sections 707-713.....	13
a. Section 701 – Definitions, Section 702 – Applicability, Section 703 – Relationship of Office of Child Support to United States Central Authority.....	13
b. Section 704 – Initiation by Office of Child Support of Support Proceeding Under Convention.....	13
c. Section 705 – Direct Request.....	14
d. Section 706 – Registration of Convention Support Order.....	14
e. Section 707 – Contest of Registered Convention Support Order.....	15
f. Section 708 – Recognition and Enforcement of Registered Convention Support Order.....	15
g. Section 709 – Partial Enforcement.....	16
h. Section 711 – Modification of Convention Child Support Order.....	16
i. Section 712 – Personal Information, Limit on Use.....	16
j. Section 713 – Record Original Language, English Translation.....	16
8. Article 8, “Interstate Rendition,” Sections 801-802.....	16
9. Article 9, “Miscellaneous Provisions,” Sections 901-905.....	16
C. Additional Resources.....	17

A. Background

UIFSA in Michigan originally became effective on June 1, 1997. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) required all states to adopt UIFSA 1996 by January 1, 1998.³ The Uniform Law Commission⁴ developed and approved UIFSA 2001, which included amendments that addressed concerns in UIFSA 1996. However, Michigan chose not to adopt UIFSA 2001 since it was not federally mandated at that time.

The Uniform Law Commission later developed and approved UIFSA 2008,⁵ which incorporates the provisions of UIFSA 2001. UIFSA 2008 also integrates the

³ Michigan had a statewide comprehensive training on UIFSA 1996 for IV-D staff.

⁴ The Uniform Law Commission is also known as the National Conference of Commissioners of Uniform State Laws.

⁵ Ref: The [Uniform Law Commission](http://www.uniformlawcommission.com) website for more information on the drafting of UIFSA 2008.

appropriate provisions of The Hague Convention, which was adopted at the Hague Conference on Private International Law (Hague Conference) on November 23, 2007.

In September 2014, President Obama signed Public Law 113-183, which amended section 466(f) of the Social Security Act. It required all states to pass and implement UIFSA 2008 by January 1, 2016.

B. Provisions of UIFSA 2008

Similar to UIFSA 1996, UIFSA 2008 is organized into nine articles of law, which are listed below. Each article has multiple sections. Under each article, sections with changes due to UIFSA 2008 are discussed. Changes in statute from UIFSA 1996 to UIFSA 2008 are noted for IV-D staff who process intergovernmental cases.⁶ Sections that are unchanged from UIFSA 1996 to UIFSA 2008 are not discussed in this IV-D Memorandum.

1. Article 1, "General Provisions," Sections 101-105

There are no major changes to intergovernmental case processing in Article 1 of UIFSA 2008. However, Article 1 includes changes to definitions (Section 102), as well as a statement that the IV-D agency is the child support enforcement agency of every state (Section 103) and that Michigan courts must apply certain articles of UIFSA to court proceedings involving foreign support orders and residents of foreign countries (Section 105). Additionally, Section 104 has been expanded to state that:

- Remedies under UIFSA do not affect the recognition of a foreign support order;
- UIFSA does not provide an exclusive method of establishing or enforcing a support order under the laws of this state; and
- UIFSA does not grant a tribunal⁷ of this state the jurisdiction to render a judgment or issue an order relating to child custody or visitation in a proceeding under UIFSA.

Under Section 102, definitions of the following terms have been added or changed:

- Convention;
- Foreign country;
- Foreign support order;
- Foreign tribunal;

⁶ Because UIFSA 2008 incorporates the changes made to UIFSA 2001, the changes explained in this memorandum may have been provisions originally included in UIFSA 2001.

⁷ UIFSA 2008 uses the term "tribunal," which in Michigan is the circuit court.

- Home state;
- Initiating tribunal;
- Issuing foreign country;
- Issuing tribunal;
- Outside the state;
- Record;
- Register;
- Responding state;
- State; and
- Support order.

The mi-support glossary has been updated to include the new and modified definitions.

2. Article 2, “Jurisdiction,” Sections 201-211

a. Section 201 – Jurisdiction over Nonresidents – Consent

UIFSA 2008 allows a person to consent to jurisdiction in writing (such as by way of a letter) to a IV-D agency, even if no one lives there. UIFSA 2008 does not change the ability for an individual to consent to jurisdiction by entering a general appearance, or filing a responsive document that waives any contest.

b. Section 202 – Duration of Personal Jurisdiction

Personal jurisdiction refers to a tribunal’s jurisdiction over the individuals who are parties to the child support order. UIFSA 2008 states that personal jurisdiction continues as long as the state has Continuing, Exclusive Jurisdiction (CEJ) to modify or enforce its order. CEJ is discussed in Section 205 below.

c. Section 205 – Continuing, Exclusive Jurisdiction (CEJ) – Changes to Modification Jurisdiction

As long as the obligor, the obligee,⁸ or the child lives in the state that issued the controlling order, that state retains CEJ. UIFSA 2008 clarifies that the residence of the parties at the time of the filing of the modification request governs whether a tribunal has CEJ. UIFSA also allows for the parties to consent to the issuing tribunal to retain CEJ and modify the child support order, even if the parties or the child no longer lives in that jurisdiction. In this situation, parties may consent in writing or by stating in open court that they consent to the issuing tribunal retaining CEJ. UIFSA 2008 also makes it clear that long-arm jurisdiction may not be used to gain CEJ.

⁸ UIFSA 2008 uses the term “obligee,” which refers to a payee of child support.

The law of the issuing state governs the duration of support and whether it is a non-modifiable term. UIFSA 2008 clarifies that it is the initially determined controlling order that locks in the duration of support. Once the support obligation has ended under the initial controlling order, a new order may not be established. Therefore, if the controlling order provides for support until the child reaches 18, the obligation will end at age 18 – another tribunal cannot enter an order providing for post-majority support under its own law. Only the issuing state with the controlling order may modify the duration of support.

d. Section 207 – Determination of Controlling Order (DCO) Process

UIFSA 2008 allows for only one child support order to be effective for the parties and the child, regardless of where they may live. If there is already more than one order for child support, a determination of controlling order (DCO) must be made. This remains unchanged from UIFSA 1996; however, UIFSA 2008 requires that to make a DCO, the tribunal must have personal jurisdiction over the parties, and the IV-D agency must have sent the parties a notice of the DCO proceeding.

UIFSA 1996 allowed only a **party** to request a DCO, while UIFSA 2008 allows either party or the **IV-D agency** to request a DCO. UIFSA 2008 further clarifies that a DCO may be made in any of three situations:

- 1) With a registration for enforcement;
- 2) With a registration for modification; or
- 3) As a separate proceeding.

In a DCO proceeding in which two or more orders are alleged to be in effect, the request for DCO must identify the order believed to be the controlling order, as well as the amount of consolidated arrears under the orders. The requesting party or agency must notify the non-requesting party of the DCO.⁹ The requesting party must also notify the other party that the order alleged to be the controlling order will be determined to be the controlling order unless the non-requesting party contests within the proper timeframe.

UIFSA 2008 also specifies the findings that a tribunal must make in its DCO. The findings must include the basis upon which the tribunal made the determination, the amount of support, and the total amount of arrearages, including any interest or surcharge, if applicable.

UIFSA 1996 did not require a determination of arrears in the context of a DCO because it only required an arrears determination in registration proceedings. However, UIFSA 2008 requires IV-D staff to determine the amount of consolidated arrears under all previous orders during a DCO.

⁹ Requesting parties or agencies will use the *Notice of Determination of Controlling Order* (FSA-208 or INTNDCO) to notify non-requesting parties of the DCO.

3. Article 3, “Civil Provisions of General Application,” Sections 301-319

a. Section 304 – Duties of the Initiating State

If the responding agency is in a foreign country, the initiating state must complete currency conversion prior to sending a UIFSA registration. This is a new duty for states, and it supports international case processing under the Hague Convention.

b. Section 307 – Duties of the Support Enforcement Agency

UIFSA 2008 clarifies that IV-D services must be provided to IV-D applicants, regardless of their residency status. Therefore, IV-D staff will provide services to an applicant who resides in the state of Michigan or in a different state, or to an applicant who is requesting services through his/her central authority in a different country. IV-D staff **may** accept IV-D applications directly from applicants who reside in a different country and have not requested services through the central authority of the foreign country in which they reside. OCS has not yet made a policy decision on whether the Michigan IV-D program will accept IV-D applications directly from applicants in other countries who have not requested services through their central authority. OCS continues to discuss this option, and will communicate further information once it makes a policy decision.

The 2008 UIFSA amendments place additional responsibilities upon IV-D staff to seek a DCO; to convert any child support orders, arrears or judgments listed in foreign currency to U.S. dollars; and to cooperate with a request for the redirection of payments.

IV-D staff must also send copies of any notices from attorneys or other state agencies to the requesting party within five business days. This is different from UIFSA 1996, which required a timeframe of two business days.

UIFSA 2008 does not create or negate a relationship of attorney and client privileges with a support enforcement agency and another agency or with the individual being served. This is a new statement that did not appear in UIFSA 1996.

c. Section 311 – Pleadings and Accompanying Documents

Under UIFSA 2008, IV-D staff are required to provide additional information in all pleadings. This might include the name of the parent or alleged parent, if known. The pleading or petition must also include a copy of any support order known to have been issued by another state.

d. Section 312 – Revisions to Nondisclosure of Information

UIFSA 2008 changes the language regarding the protection of information in family violence¹⁰ or child abduction cases to make it consistent with the language in the [Uniform Child-Custody Jurisdiction and Enforcement Act \(UCCJEA\)](#).

If a party alleges in an affidavit or pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by the disclosure of specific identifying information, that specific identifying information must be kept confidential and may not be disclosed to the other party or the public.

After a hearing in which the tribunal takes into consideration the health, safety, or liberty of the party or child, the tribunal may order the disclosure of information that the court determines to be in the interest of justice.

e. Section 316 – Special Rules of Evidence and Procedure

1) Testimony via Telephone

UIFSA 1996 permitted a tribunal to accept testimony via telephone or audiovisual or other electronic means from a tribunal in that state. UIFSA 2008 makes such acceptance mandatory. Therefore, IV-D staff must allow appearance by telephone from an out-of-state party.

In addition, documents may be admitted into evidence “under penalty of perjury” rather than “under oath.”

2) Voluntary Acknowledgement of Paternity

A voluntary acknowledgement of paternity that is certified as a true copy is admissible to establish paternity for a child. This is a new requirement for processing cases under UIFSA 2008.

3) Transmittal of Documentary Evidence

Documentary evidence that may be transmitted by telephone, telecopier, or other **electronic** means that do not provide an original record may not be excluded from evidence due to the means of transmission. This is different from UIFSA 1996, which stated that **other** means of transmission could be used to transmit evidence.

¹⁰ Ref: [Action Transmittal \(AT\) 2009-017, REVISED: Family Violence Indicator \(FVI\) Enhancement](#) for more information on family violence cases.

f. Section 319 – Receipt and Disbursement of Payments – Redirection of Payments

1) Request for Payment Redirection and Response

In an effort to expedite the obligee's receipt of support, UIFSA 2008 includes requirements that provide for the redirection of child support payments if neither party nor the child(ren) lives in the state that issued the controlling order.

Upon receiving a valid redirection request from another state's IV-D agency, or from the order-issuing state, the IV-D agency or tribunal of the order-issuing state must redirect the payment to the agency in the state in which the obligee is receiving services. The state or tribunal receiving the payment redirection request must also issue a "conforming income withholding order or an administrative notice of change of payee" to the obligor's employer to notify the employer of the payment redirection. The redirection process is a new uniform process for all states. OCS is anticipating more direction and a new federal intergovernmental form from OCSE. OCS is also completing a separate analysis on Section 319 of UIFSA and will be working with its partners to develop policy and procedures.

The new federal intergovernmental form pertaining to Section 319 of UIFSA is still pending final approval. OCS will send additional communication as more information becomes available.

2) Certified Statement of Payments

Previously, UIFSA required a IV-D agency or tribunal to provide a requesting party or tribunal of another state with a certified statement of the amounts and dates of all payments received. A similar provision was added in UIFSA 2008 to support the new payment redirection process. The new provision requires, upon request of a party or another state, that the IV-D agency that receives redirected payments must provide a certified statement of the amounts of the payments and the dates they were received. UIFSA 2008 also expanded the UIFSA 1996 certified statement of payments provision to support the Hague Convention by requiring a IV-D agency to provide a certified statement of payments to a requesting party or tribunal of a foreign country.

4. Article 4, “Establishment of Support or Determination of Parentage,” Sections 401-402

a. Section 401 – Petition to Establish Support Order – Changes to Temporary Support Orders

Typically, all child support orders in Michigan are final, and temporary support orders are not issued. However, UIFSA 2008 changes the circumstances under which a temporary support order may be issued. The court may issue a temporary support order if the tribunal determines that such an order is appropriate and the individual ordered to pay support is:

- 1) The presumed father of the child;
- 2) Petitioning to have his paternity adjudicated;
- 3) Identified as the father of the child through genetic testing;
- 4) An alleged father who has declined to submit to genetic testing;
- 5) Shown by clear and convincing evidence to be the father of the child;
- 6) An acknowledged father as provided by the [Paternity Act](#);
- 7) The mother of the child; or
- 8) The established father who has been ordered to pay child support in a previous proceeding, and the order has not been reversed or vacated.

5. Article 5, “Enforcement of Support Order Without Registration,” Sections 501-507

UIFSA 2008 Article 5 provides uniform procedures for issuing, recognizing, and enforcing income withholding orders/notices across jurisdictional lines. The process by which income withholding notices are issued and enforced without formal intergovernmental registration is also known as direct withholding.

The definition of “state” in Section 102 of UIFSA 2008 no longer includes a foreign country or political subdivision that is a foreign reciprocating country under federal law, has an established reciprocal arrangement with the state, or has substantially similar laws or procedures for issuance and enforcement of support orders. Because Sections 501 through 506 specifically refer to orders issued by another state, they do not expressly require a domestic employer to comply with an income withholding order sent to the employer directly from a foreign country. Section 507 provides the procedures for enforcing foreign income withholding orders.

a. Section 501 – Employer’s Receipt of Income Withholding Order of Another State

UIFSA 2008 clarifies who has the authority to send a withholding notice for an order issued in one state directly to an employer in another state (i.e., across state lines) without intergovernmental registration. UIFSA 1996 did not

expressly state who had this authority but presumed this authority for IV-D agencies and implied this authority was not restricted to IV-D agencies.

UIFSA 2008 expressly authorizes a IV-D agency, an obligee, or someone else on behalf of the obligee to send direct withholding notices. For example, the obligor, a private attorney, or a private collection agency may send a direct withholding notice to the obligor's employer on behalf of the obligee.

b. Section 502 – Employer's Compliance With Income Withholding Order of Another State

Aside from minor wording changes, UIFSA 2008 did not significantly change Section 502. This section continues to require employers to honor direct income withholding notices, to provide direction to employers regarding their compliance, and to advise employers that income withholding amounts are stated as sum-certain amounts.

c. Section 504 – Immunity From Civil Liability

Aside from minor wording changes, UIFSA 2008 did not significantly change Section 504. This section continues to hold employers non-labile to the obligor for complying with direct income withholding notices.

d. Section 506 – Contest by Obligor

UIFSA 2008 includes an amendment that clarifies the procedures for an obligor/employee to contest the validity and enforcement of a direct income withholding notice and/or the underlying support order. UIFSA 1996 stated that an "obligor may contest the validity or enforcement of an income withholding order issued in another state and received by an employer in this state in the same manner as if the order had been issued by this state." This UIFSA 1996 provision is applicable to objections to withholding based on mistake of fact such as errors in the arrearage amount or mistaken identity. UIFSA 2008 retains this provision, but a new provision clarifies that the obligor may also object by registering the order in a tribunal of the employer's state and filing a contest to that order. The new UIFSA 2008 provision is intended to provide a way for the obligor to object to the underlying order (e.g., amount of support ordered, personal jurisdiction, controlling order) that is not considered a mistake of fact objection.

e. Section 507 – Administrative Enforcement of Orders

UIFSA 2008 includes two substantive amendments to Section 507.

1) Administrative Enforcement of Another State's Order

According to UIFSA 1996 and UIFSA 2008, a party may seek administrative enforcement (i.e., enforcement without formal registration) of one state's support and/or withholding order by sending the required registration forms to a different state. If the law of the state in which the party is seeking registration authorizes administrative enforcement, and the obligor does not object to that enforcement, the state may administratively enforce the other state's order without registering the order. UIFSA 2008 allows a IV-D agency to pursue administrative enforcement in another state – this action is no longer restricted to only a party.

2) Extension of Administrative Enforcement to Foreign Orders

UIFSA 2008 also introduces a significant amendment that extends the administrative enforcement provision to foreign orders. This change supports the treaty requirements of the Hague Convention by allowing a party or IV-D agency to seek administrative enforcement of a foreign country's order. A state IV-D agency can enforce (administratively or through registration) a foreign country's support/income withholding order by issuing an income withholding notice to the source of income. This includes the IV-D agency issuing an income withholding notice directly across state lines without registering the foreign order in the other state pursuant to Sections 501 through 506.

Note: The administrative enforcement of foreign orders provision of Section 507 is not applicable to UIFSA Sections 501-506. In other words, outside of a IV-D agency administratively enforcing a foreign order or the registration of the foreign order in a state, UIFSA does not provide any expressed authority for a foreign country/tribunal or party to issue a direct income withholding notice to a domestic source of income to enforce the foreign order, or for a source of income to honor such withholding.

6. Article 6, "Registration, Enforcement, and Modification of Support Order," Sections 601-616

The information contained in UIFSA 2008 Article 6 contains new sections for which UIFSA 1996 had no similar provisions.

a. Section 615 – Jurisdiction to Modify Child Support Order of a Foreign Country

If a foreign country lacks or refuses jurisdiction to modify its child support order, another country or state may assume jurisdiction to modify the order. If another state modifies a foreign child support order, that order becomes the controlling order.

b. Section 616 – Procedure to Register Child Support Order of Foreign Country for Modification

A foreign country seeking to modify a foreign child support order that is not under the Hague Convention¹¹ may do so just as any state would register the case to modify an order from Michigan. The foreign country must also be a country in which Michigan or the United States has reciprocity (a Foreign Reciprocating Country [FRC]).¹² IV-D staff will process all international cases with reciprocity under the provisions outlined in Articles 1-6 of UIFSA 2008.

7. Article 7, “Support Proceeding Under Convention,”¹³ Sections 707-713

Article 7 of UIFSA 2008 is new in its entirety and pertains to the Hague Convention. When processing intergovernmental cases with a Hague Convention country,¹⁴ IV-D staff will follow the procedures outlined in the sections under Article 7:

a. Section 701 – Definitions, Section 702 – Applicability, Section 703 – Relationship of Office of Child Support to United States Central Authority

Sections 701, 702, and 703 give general information such as definitions in the law. They also state that Article 7 applies only to cases being processed under the Hague Convention (Convention cases). In addition, these sections state that OCS is the authority in Michigan that will assist in performing duties required to process incoming Convention registrations through the Michigan Interstate Central Registry (ICR).

b. Section 704 – Initiation by Office of Child Support of Support Proceeding Under Convention

OCS, through the ICR, will receive all incoming registrations under the Hague Convention and will process them in the same manner that all other incoming registrations are received.

- 1) The following support proceedings are available to an obligee under the Convention and will be processed by the ICR:

¹¹ Ref: “Article 7, ‘Support Proceeding Under Convention,’ Sections 707-713,” in this memorandum for more information on processing cases under the Hague Convention.

¹² An FRC is a country in which Michigan or the United States has a formal agreement to perform child support services on behalf of the other country, and the other country can perform the same services on behalf of Michigan. Ref: [OCSE's International search results webpage](#) for information on FRCs.

¹³ Ref: the [Hague Convention website](#) for required forms and more information on processing Convention cases.

¹⁴ Ref: the Hague Convention website for a list of countries under the Hague Convention.

- a) Recognition and enforcement of a foreign support order;¹⁵
 - b) Enforcement of a support order issued or recognized in Michigan;
 - c) Establishment of a support order if there is no existing order, and no paternity establishment;
 - d) Establishment of a support order if recognition of a Convention order is refused by the registering tribunal;
 - e) Modification of a support order of Michigan; and
 - f) Modification of a support order of another state or a foreign country.
- 2) The following support proceedings are available under the Convention to an NCP for whom there is an existing support order:
- a) Recognition of an order suspending or limiting the enforcement of an existing support order;
 - b) Modification of a support order of Michigan; and
 - c) Modification of a support order of another state or a foreign country.
- c. Section 705 – Direct Request

Any parent or person caring for the child may file a direct request (a motion in the tribunal without working through the ICR) for either of the following:

- 1) Seeking establishment or modification of a support order or paternity establishment; or
- 2) Seeking recognition and enforcement of a support order.

d. Section 706 – Registration of Convention Support Order

A request for registration of a Convention support order must include:

- 1) A complete text of the support order or an abstract of the support order drawn up by the issuing tribunal, which may be in the form recommended by the [Hague Conference on Private International Law](#);
- 2) A record stating that the support order is enforceable in the issuing country;
- 3) A record that the respondent had proper notice of the hearing or of the support order, if the respondent was absent during the proceedings that established the support order;
- 4) A record showing the amount of arrears and the date the amount of arrears was calculated; and
- 5) A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations.

¹⁵ A foreign support order registered under the Hague Convention may also be referred to as a Convention order.

A registration of a Convention support order may be vacated if it is determined that recognition and enforcement of the order would be profoundly against public policy. The court with jurisdiction over the case must promptly notify the parties in the event of an order vacating the registration.¹⁶

e. Section 707 – Contest of Registered Convention Support Order

A party who is a resident of the United States has 30 days to contest the registration of a Convention support order in Michigan. However, a party who does not reside in the United States has 60 days to contest the registration. Failure of the non-registering party to contest the registration within the required timeframe will result in the order being enforceable. A contest may only be filed under certain circumstances that are outlined in Section 708 of UIFSA 2008, and the contesting party will bear the burden of proof.

f. Section 708 – Recognition and Enforcement of Registered Convention Support Order

1) There are certain circumstances in which a tribunal may refuse recognition and enforcement of a registered Convention support order. These are listed below:

- a) Recognition and enforcement of the order is profoundly against public policy, including failure of the issuing tribunal to observe minimum standards of due process which include notice to the parties and an opportunity for parties to be heard;
- b) The issuing tribunal lacked personal jurisdiction;
- c) The order is not enforceable in the issuing country;
- d) The order was obtained by fraud in connection with a matter of procedure;
- e) Part of the registration packet lacks authenticity or integrity;
- f) A proceeding between the same parties for the same purpose is currently pending;
- g) There is a more recent support order involving the same parties and for the same purpose;
- h) Arrears have been paid in full or in part;
- i) In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(1) If the law of that country requires proper notice, and the respondent did not receive proper notice; or

(2) If the law of that country does not require proper notice, and the respondent did not receive proper notice, and the respondent did

¹⁶ Ref: Section 7(f) of this memorandum, “Section 708 – Recognition and Enforcement of Registered Convention Support Order,” for more information on vacating a registration.

not have an opportunity to be heard in a challenge on fact or law before the issuing tribunal; and/or

j) The order was made in violation of Section 711 – Modification of Convention Support Order.

2) If a Convention support order is not recognized for reasons (b), (d), or (i) above:

- a) The proceeding must not be dismissed without allowing a reasonable time for a party to request the establishment of a new Convention support order; and
- b) The IV-D program will take all appropriate steps to request a child support order for the obligee as outlined under Section 704.

g. Section 709 – Partial Enforcement

A party or another state may seek recognition and partial enforcement of a Convention support order.

h. Section 711 – Modification of Convention Child Support Order

If the obligee is still a resident of the issuing foreign country, a Convention child support order must not be modified unless:

- 1) The obligee submits to the jurisdiction of Michigan; or
- 2) The tribunal in the foreign country lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

i. Section 712 – Personal Information, Limit on Use

Any personal information used in processing intergovernmental cases may only be used for the IV-D purposes for which it was gathered or transmitted.

j. Section 713 – Record Original Language, English Translation

Any child support orders filed with the Michigan must be in English.

8. Article 8, “Interstate Rendition,” Sections 801-802

There are no changes to the sections in Article 8 of UIFSA 2008.

9. Article 9, “Miscellaneous Provisions,” Sections 901-905

The sections in Article 9 state that the purpose of UIFSA 2008 is to promote uniformity among states, and that with the implementation of UIFSA 2008, UIFSA

1996 is repealed. These sections also indicate that the effective date of UIFSA 2008 is January 1, 2016.

C. Additional Resources

OCSE has published many Informational Memorandums (IMs), Action Transmittals (ATs), and Dear Colleague Letters (DCLs) that provide additional information on UIFSA 2008 and the Hague Convention. These are listed below:

- IM-15-01, *Uniform Interstate Family Support Act (2008) and Hague Treaty Provisions*, published April 13, 2015.
- AT-14-11, *P.L. 113-183 UIFSA 2008 Enactment*, published October 9, 2014.
- AT-14-08, *H.R. 4980: Preventing Sex Trafficking and Strengthening Families Act of 2014*, published September 30, 2014.
- DCL-10-20, *Hague Convention on the International Recovery of Child Support*, published October 12, 2010.
- DCL-08-41, *Uniform Interstate Family Support Act 2008*, published November 12, 2008.

In addition, the Eastern Regional Interstate Child Support Association (ERICSA) has published a PowerPoint presentation on [UIFSA 2008 and the Hague Convention](#).

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Intergovernmental Work Improvement Team (INT-WIT)
Enforcement Work Improvement Team (ENF-WIT)
Program Leadership Group

CONTACT PERSONS:

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SUPPORTING REFERENCES:

Federal

UIFSA 2008

Public Law 113-183

State

Public Act 255 of 2015

EPF/CF/CT

IV-D MEMORANDUM 2016-009

TO: Local Funding Unit Staff Submitting Cooperative Reimbursement Program (CRP) Billing Statements
Office of Child Support (OCS) Contract Management Staff
All Prosecuting Attorney (PA) Staff
All Friend of the Court (FOC) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: April 8, 2016

SUBJECT: Updates to Reporting the 15 Percent Medical Support Incentive As Program Income

UPDATE(S): <input type="checkbox"/> Manual <input type="checkbox"/> Form(s)
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RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum explains how OCS will report the 15 percent Medical Support Incentive as program income. It also discusses:

- The counties' use of the funds as a federal match; and
- Whether the funds should be reported on the county Schedule of Expenditures of Federal Awards (SEFA).

This memorandum updates and replaces the policy in IV-D Memorandum 2015-026, *Reporting the 15 Percent Medical Support Incentive As Program Income on Cooperative Reimbursement Program (CRP) Billing Statements (DHS-286 Forms Submitted Through EGrAMS)*. Changes since the previous publication of this policy are indicated by a change bar in the right margin.

DISCUSSION:

Background

The Michigan Child Support Enforcement System (MiCSES) disburses child support collections for the debt types Medical Support – Client (MS), Birth Expense – State (CM), and Medical Support – Medicaid (MD)¹⁷ to the Michigan Department of Health and Human Services (MDHHS) Third Party Liability Division. In accordance with 42 Code of Federal Regulations (CFR) 433.153, the MDHHS Third Party Liability Division

¹⁷ The MD debt type is no longer active, but payments are still going to the MD debt type. For more information, reference [Section 5.10, "Debt Types," of the Michigan IV-D Child Support Manual.](#)

can pay MDHHS OCS a 15 percent Medical Support Incentive on the amount it receives from MiCSES. Under the terms of an interagency agreement between OCS and the MDHHS Third Party Liability Division, the MDHHS Third Party Liability Division has paid and will continue to pay the 15 percent Medical Support Incentive as follows:

- 34 percent of the amount is paid directly to the counties; and
- 66 percent of the amount is paid to OCS.

The MDHHS Third Party Liability Division determines the total amount to be paid and when the payments will be made.

In addition to paying 34 percent of the 15 percent Medical Support Incentive to the counties, the MDHHS Third Party Liability Division has provided and will continue to provide OCS with a list of the payments made. OCS has posted and will continue to post the payment list to EGrAMS (under "Show Documents") and to mi-support.¹⁸ The payment list identifies the month that the MDHHS Third Party Liability Division paid the incentive, along with the period(s) included in the payment. It also identifies whether the payment contains any retroactive amounts.

Use of the 15 Percent Medical Support Incentive As IV-D Matching Funds, and Reporting on the County Schedule of Expenditures of Federal Awards (SEFA)

The amount received by the counties is **not** federal funding, and therefore is not reported on the county Schedule of Expenditures of Federal Awards (SEFA). The amount received can be used as federal IV-D matching funds.

OCS Reporting the 15 Percent Medical Support Incentive As Program Income

In accordance with 45 CFR 92.25, the 15 percent Medical Support Incentive must be treated and reported as program income for federal IV-D funding purposes.

OCS has and will continue to report the program income on its federal report. OCS will use the 66 percent it is paid by the MDHHS Third Party Liability Division to reimburse itself for the reduction in its federal IV-D funding.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

¹⁸ Currently, the payment list spreadsheet is announced through an email notification and is posted to the Document Distribution Center on mi-support. In the future, the spreadsheet will be posted to the Contracts page on mi-support (Central Activities tab → Contracts).

Program Leadership Group

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State Court Administrative Office (SCAO), Friend of the Court Bureau

SUPPORTING REFERENCES:

Federal
42 CFR 433.153
45 CFR 92.25

State
None

ATTACHMENTS:

None

EPF/DN

IV-D MEMORANDUM 2016-012

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: May 26, 2016

SUBJECT: The Genetic Parentage Act – Interim Procedures for
Processing Requests for Voluntary Genetic Testing

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

The Genetic Parentage Act (GPA) took effect in March 2015.¹⁹ It permits parents on a IV-D case to voluntarily obtain genetic testing (GT) and, if those tests indicate paternity, to establish paternity for a child by IV-D staff filing documents with the Division of Vital Records and Health Statistics. However, voluntary GT cannot be used if paternity has been previously established or if adoption proceedings are ongoing. If paternity has been previously established, the GPA cannot be used to disestablish paternity or to establish new paternity.

OCS and program partners have yet to define final business, system and logistical decisions to implement the GPA, including the procedures for processing requests for voluntary GT. However, OCS has received inquiries from IV-D case members and IV-D staff about the implementation and availability of the GPA procedures. Until the implementation of the final GPA procedures, IV-D staff will reference the GPA information in this memorandum. OCS will publish further information about the GPA procedures in the future.

DISCUSSION:

A. The Genetic Parentage Act (GPA)

The GPA provides a voluntary, non-adversarial IV-D process to establish paternity through GT for children born to unmarried mothers. Although GT is not available for all IV-D cases, it is available for a child for whom:

¹⁹ Michigan Compiled Law (MCL) 722.1461 – 722.1475

- Paternity has not yet been established; and
- There are no ongoing adoption proceedings.

In providing voluntary rather than court-ordered GT, and the resulting paternity establishment documents, the child support program expects to:

- Reduce the timeframe in which parents establish paternity using an authorized GT procedure.²⁰ In addition, the child support program expects to more quickly exclude men who are not the father of a child;
- Provide a lower-cost process for families who opt for voluntary GT. OCS intends to absorb the cost of voluntary GT, making the process free to parents;²¹
- Provide another means to legally establish paternity through scientific testing. GT provides children the same legal rights and relationships as those children born from a marriage and those children who have had legal paternity otherwise established. The process also provides a future opportunity to obtain genetic and medical history for the child; and
- Allow for the entry of a child support order for the benefit of the child (against the established parents). GT also could reduce the need for later paternity revocations.

B. GPA Workgroup Recommendations for Implementing the GPA

To better analyze the impact of the GPA upon IV-D operations, the Program Leadership Group (PLG) approved a [Genetic Parentage Act \(GPA\) Workgroup Charter](#) and assigned PA, FOC, and OCS staff to the workgroup. Additionally, staff from the Division of Vital Records and Health Statistics and employees from the DDC participated in the workgroup. The GPA Workgroup members discussed various aspects of the GPA, its legal and logistical concerns, and its impacts to the Michigan Child Support Enforcement System (MiCSES). The GPA Workgroup discussed five options for implementing the GPA. These options are further discussed in the [Genetic Parentage Act \(GPA\) Report](#). Some of the options were interim solutions and some were long-term solutions. Long-term solutions included MiCSES modifications. The PLG approved the long-term solution that was recommended by the GPA Workgroup.

Based on the approved recommendation, OCS will implement GPA in MiCSES by providing support specialists and FOC staff the ability to schedule GT and process GT results. Currently, only PA staff have GT scheduling and processing abilities in MiCSES. While MiCSES will be modified to allow GT tasks for many IV-D staff roles, the approved recommendation envisions that support specialists will be the primary

²⁰ OCS currently contracts authorized statewide GT services with the DNA Diagnostics Center (DDC). DDC has trained IV-D staff in some offices to collect genetic samples. However, DDC tests the samples and provides the IV-D program with the GT results.

²¹ However, if volumes are higher than expected, OCS may reconsider the cost of GT and ask parents to provide all or a portion of the cost of GT.

IV-D staff to perform the paternity establishment tasks under the GPA. This means that PAs, FOC staff with PA establishment functions, and support specialists will have additional tasks, such as:²²

- Applying GPA eligibility criteria to the case to ensure that the case qualifies for paternity establishment under the GPA;
- Scheduling voluntary GT for eligible parents;
- Printing appropriate letters and voluntary GT agreements;
- Recording GT results; and
- Providing non-exclusion results to the Division for Vital Records and Health Statistics to formally establish paternity.

MiCSES will need complex, large-scale modifications to implement GPA procedures. OCS is planning Joint Application Design (JAD) business and functional meetings to begin in 2016, with a goal of operationalizing GPA in the field with a MiCSES release in 2017. The invitation to the GPA JAD will be announced through a MiCSES Help Desk notification.

C. Interim Procedures for Processing Voluntary GT Requests

Because the GPA *authorizes* rather than mandates the offering of paternity establishment under the GPA, OCS will implement GPA provisions when all policy, business processes, and procedures are fully defined, and MiCSES is able to support these business practices.

Until then, IV-D workers should refrain from discussing or offering voluntary GT and other GPA services to parents. OCS expects that PA staff may be the primary IV-D workers to receive questions about voluntary GT. If parents ask about the GPA or indicate an interest in voluntarily participating in GT to determine parentage, PA staff (and any other IV-D staff) will inform parents that:

1. Until OCS provides business and process directives for implementing the GPA, voluntary GT is not being offered at this time; and
2. If parents want to establish parentage through GT, they may do so using the court-order process that is currently in place.

As decisions are made with IV-D partners, OCS will issue further instructions and final GPA policy.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

²² OCS expects support specialists may perform most of these tasks upon the initial opening of a IV-D case.

REVIEW PARTICIPANTS:

GPA Workgroup
Establishment Work Improvement Team
Program Leadership Group

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None

SUPPORTING REFERENCES:

Federal
None

State
MCL 772.1461 – 772.1475

ATTACHMENTS:

None

EPF/JEM

IV-D MEMORANDUM 2016-018

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: June 29, 2016

SUBJECT: Revisions to the Acknowledgment of Parentage Act and
the *Affidavit of Parentage* (DCH-0682)

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces revisions to the Acknowledgment of Parentage Act²³ and the *Affidavit of Parentage* (DCH-0682). The revised *Affidavit of Parentage* (AOP) is currently available in hospitals and on the [Michigan Department of Health and Human Services \(MDHHS\) website](#). Template 6040, which is the MiCSES²⁴ version of the DCH-0682 and is located on the *Document Generation* (DOGN)²⁵ screen, will be updated at a later date. IV-D workers will receive an email notification when this form is available. *Michigan IV-D Child Support Manual* Section 4.05, "Paternity Establishment," will be updated with AOP information at a later date.

DISCUSSION:

Federal regulations require that each state have a program for voluntary paternity establishment services.²⁶ Federal regulations also specify the minimum requirements for a valid acknowledgment form.²⁷ Michigan's program for voluntary paternity establishment services was codified in the Acknowledgment of Parentage Act.²⁸ The acknowledgment form used for voluntary paternity establishment in Michigan is the AOP.

A. Legislative Changes to Michigan's Acknowledgment of Parentage Act

²³ Michigan Compiled Laws (MCLs) 722.1001–1013

²⁴ MiCSES is the Michigan Child Support Enforcement System.

²⁵ Ref: [MiCSES Screen Description: DOGN – Document Generation](#).

²⁶ 45 Code of Federal Regulations (CFR) 303.5(g)(1)

²⁷ 45 CFR 303.5(g)(4)

²⁸ MCL 722.1001–1013

The Michigan Legislature amended the Acknowledgment of Parentage Act, with an effective date of March 30, 2015, to allow a qualified witness to verify the signatures of the mother and father on the AOP. In the past, the signatures had to be verified by a notary for the AOP to be valid. The federal statute specifically allows the AOP to be authenticated by a “notary or witness(es).”²⁹ Many other states have changed their policies to allow a witness to authenticate their state’s AOP, recognizing that a notary can be challenging to locate and obtain, and sometimes may include a fee.

1. Acknowledgment of Parentage Act Requirements for Qualified Witnesses

The qualified witness must be an adult³⁰ who is disinterested,³¹ legally competent, and an employee of one of the following:³²

- A hospital;
- Publicly funded or licensed health clinic;
- Pediatric office;
- FOC office;
- PA office;
- Court;
- Department of Community Health;³³
- County health agency;
- County records department;
- Head Start program;
- Local social services provider;
- County jail; or
- State prison.

2. Qualified Witness Signature Requirements

According to the instructions for the new AOP, a qualified witness must verify the identity of the mother and/or father before signing the form by checking the mother’s and/or father’s identification. Examples of acceptable identification include a driver’s license, passport, and state-issued identification.

A single qualified witness may authenticate both the mother’s and father’s signatures by completing both qualified witness sections.

For the AOP to be considered valid, the qualified witness must:

²⁹ 45 CFR 303.5(g)(4)

³⁰ The age of majority in Michigan is 18. Ref: MCL 722.52(1).

³¹ A disinterested party, in this context, is a person unbiased by personal interest or advantage. In other words, the person is indifferent to the situation.

³² MCL 722.1003(2)

³³ In April 2015, the Michigan Department of Community Health and the Department of Human Services merged into the Michigan Department of Health and Human Services (MDHHS).

- Sign and date the form; and
- Provide his/her printed name, address, and place of employment.³⁴

3. Filing the *Affidavit of Parentage* (AOP)

If the AOP is completed at the hospital, hospital staff will file the AOP with the local registrar (county clerk). The local registrar will review the form to ensure that it is properly witnessed as explained above. If the AOP is properly completed, the local registrar will forward it to the Central Paternity Registry at the Division for Vital Records and Health Statistics (Vital Records).³⁵

If the AOP is completed after leaving the hospital, the parents must include the AOP with an *Application to Add a Father on a Michigan Birth Record* (DCH-0848) and mail both forms to the Central Paternity Registry with the appropriate fees.

B. Changes to the *Affidavit of Parentage* (DCH-0682) and Related Materials

Vital Records staff revised the AOP form in February 2016. They subsequently released it to the public by sending it directly to hospitals and court clerks and by updating it on the MDHHS website. OCS is working with MiCSES project staff to update the MiCSES version of the AOP (template 6040) to reflect those revisions. IV-D workers will receive an email notification when this form is updated. The previous version of the AOP (template 6040) can still be generated in MiCSES on the DOGN screen.

Vital Records staff have indicated they will accept previous versions of the AOP from the IV-D program until further notice. If IV-D staff use the previous version of the AOP form, it must be notarized and completed as that form requires. If a qualified witness would like to be the verifying party, (s)he must use the new AOP form (Rev. 02/2016).

Changes to the AOP include, but are not limited to, the following:

1. Form (Page 1)

³⁴ MCL 722.1003(2)

³⁵ The address for Vital Records is located in the instructions section of the AOP.

- a. In the header, “Department of Community Health” was changed to “Michigan Department of Health and Human Services”;
- b. A line for the AOP Number was added;³⁶ and
- c. A new section, “Qualified Witness Section,” was added. It includes subsections for both the Father’s Witness and the Mother’s Witness. The heading indicates that the Qualified Witness Section is for facility use only.

2. Instructions (Page 2)

- a. In the section that discusses the importance of proper completion of the form (Paragraph 3), the instructions were changed to include who is a proper qualified witness.
- b. Paragraph 4 was added to the instructions to explain how a qualified witness or notary can serve as both the mother’s and father’s witness or notary. It also explains the requirements for verifying the identities of the father and mother before signing as a witness;
- c. The MDHHS non-discrimination statement was added to the bottom of the page.

In the near future, OCS will update all related in-hospital training materials to reflect changes to the AOP. OCS will also be updating the example of the AOP form in the booklet *What Every Parent Should Know About Establishing Paternity* (DHS-Pub 780) to reflect the recent changes.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. The updated *Affidavit of Parentage* obsoletes the previous version of the form (Rev. 10/2013), which is attached to IV-D Memorandum 2014-028.

REVIEW PARTICIPANTS:

Establishment Work Improvement Team
Program Leadership Group

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CC:

None

³⁶ This number is assigned at the hospital and is used by Vital Records for data-tracking purposes.

SUPPORTING REFERENCES:

Federal

45 CFR 303.5(g)(1)

45 CFR 303.5(g)(4)

State

MCL 722.52(1)

MCL 722.1001–1013

ATTACHMENT:

DCH-0682: *Affidavit of Parentage*

EPF/AM

IV-D MEMORANDUM 2016-039

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: December 5, 2016

SUBJECT: Revised Fair Credit Reporting Act (FCRA) Requirements and Requests to Third-Party Verification of Employment (VOE) Providers

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum discusses the guidance provided in the federal Office of Child Support Enforcement (OCSE) [Dear Colleague Letter \(DCL\)-16-01, Guidance about Third-Party Verification of Employment Providers](#). DCL-16-01 explains that a 2015 amendment to section 604 of the FCRA³⁷ removed the requirement that child support agencies give 10 days' notice to the non-custodial parent (NCP) before requesting consumer information³⁸ that will be used for enforcing a child support order.

FCRA requirements apply to requests for information that IV-D agencies make to some third-party VOE providers. Some employers contract with third-party VOE providers to respond when the employers receive requests for their employees' employment and income information. Some third-party VOE providers are considered CRAs and are subject to the FCRA requirements. When IV-D workers request employment and income information directly from a CRA or directly from a third-party VOE provider that is considered a CRA, the IV-D worker must comply with the FCRA requirements for submitting these requests.

This memorandum obsoletes IV-D Memorandum 2013-004, *Fair Credit Reporting Act (FCRA) Requirements and Requests to Third-Party Verification of Employment (VOE) Providers*. Some of the content in IV-D Memorandum 2013-004 was based on DCL-12-12, *Third-Party Verification of Employment Providers and the Fair Credit Reporting Act*

³⁷ 15 United States Code (USC) 1681 et seq.

³⁸ Consumer information refers to data provided by credit reporting agencies (CRAs). Ref: Section A of this memorandum for more information about CRAs.

*Requirements.*³⁹ OCS has transferred policy from IV-D Memorandum 2013-004 to this IV-D Memorandum regarding the following topics:

- Why some third-party VOE providers are subject to the FCRA;
- Types of information requests;
- Identification and certification requirements; and
- Penalties for failing to comply with the FCRA.

Much of the content in this memorandum comes from IV-D Memorandum 2013-004. New content in this memorandum is indicated by a change bar in the right margin.

DISCUSSION:

A. Overview

IV-D workers sometimes request employment and income information from employers for establishing child support orders, reviewing and modifying child support orders, creating income withholding notices (IWNs), and locating parents. States are required to have procedures that give them the authority to require employers to respond to requests for employment and income information for any employee. Michigan law requires employers to respond to FOC and OCS requests for employment and income information.⁴⁰ Employers must also respond to these requests from PA staff since OCS has delegated some of its functions to the PA per contractual agreements between the Michigan Department of Health and Human Services and the offices of the PA.⁴¹ If an employer refuses to provide the required information, other action may be taken.

Some employers contract with third-party VOE providers to respond when the employers receive requests for their employees' employment and income information. Some of the third-party VOE providers are considered CRAs,⁴² and requests to these providers are subject to the FCRA requirements. The FCRA governs CRAs and imposes restrictions on a CRA's distribution of consumer reports.

The FCRA defines a CRA as any "person" who assembles or evaluates "consumer credit information ... for the purpose of furnishing consumer reports to third parties." Consumer reports are defined as "any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character or general reputation, personal characteristics, or mode of living...."⁴³

³⁹ OCSE obsoleted DCL-12-12 with the publication of DCL-16-01.

⁴⁰ Michigan Compiled Law (MCL) 400.234; MCL 552.518

⁴¹ 45 Code of Federal Regulations (CFR) 302.12

⁴² OCSE and the FCRA use the terms "consumer reporting agencies" and "consumer credit reporting agencies" to refer to CRAs such as Equifax, Experian, and TransUnion. Unless directly quoting another source, the term "credit reporting agency" will be used in this memorandum.

⁴³ 15 USC 1681a

When IV-D workers request employment and income information directly from a CRA or directly from a third-party VOE provider that is considered a CRA, the IV-D worker must comply with the FCRA identification and certification requirements for submitting these requests.⁴⁴

B. Sending VOE Requests

When a IV-D worker sends a VOE request directly to an employer or to an employer who forwards the request to a third-party VOE provider, the employer is required to respond to the request.⁴⁵ The FCRA requirements do not apply to these requests.

Some IV-D workers submit VOE requests directly to third-party VOE providers. When a IV-D worker does this, the request is subject to FCRA identification and certification requirements. For example, IV-D workers have submitted VOE requests to the TALX Corporation via The Work Number, an employment and income verification service, to obtain or confirm employment and income information for the purpose of locate and establishment. TALX is a subsidiary of Equifax, a CRA, and is subject to the FCRA. Therefore, IV-D workers must follow the FCRA requirements when submitting a request directly to this third-party VOE provider. There are penalties, including fines and imprisonment, for failing to comply with the FCRA requirements or for obtaining information under false pretenses.⁴⁶

C. Types of Information Requests

The FCRA allows for three types of information requests from the IV-D agency to CRAs:

- Information requests for enforcement of a child support order;⁴⁷
- Information requests for establishment or modification of a child support order; and
- Limited information requests.

The three types of information requests are discussed below. For all types of information requests, IV-D workers must comply with the identification and certification requirements described in Section D. For information requests that will be used to enforce a child support order, IV-D workers must comply with the additional certification requirements described in Section C(1).

⁴⁴ The identification and certification requirements are described in Sections C and D of this IV-D Memorandum.

⁴⁵ MCL 400.234; MCL 552.518

⁴⁶ Ref: Section E of this memorandum.

⁴⁷ Before the FCRA was amended in 2015, OCSE interpreted language in the law to permit requests for child support enforcement purposes. The 2015 revisions to the FCRA explicitly state that using consumer information for the purpose of enforcing a child support order is a legitimate purpose.

1. Information Requests for Enforcement of a Child Support Order

The 2015 amendments to the FCRA removed the 10-day notice requirement imposed on IV-D agencies requesting information to enforce a child support order. IV-D workers are not required to provide the NCP with 10 days' notice prior to requesting information from a CRA or third-party VOE provider that is considered a CRA to enforce a child support order.

Section 604 of the FCRA states that it is permissible for a CRA to provide information to a state or local child support agency if the person submitting the request makes the required certifications. IV-D workers who submit requests for information that will be used to enforce a child support order must make all of the following certifications in addition to the requirements identified in Section D of this IV-D memorandum. The IV-D worker will certify:

- That the information will be used “for the purpose of establishing an individual’s capacity to make child support payments, determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment”;
- That the requested report is for an NCP for whom paternity has been established or acknowledged for the obligation being enforced; and
- That the report will be kept confidential and not used for any purpose other than the one described above.⁴⁸

The FCRA does not specify how to make the required certifications. OCS suggests making the certifications in the same manner that the request is made. For example, if the request is made and accepted verbally, IV-D workers may provide the certifications verbally.⁴⁹

Prior to submitting an information request for enforcement purposes, IV-D workers should consider whether a limited information request will provide the necessary information.⁵⁰

2. Information Requests for Establishment or Modification of a Child Support Order

The FCRA allows CRAs to provide consumer reports to child support agencies “for use to set an initial or modified child support award.”⁵¹ In this situation, the certifications described in Section C(1) of this memorandum are not required.

⁴⁸ 15 USC 1681b(a)(4)

⁴⁹ The State Court Administrative Office recommends that FOCs provide *written* certifications in all instances.

⁵⁰ Ref: Section C(3) of this memorandum for information on limited information requests.

⁵¹ 15 USC 1681b(a)(5)

However, the IV-D worker will comply with the identification and certification requirements described in Section D of this memorandum.

3. Limited Information Requests

The FCRA allows a IV-D worker to obtain limited information about an NCP or a custodial party (CP) from a CRA without restricting how the IV-D worker uses the information. The information is limited to the name, address, former addresses, places of employment, and former places of employment of the NCP or CP.⁵² OCS staff use this type of request when they request the data elements listed above via the TALX website for locate purposes. The IV-D worker will comply with the identification and certification requirements described below.

D. Identification and Certification Requirements

Under the FCRA, CRA procedures must require that individuals or entities requesting consumer information “identify themselves, certify the purposes for which the information is sought, and certify that the information will be used for no other purpose.”⁵³ The identification and certification requirements are intended, in part, to ensure that information obtained from the CRA is being used for the purposes allowed under the FCRA.

The identification and certification requirements described in this section apply to all information requests. Requests for information submitted to CRAs or third-party VOE providers considered to be CRAs should incorporate these identification and certification requirements since they eliminate the need for the CRA or third-party VOE provider to contact the IV-D worker to confirm the certification requirements for every request. They also prevent delays in obtaining information from the CRA.

As for limited information requests, only governmental agencies can submit these requests to CRAs or third-party VOE providers that are considered CRAs. Therefore, when a IV-D worker makes a limited information request, (s)he must certify that it is being made on behalf of a governmental agency. However, the IV-D worker is not required to certify the purpose of obtaining the limited information.⁵⁴

The following forms generated in the Michigan Child Support Enforcement System (MiCSES) are used to verify employment and income information. Current language on these forms satisfies the identification and certification requirements described in this section:

- *Employer’s Verification of Income* (2030);
- *Employer’s Verification of Income and Health Insurance Information* (2031);
- *Employer’s Disclosure of Income and Health Insurance Information* (FEN305);

⁵² 15 USC 1681f

⁵³ 15 USC 1681e(a)

⁵⁴ 15 USC 1681f

- *Employer's Disclosure of Health Insurance Information* (FEN306);
- *Employment Status Disclosure* (FEN307);
- *Employer Information Request* (LOC_Employer); and
- *Employment Status Disclosure* (RNMFOC22).

When the information request is for enforcement purposes, the above MiCSES-generated VOE forms do not contain language which certifies that the requested report is for an NCP for whom paternity has been established or acknowledged for the obligation being enforced.⁵⁵ Therefore, IV-D workers must include this additional information when making a request to a CRA.

E. Penalties for Failing to Comply with the FCRA or Obtaining Information Under False Pretenses

A IV-D worker who intentionally does not comply with the requirements of the FCRA or obtains a consumer report under false pretenses is responsible for paying for damages suffered either by the consumer or the CRA.⁵⁶ Additionally, a IV-D worker who intentionally obtains information on a consumer from a CRA under false pretenses may be fined or imprisoned or both.⁵⁷

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. With the publication of this Memorandum, IV-D Memorandum 2013-004 and Exhibit 2013-004E1 are obsolete.

REVIEW PARTICIPANTS:

Case Management Work Improvement Team (WIT)
 Enforcement WIT
 Establishment WIT
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CC:

None

⁵⁵ Help Desk ticket 426792 was entered to request that the appropriate forms committee review and modify forms needing this additional certification language.

⁵⁶ 15 USC 1681n

⁵⁷ 15 USC 1681q

SUPPORTING REFERENCES:

Federal

15 USC 1681 et seq.
15 USC 1681a
15 USC 1681a(j)(2)
15 USC 1681b(a)(4)
15 USC 1681b(a)(5)
15 USC 1681e(a)
15 USC 1681f
15 USC 1681n
15 USC 1681q
42 USC 666(c)(1)(C)
45 CFR 302.12

DCL-16-01, *Guidance about Third-Party Verification of Employment Providers*

State

MCL 400.234
MCL 552.518

ATTACHMENT(S):

None

EPF/VPW

IV-D MEMORANDUM 2016-040

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: December 29, 2016

SUBJECT: Hague Maintenance Convention Case-Processing Forms

RESPONSE DUE: None

POLICY EFFECTIVE DATE: January 1, 2017

PURPOSE:

Effective January 1, 2017, Hague Maintenance Convention (Convention) forms must be used in:

- All new international child support cases involving countries that have ratified the Convention (i.e., Hague Member States); and
- All existing cases with Hague Member States after a major case action.⁵⁸

This IV-D Memorandum describes when certain Convention forms should be used and how to determine which forms should be used for a given country. It also explains terminology differences between U.S. child support cases and Convention cases.

DISCUSSION:

A. Hague Maintenance Convention Forms

The Convention will become effective for the United States on January 1, 2017.⁵⁹ After that date, U.S. states will process cases with Hague Member States under the requirements of the Convention and Article 7 of the Uniform Interstate Family Support Act of 2008 (UIFSA).⁶⁰ For a current list of Hague Member States, reference the [Hague Conference website](#).

UPDATE(S): <input type="checkbox"/> Manual <input checked="" type="checkbox"/> Form(s)

⁵⁸ “Major action” is a term that has been used, but not defined, by the federal Office of Child Support Enforcement (OCSE). Until further notice, IV-D staff will treat all petitions for Registration for Enforcement and/or Modification as “major actions.”

⁵⁹ Ref: [Dear Colleague Letter \(DCL\)-16-11, U.S. Ratification of Hague Child Support Convention; DCL-16-21, Open Comment Period – Hague Child Support Convention Case Processing Forms](#).

⁶⁰ Public Act 255 of 2015

The Convention and UIFSA require the use of specific forms when handling a child support case with a Hague Member State. These Convention forms will supersede the country-specific forms for those Hague Member States that have indicated in their Country Profile⁶¹ that their prescribed or preferred forms for incoming cases are the standard recommended forms published by the Hague Conference.

The Convention forms are called Annexes. The Convention Annexes include a Mandatory Transmittal, a Mandatory Acknowledgment, and five Recommended Annexes. These are explained below.

1. Mandatory Transmittal and Mandatory Acknowledgment

Once the Convention is in effect, child support agencies must use the:

- Mandatory Transmittal form for outgoing cases to Hague Member States; and
- Mandatory Acknowledgment form for incoming cases from Hague Member States.

Likewise, Hague Member States must use these forms when processing cases with the United States.

2. Recommended Annexes

Each Hague Member State determines its own requirements regarding the use of the five Recommended Hague Maintenance Convention Annexes. The Recommended Annexes are groups of forms that make up a specific request.

When a country ratifies the Convention, it completes a Country Profile, which is a country-specific reference document published on the Hague Conference website. The Country Profile is similar to the Intergovernmental Reference Guide (IRG). In its Country Profile, a country may identify whether it wants other Hague Member States to use the standard Recommended Annexes when sending an application under the Convention.⁶²

Alternatively, a Hague Member State may require use of a different form or may indicate that it does not have a prescribed or preferred form. Countries can also require additional information along with the Recommended Annexes. If a country chooses to use a Recommended Annex, all of the included forms must be used to complete the application. The Country Profile for the United States will indicate that other countries must use all the Convention's Recommended Annexes when sending cases to the United States.

⁶¹ Ref: Section A(2) of this memorandum for information about the Country Profile.

⁶² Ref: the Hague Conference website for a list of available [Country Profiles](#).

B. List of Hague Maintenance Convention Forms⁶³

The Convention forms will be available in the Michigan Child Support Enforcement System (MiCSES) with a future release. IV-D staff will be notified through an email notification when the forms are available. Currently, the Convention forms can be accessed through the [OCSE website](#) or from [mi-support](#).⁶⁴

- Mandatory Annexes
 - Annex I: Transmittal form under Article 12(2)
 - Annex II: Acknowledgement form under Article 12(3)
- Recommended Annexes, which include:
 - **Annex A: Recognition or Recognition and Enforcement**
 - Application for Recognition or Recognition and Enforcement
 - Abstract of a Decision
 - Statement of Enforceability of a Decision
 - Statement of Proper Notice
 - Status of Application Report – Article 12
 - **Annex B: Enforcement of a Decision Made or Recognised in the Requested State**
 - Application for Enforcement of a Decision Made or Recognised in the Requested State
 - Status of Application Report – Article 12
 - **Annex C: Establishment of a Decision**
 - Application for Establishment of a Decision
 - Status of Application Report – Article 12
 - **Annex D: Modification of a Decision**
 - Application for Modification of a Decision
 - Status of Application Report – Article 12
 - **Annex E: Financial Circumstances**
 - Financial Circumstances Form

⁶³ Ref: [Convention on the International Recovery of Child Support and Other Forms of Family Maintenance](#). The Articles in this document refer to the Convention, not UIFSA.

⁶⁴ The Convention forms are located on mi-support at Program Library > Index > International.

For instructions and more information about the forms, see the [Practical Handbook for Caseworkers under the 2007 Child Support Convention](#), Chapter 15, “Completing the Forms.”

More information regarding the processing of cases with Hague Member States will be published in a future publication of the *Michigan IV-D Child Support Manual*.

C. Hague Maintenance Convention Terminology

The Convention uses different terminology than what is commonly used in U.S. child support cases. The table below shows common U.S. child support terminology and the equivalent terms used by the Convention:

U.S. Child Support Term	The Hague Maintenance Convention Term
Treaty	Convention
Obligee/Custodial Party	Creditor
Obligor/Non-Custodial Parent	Debtor
Country	State
Support	Maintenance
Order	Decision
Referral	Application
Transmittal	Annex
Initiating State	Requesting State
Responding State	Requested State
Registration	Recognition
Maintenance Agreement	Foreign Support Order
Limited Service Request	Request for Specific Measures

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. After January 1, 2017, any new child support cases involving a Hague Member State must be processed using the Convention forms as directed by the Country Profile. Any child support case involving a Hague Member State already under way as of January 1, 2017 will be processed using the current procedures until there is a major case action. The IV-D worker will consult the Country Profile to determine which forms to use.

REVIEW PARTICIPANTS:

Program Leadership Group
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SUPPORTING REFERENCES:

Federal

Convention on the International Recovery of Child Support and other forms of Family Maintenance

State

None

ATTACHMENTS:

Annex I: Transmittal form under Article 12(2)

Annex II: Acknowledgement form under Article 12(3)

Annex A: Recognition or Recognition and Enforcement

Annex B: Enforcement of a Decision Made or Recognised in the Requested State

Annex C: Establishment of a Decision

Annex D: Modification of a Decision

Annex E: Financial Circumstances

EPF/ATM

EFFECTIVE

July 1, 2016.

Subject(s)

1. ADM 210, Referral to Adoption
2. ADM 230, Adoption Services by Contracted Adoption Agency
3. ADM 410, Adoption Orientation

ADM 210***Referral to Adoption***

Adoption referrals are initiated by MDHHS. A child placing agency may not transfer adoption cases to another child placing agency. After acceptance of an adoption referral, the agency may not transfer the case back to MDHHS, except upon the written approval of the county director, the children's services agency executive director or deputy director.

Reason: Alignment of Office of Child Welfare Policy and Programs policy and adoption contract language. Office of Child Welfare Policy and Programs policy clarification.

ADM 230***Adoption Services by Contracted Adoption Agency***

Adoption policy has been clarified surrounding assessment of fees to a family pursuing adoption of a child from the Michigan foster care system.

Reason: Office of Child Welfare Policy and Programs policy clarification.

ADM 410***Adoption Orientation***

Information that must be provided to adoptive parents has been updated to include contracted agency's program statement, policies and procedures, description of the adoption legal process, training requirements and post adoption service availability.

Alignment of Division of Child Welfare Licensing R 400.12604 and Office of Child Welfare Policy and Programs policy.

EFFECTIVE

January 1, 2016.

Subject(s)

The Administrative Policy Manual for Financial Operations (APA) has been created.

APA 230

Travel and Employee Expense Reimbursement has been updated and added to the Administrative Policy Manual.

Training

Two training classes will be held:

1. On December 10, training will be held in the Williams Building first floor auditorium from 1:00 p.m. to 4:00 p.m.
2. On December 15, training will be held in the Michigan Library and Historical Center first floor forum from 9:00 a.m. to noon.

A SharePoint link will be sent out for employees to reserve a seat for the training. Once the seating is taken up the training sessions will be closed.

EFFECTIVE

January 1, 2016.

Subject(s)

Bureau of Legal Affairs policies and procedures have been added to the Michigan Department of Health and Human Services (MDHHS) Administrative Policy Facilities/Hospital (ALM) Manual.

Reason: Consolidation of former Michigan Department of Community Health and Michigan Department of Human Services.

Minor gramatical changes were made to AFM141 and AFM 161 in the Administrative Policy Facilities/Hospital policy (AFM).

EFFECTIVE

January 1, 2016.

Subject(s)

1. Converted policy.
2. Corrected policy.
 - APA 230, Travel and Employee Expense Reimbursement.
 - APL 68E-382, Data Privacy Security Encryption Procedure.
 - APL 68E-392, Data Privacy and Security Integrity Controls Procedure.

**1) CONVERTED
POLICY****APO 209, Use of Chemical Agents and Self-Defense Tactics**

APO 209, Use of Chemical Agents and Self-Defense Tactics has been converted to the policy manuals.

**2) CORRECTED
POLICY****APA 230, Travel and Employee Expense Reimbursement**

The links in APA 230, Travel and Employee Expense Reimbursement, have been corrected.

APL 68E-382, Data Privacy Security Encryption Procedure

APL 68E-382, Data Privacy Security Encryption Procedure, has been combined with APL 68E-380, Transmission Security Policy and Procedure.

**APL 68E-392, Data Privacy and Security Integrity Controls
Procedure**

APL 68E-392, Data Privacy and Security Integrity Controls Procedure, has been combined with APL 68E-390, Integrity Controls Policy and Procedure.

EFFECTIVE

January 1, 2016.

Subject(s)**Administrative Policy Manual**

1. APC 100, Media, formerly 07.1.2.
2. APC 110, Social Media, formerly 07.1.1.
3. APC 111, Advertising Media, formerly 07.1.
4. APC 130, Photo Video Procedure.
5. APC 140, Publications, formerly 07.4.
6. APC 150, Internal Communications Procedure.
7. APC 160, Logo, formerly 07.2. and EHP 101, Use and Display of DHS Logo.
8. APC 170, Governor Proclamation Letter or Certificate Procedure.
9. APC 180, Gov Delivery.
10. APC190 Promotional, formerly 07.3.
11. APC 200, Retirement Recognition.

These eleven items have been added to the Michigan Department of Health and Human Services (MDHHS) Administrative Policy Manual.

EHP 100, Letter Head, and EHP 102, Letters to the Editor, are obsolete.

Reason: Consolidation of former Michigan Department of Community Health and Michigan Department of Human Services.

EFFECTIVE

January 1, 2016.

Subject(s)

1. Password Selection
2. Federal Tax Information (FTI) and Social Security Administration (SSA) Breach and Incident Reporting

1) Password Selection**APL 68E-100**

Requirement of selecting a strong password for MDHHS systems was added.

Reason: Federal requirements.

2) Breach and Incident Reporting**APL 68E-130**

Procedures for reporting security incidents involving FTI or SSA-provided information added.

Reason: Federal requirements.

EFFECTIVE

February 1, 2016.

Subject(s)**APL 069, Allegations of Research Misconduct**

Former Department of Community Health policy regarding allegations of research misconduct have been added to the Michigan Department of Health and Human Services (MDHHS) Administrative Policy Legal (APL) manual.

Reason: Consolidation of former Michigan Department of Community Health and Michigan Department of Human Services.

APL 403, Lawsuits, Litigation, Legal Documents and Forms

The following former Department of Community Health policy and former Department of Human Services have been combined into APL 403, Lawsuits, Litigation, Legal Documents and Forms:

- 06.10, Lawsuits and Forms.
- EHP 402, Legal Settlement and Appeals.
- EHP 403, How to Obtain Legal Services.
- EHP 404, Court or Attorney Issued Subpoena.
- EHP 405, Declaratory Rulings.
- EHP 408, Handling Problematic Court Orders.

Reason: Consolidation of former Michigan Department of Community Health and Michigan Department of Human Services.

EFFECTIVE

March 1, 2016.

Subject(s)**Social Media Posts**

It is the policy of the Michigan Department of Health and Human Services (MDHHS) that all social media posts coming out from the department must be presented on the State of Michigan Official MDHHS pages.

Social Media Accounts, Pages and Groups

Individual bureaus, programs, and divisions may request approval to create their own accounts. The program would have to create and present a proposal to the MDHHS Communications Office that entails why a separate social media page is necessary, the strategy for a separate page including ensuring it is appropriate and monitored at all times, goals for having a separate social media page, and a content outline. The same things would be required for all social media platforms requested including Facebook, Twitter, YouTube, etc.

Facebook closed groups or pages that represent the department in any way – discuss department policy or opinions, include customer information, etc. – are not permitted.

[See also, DTMB's Acceptable Use of Information Technology \(former Ad Guide 1460.00\), Section C. Social Networking.](#)

Reason: Policy clarification.

EFFECTIVE

March 1, 2016.

Subject(s)

The Administrative Policy Manual for Facilities and Hospitals (APF) 301, Complaint Investigation, Reports and Remediation, has been updated and converted to Michigan Department of Health and Human Services policy manuals.

The primary revision was to update the process for directors of hospitals and centers to request reviews of substantiated ORR reports with violations that require disciplinary action. This revision is reflected on pages 3 and 4 under Level I Review. Essentially, the preliminary report of investigative findings (PRIF) has been eliminated, while the review process is kept in place.

There were also some clean-up and tweaking revisions:

- Changed department references from DCH to MDHHS.
- Changed “investigated” to “resolved” under D. 1 on page 1 to more accurately reflect that matters may also be resolved as an intervention when the complaint does not warrant an investigation.
- Changed “shall” to “may” under D. 9 on page 1.
- Removed reference to Department of Human Services as an example of an external agency.
- Removed from D. 9 “Assuring that law enforcement agencies/authorities were notified, if applicable” as this is the responsibility of the facility in DHHS Policy 132 (previously 10.3.2).

Reason: Merger of former Michigan Department of Community Health and Michigan Department of Human Services.

EFFECTIVE

June 1, 2016.

Subject(s)

Office of Recipient Rights (ORR) policy APF 151 has been updated in the Michigan Department of Health and Human Services (MDHHS) Administrative Policy Facilities/Hostpital (APF) Manual.

Reason: Revision to education requirements.

EFFECTIVE

June 1, 2016.

Subject(s)**Administrative Policy Human Resources (APR) 415, Dress Code**

Employees should project a professional image. The purpose of APR 415 policy is to define the appearance standards for the Michigan Department of Health and Human Services (MDHHS) employees to use as guidance in their day to day business wear and grooming.

Clothing that is neat and clean and that projects a professional image appropriate to the employee's work environment.

Reason: Policy updated and converted to Administrative Policy Manuals.

EFFECTIVE

June 1, 2016.

Subject(s)

The Office of Human Resources has reviewed and updated the following:

- State of Michigan Department of Community Health item 4.7.1, Workplace safety.
- State of Michigan Department of Human Services item 213, Employee Safety.

The consolidated items are now entitled "Employee Safety" which is located in the Policy Manuals; see Manual Maintenance Instructions at the end of this item for a link to the policy item.

EFFECTIVE

January 1, 2016.

Subject(s)

1. County payment rates.
2. Personal care payment rates.

**1) COUNTY
PAYMENT RATES****ASM 138**

Counties with an individual county rate of \$8.15 have been increased to \$8.50. The increase reflects the new minimum wage rate which takes effect January 1, 2016. A historical view of individual rates are located in ASCAP on the provider assignment screen.

The agency rate for Marquette County was corrected to reflect the accurate hourly rate.

Reason: Minimum wage increase.

**2) PERSONAL CARE
PAYMENT RATES****ASM 377**

Supplemental Security Income (SSI) and State Disability Assistance (SDA) payment rates for domiciliary and personal care in adult foster care homes and the homes for the aged have not increased for 2016 and remain the same rates as determined in 2015.

Personal Care Allowance

The personal care allowance for SSI clients remains at \$44.00 per month. The personal care allowance for SDA clients remains at \$49.00 per month.

Reason: Annual payment update - no change needed.

EFFECTIVE

April 1, 2016.

Subject(s)

1. Change DHS to MDHHS (ASM 205, ASM 207, ASM 210, ASM 215, ASM 230).
2. Update adult services policy email address (ASM 205, ASM 215).
3. Remove parenthesis from phone numbers (ASM 205, ASM 210).
4. Change local office staff/workers to APS staff/workers (ASM 210, ASM 215).
5. Change Mental Health/MH to Behavioral Health and Developmental Disability/BHDD (ASM 210, ASM 215).
6. Change Bureau of Children and Adult Licensing/BCAL to Bureau of Community and Health Systems/BCHS (ASM 210, ASM 215, ASM 230).
7. Adult services training requirements (ASM 001).
8. Mandatory reporters to APS (ASM 205).
9. Mandatory reporters to other departments (ASM 205).
10. Referrals (ASM 205).
11. After business hours/on-call (ASM 205).
12. Confidentiality (ASM 205).
13. Social media (ASM 205).
14. Intake/registration (ASM 205).
15. Multiple referrals for one individual (ASM 205).
16. Complaint assessment/assignment (ASM 205).
17. Notification to complainant (ASM 205).
18. Investigation process (ASM 205).

19. Standard of promptness (ASM 205).
20. Photographs (ASM 205).
21. Risk assessment (ASM 205).
22. Provision of protective services (ASM 205).
23. Social intervention process (ASM 205).
24. Standards for ongoing cases (ASM 205).
25. Case documentation (ASM 205).
26. Documentation standards of promptness (ASM 205).
27. Service plan (ASM 205).
 - DHS 324-C, APS service plan.
 - Updated service plan.
28. Standards for case closure (ASM 205).
29. Termination of protective goal (ASM 205).
30. Legal packet (ASM 205).
31. Forms/documentation (ASM 205).
32. Case reading (ASM 205).
33. Adult protective services case reading report, DHS-4479 (ASM 205).
34. Case transfer out of county (ASM 205).
35. CI management of APS referrals (ASM 207).
36. Referral assignment and denial (ASM 207).
37. Referrals with special circumstances (ASM 207).
38. Transferring referrals to county office (ASM 207).
39. Local office contacts/SharePoint.
40. After hours/weekend referrals.
41. Walk in referrals.

42. Referral decision reconsiderations by local offices (ASM 207).
43. Department of Community Health/mental Health operated facilities (ASM 210).
44. MDHHS referrals to LARA (ASM 210).
45. LARA Bureau of Community and Health Systems (BCHS) (ASM 210).
46. Contracted community mental health AFC homes (ASM 210).
47. Coordination with law enforcement agencies (ASM 210).
48. Power of attorney (ASM 215).
49. Legal intervention process (ASM 215).
50. Civil admission (ASM 215).
51. Review of guardianship and conservatorship (ASM 215).
52. Reasons for reporting (ASM 230).
53. DHS-4712, adult services death report form (ASM 230).

1) Update DHS to MDHHS

ASM 205, ASM 207, ASM 210, ASM 215 and ASM 230

All references to DHS have been changed to MDHHS.

Reason: Due to merger of the Department of Human Services and the Department of Community Health to The Michigan Department of Health and Human Services.

2) Update Adult Services policy email address

ASM 205 and ASM 215

Adult services policy email address change to MDHHS-Adult-Services-Policy@michigan.gov.

Reason: Email address change related to merger of DHS and DCH to MDHHS.

**3) Remove
parenthesis from
phone numbers**

ASM 205 and ASM 210

Removed the parenthesis from all phone numbers.

Reason: Compliance with American with Disability Act standards.

**4) Change local
office staff/workers
to APS
staff/workers**

ASM 210, ASM 215

References to local office staff/workers have been changed to APS staff/workers.

Reason: Consistency in how staff/workers are referenced.

**5) Change Mental
Health/MH to
Behavioral Health
and Developmental
Disability/BHDD**

ASM 210 and ASM 215

References to Mental Health/MH have been changed to Behavioral Health and Developmental Disability/BHDD.

Reason: Change in bureau name.

**6) Change Bureau
of Children and
Adult
Licensing/BCAL to
Bureau of
Community and
Health
Systems/BCHS**

ASM 205, ASM 215 and ASM 230

References to Bureau of Children and Adult Licensing (BCAL) have been changed to Bureau of Community and Health Systems (BCHS).

Reason: Change in bureau name.

7) Adult Services Training Requirements

ASM 001

Manual item added outlining training requirements for adult services workers and supervisors.

Reason: Requirements for ongoing training.

8) Mandatory Reporters to APS

ASM 205

Removed language after physicians: "are also required to report".

Reason: Unnecessary language.

9) Mandatory Reporters to Other Departments

ASM 205

Centralized intake forwards referrals to LARA.

Reason: Change in process.

10) Referrals

ASM 205

Centralized intake managers reviews all APS referrals for assignment/denial decision.

Reason: Change in process.

11) After business hours/on-call

ASM 205

Adult services staff who have taken APS core training, may provide on-call coverage for weekend and holidays. On-call coverage begins at 5:00 p.m. on the first day of coverage and ends at 8:00 a.m. the next business day.

Reason: Policy clarification.

12) Confidentiality

ASM 205

To protect referral source identity, the worker should not read the referral allegations word-for-word to persons outside of the department.

Requests for reports from the Attorney General Medicaid Fraud Unit may no longer have referral source information.

Reason: Policy clarification and change.

13) Social media

ASM 205

Staff should comply with confidentiality laws and policy regarding use of social media as outlined in SRM 131.

Reason: Policy addition.

14) Intake/registration

ASM 205

APS complaint coordinators must review all assignment/denial decisions made by Centralized Intake. The reconsideration process must be followed if the APS complaint coordinator does not agree with CI's assignment decision.

Reason: Policy clarification.

15) Multiple referrals for one individual

ASM 205

Centralized Intake supervisors make APS referral assignment/denial decisions. Centralized Intake sends referral denial letters. Local office complaint coordinators send APS referral assignment letters. APS worker and supervisors must ensure case documentation is entered within 10 calendar days to reduce number of referrals assigned when allegations are already investigated.

Reason: Policy change.

16) Complaint assessment/assignment

ASM 205

Centralized Intake supervisors review all APS referrals for assignment decisions. Added statutory definition of vulnerable. APS referrals can be denied if CI can determine that the reported concerns are resolved and the individual is no longer at risk of harm.

Reason: Policy change.

17) Notification to complainant

ASM 205

Centralized Intake supervisors mail APS referral denial letters to complainants. Local office APS complaint coordinators mail APS referral acknowledgement letters to complainants after the case is assigned to an APS worker.

Reason: Policy change.

18) Investigation process

ASM 205

The APS worker must commence an APS investigation, as soon as possible, if CI determines there is risk of imminent danger to an APS client. The CI supervisor will contact the local office complaint coordinator or on-call staff when they determine there is risk of imminent danger to an APS client.

Reason: Policy change.

19) Standard of promptness**ASM 205**

ASCAP has new contact types for unsuccessful contacts with APS clients. APS workers must make all attempts possible to complete initial face-to-face contacts with APS clients. The APS worker must interview the alleged perpetrator(s) in APS cases unless certain circumstances exist.

Reason: Policy change.

20) Photographs**ASM 205**

Direction regarding consent and taking of photographs of APS clients, homes, etc. under specified circumstances. APS staff must document the consent and/or retraction of consent to take photographs in ASCAP.

Reason: Policy clarification.

21) Risk Assessment**ASM 205**

The risk assessment serves as a guideline for service plan development. The risk assessment should not be completed until after the initial face-to-face contact with the APS client. Risk assessments that score moderate or high at closing require supervisory approval.

Reason: Policy clarification.

22) Provision of protective services**ASM 205**

Provision of protective services offered to vulnerable persons who are at *risk* of harm.

CI and adult services staff must report, to a law enforcement agency, any criminal activity it believes to be occurring.

Reason: Policy clarification.

23) Social intervention process

ASM 205

APS worker to respond to client needs upon first contact *with the client*. APS worker is to inform other responsible agents and involved parties of actions and findings they have a right or need to know to *perform* their duties.

Reason: Policy clarification.

24) Standards for ongoing cases

ASM 205

APS workers must conduct one face-to-face contact with the client every 30 calendar days on all open APS cases.

Reason: Policy change.

All alleged harm must be clearly documented in ASCAP.

Reason: Policy clarification.

25) Case documentation

ASM 205

Service plans and updated service plans are required on all substantiated cases and unsubstantiated cases where services are being provided or offered or the case remains open longer than 30 days.

Handwritten notes must be accurately transcribed into the ASCAP system. Once transcribed, handwritten notes need not be retained.

Reason: Policy clarification.

26) Documentation standards of promptness**ASM 205**

All case activity must be documented in ASCAP within ten calendar (10) days of occurrence.

Reason: Policy change.

27) Service Plan**ASM 205**

The APS worker must complete an initial service plan within 30 calendar days on substantiated cases, unsubstantiated cases where services are being provided or offered and/or all cases open longer than 30 days.

APS must respect, to the extent possible, the client's choice regarding who they wish to be involved in case planning.

The service plan must include what steps will be taken and who will take those steps.

APS must document the client or their legal representative's consent or refusal of services.

The DHS 324-C, APS Service Plan, is utilized only if the investigation requires the development of a service plan.

The service plan/updated service plan is to be reviewed for progress or changes following each 30 day face-to-face contact.

Reason: Policy clarification.

28) Standards for case closure**ASM 205**

An APS case may close if the referral is not substantiated, needs are identified, but the adult refuses to cooperate and is fully aware of the consequences of the situation.

Reason: Policy clarification.

Supervisory approval is required to close any APS case where the risk assessment is scored at moderate or high at the time the case is ready to close.

The APS case may close after the APS supervisor has completed the APS case reading report.

Reason: Policy change.

29) Termination of protective goal

ASM 205

The APS worker must inform the client or their legal representative when closing the case and document how the client or legal representative was informed.

Reason: Policy clarification.

30) Legal packet

ASM 205

Any available court documents must be included in the case packet.

Reason: Policy clarification.

31) Forms/Documentation

ASM 205

The APS case must include a copy of the DHS 324-C, APS service plan if required. Other forms, if utilized must be in the case packet when utilized, including the DHS-686, adult services legal representation request.

Reason: Policy clarification.

32) Case reading

Section renamed to Case monitoring.

The APS supervisor must monitor new APS cases monthly, targeting standards of promptness (SOP) for 24 hour collateral, 72

hour face-to-face and 30 day service plan using the AS-010 report (APS Standard of Promptness) and AS-020 report (APS 30 day ongoing SOP) which are available monthly on ASCAP.

Reason: Process change.

33) Adult protective services case reading report, DHS-4479

ASM 205

APS cases must have a full case reading completed by the APS supervisor, prior to case closure utilizing the DHS-4479, APS case reading report. The DHS-4479 is utilized to determine if the case is complete/ready to close or if further actions are needed by the APS worker prior. If further actions are required, the form is returned to the APS worker indicating what must be completed and when. The form is maintained in the APS case file at closure.

Reason: Policy change.

34) Case transfer out of county

ASM 205

APS cases that are not substantiated and have no pending services must close and not be transferred.

APS cases that are substantiated and need further action are to be transferred and reassigned in the new county.

APS cases with ongoing investigation, and substantiated status has not been determined are to be transferred out and reassigned to in the new county.

Reason: Policy clarification.

35) CI management of APS referrals

ASM 207

Walk-in referrals to the local office should be encouraged to call Centralized Intake. If they refuse, all attempts must be made to locate and APS worker or supervisor. The referral information must

be taken and called into CI immediately for input into ASCAP and assignment decision.

Reason: Policy clarification.

36) Referral assignment and denial

ASM 207

All APS referral assignment decisions are made by CI supervisors. This section outlines the CI supervisory review process for reviewing APS referrals including:

- Documentation of assignment/denial decision.
- Denial letters.
- Referrals to other agencies.
- Transfer to local office.

Reason: Policy clarification.

37) Referrals with special circumstances

ASM 207

CI supervisors will contact the APS supervisor or on-call staff to ensure they received any cases assigned where imminent danger is indicated to ensure attention is taken as soon as possible.

CI may contact APS workers on new referrals, where there is an active APS case, to seek additional information.

This outlines CI processes in situations where new referral allegations are being addressed under an active case APS case (referral will be denied) and where new referral allegations are not being addressed under an active APS case (referral will be assigned if meets assignment criteria).

Reason: Policy clarification.

38) Transferring referrals to county office

ASM 207

CI transfers APS referrals assigned for investigation to the county APS complaint coordinator as open and ASCAP generates an email to the APS complaint coordinator.

CI intake specialists attempt to submit complaints to CI supervisors within one hour when imminent danger is indicated and within three hours when imminent danger is not indicated.

CI supervisors will complete the assignment/denial screening process and transfer all referrals to the local offices as quickly as possible.

The local office maintains responsibility to send the referral acknowledgement letter to the referral source on all referrals assigned for investigation.

Reason: Policy clarification.

39) Local office contacts/SharePoint

ASM 207

Manager changed to supervisor.

SharePoint must include a separate listing of all CPS staff taking on-call shifts and their contact information.

The local office must maintain a folder with the names and contact numbers for all APS supervisors and workers.

Reason: Policy clarification.

40) After hours/weekend referrals

ASM 207

APS on-call staff provide investigation and intervention weekends and holidays. CPS on-call staff provide after hours coverage Monday-Thursday.

CI will contact the designated on-call staff for all APS referrals assigned for investigation after hours, holidays and weekends.

Reason: Policy clarification.

APS staff provide on-call coverage after hours and weekends. Adult services staff who have received APS core training may provide APS on-call coverage on weekends and holidays.

Reason: Policy change.

41) Walk-in referrals

ASM 207

Walk-in referral section has been moved to APS Referral Intake section of ASM 207.

Reason: Moved to more appropriate section of ASM 207.

42) Referral decision reconsiderations by local offices

ASM 207

APS complaint coordinators may request a reconsideration of the assignment or denial of an APS referral based on:

- Technical error.
- Ongoing case with additional information in the case record that was not known to CI at the time of assignment.
- Believe a rejected complaint meets criteria for assignment.
- Believe an assigned complaint does not meet criteria for assignment.

The process for requesting a reconsideration includes the following:

- The APS complaint coordinator emails assigning CI supervisor, CI 2nd line managers and CI director detailing the reasons they disagree with CI's decision.
- The CI director has final decision on all reconsiderations and may confer with program office if needed.
- When a change in disposition is made by CI, CI documents the review and summarize the reasons in the ASCAP general narrative.
- CI will document any change in disposition in ASCAP contacts.

Reason: Process change.

**43) Department of
Community
Health/Mental
Health operated
facilities**

ASM 210

Referral source (RS) information may be shared with Office of Recipient Rights (ORR) officers in MDHHS/BHDD operated facilities as they are MDHHS employees.

ORR officers must protect the identity of the RS pursuant to MCL 400.11c (1) (2) and MDHHS APS policy.

Reason: Policy change.

**44) MDHHS
Referrals to
Licensing and
Regulatory Affairs**

ASM 210

Outlines processes for MDHHS CI supervisors and local APS staff when making referrals to LARA.

Updated LARA address.

Reason: Process change.

**45) LARA Bureau
of Community and
Health Systems
(BCHS)**

ASM 210

Renamed section from DHS Bureau of Children and Adult Licensing (BCAL).

APS may not share RS information with BCHS licensing consultants as they are not MDHHS employees.

Updated BCHS address.

CI and local office staff must redact all RS identifying information from all APS referrals forwarded to BCHS.

Reason: Policy change.

**46) Contracted
community mental
health AFC homes**

ASM 210

RS information **cannot** be provided to ORR officers and advisors who work under community mental health service providers (CMHSP) as they **are not** MDHHS employees.

Reason: Policy change.

**47) Coordination
with law
enforcement
agencies**

ASM 210

APS workers must involve law enforcement agencies immediately in referrals involving actual criminal activity or any criminal activity it believes to be occurring.

Reason: Policy clarification.

**48) Power of
attorney**

Removed language regarding sale of real estate from policy. Changed language regarding APS worker advising clients to seek legal advice.

Reason: Policy clarification.

**49) Legal
intervention
process**

ASM 215

Removed section allowing APS workers to accept Probate Court appointments as guardian ad litem or visitor.

Reason: Policy change.

**50) Civil
Admission****ASM 215**

Language changed from mental retardation to intellectual disability.

Reason: Change in statutory language per Mental Health Code Chapters 4 and 5.

**51) Review of
guardianship and
conservatorship****ASM 215**

Removed requirement for local office to provide an annual report to the Probate Court on open cases where the local office was the petitioner.

Reason: Policy change.

**52) Reasons for
reporting****ASM 230**

Grammatical changes.

Reason: Policy clarification.

**53) DHS-4712,
Adult Services
death Report form****ASM 230**

Deaths that are suspicious, have media involvement, criminal investigation or criminal court proceedings have additional distribution requirements.

Reason: Policy clarification.

**COMMUNICATION
PLAN**

All policy changes and clarifications have been and/or will be communicated to the local offices through Field Operations Administration memo(s) and APS core training.

EFFECTIVE

August 1, 2016.

Subject(s)

1. Update DHS and MDCH to MDHHS (ASM 125, ASM 135, ASM 140, ASM 145, ASM 160, ASM 165, and ASM 115).
2. Removal of joint policy development language (ASM 125, ASM 135, ASM 140, ASM 145, ASM 160, ASM 165, ASM 115 and ASM 155).
3. MI Choice Waiver (ASM 125).
4. New PACE Organization (ASM 125).
5. Level of care code description (ASM 125).
6. MI Health Link Demonstration (New manual item ASM 126).
7. Updates to provider/client interview (ASM 135).
8. Provider Enrollment (ASM 135).
9. Primary pay to address in CHAMPS (ASM 135 and ASM 160).
10. Criminal History Screening (ASM 135).
11. Mandatory and Permissive Exclusions (ASM 135).
12. LEIN (ASM 135).
13. Remove reference to the DHS 721, Personal Care Services Provider Log (ASM 135).
14. Electronic and paper services verification (ASM 135).
15. MSA 4678, Home Help Provider Agreement (ASM 135).
16. References to Bridges replaced with CHAMPS (ASM 135, ASM 140).
17. Change Bureau of Child and Adult Licensing/BCAL to Bureau of Community and Health Systems/BCHS (ASM 160).
18. Vendor Registration (ASM 140, ASM 160).
19. Payment authorizations (ASM 140).

20. Maximum payment levels (ASM 140).
21. Update Office of Adult Services name and email address (ASM 140).
22. Federal Income Contribution Act (ASM 145).
23. Update email address for Medicaid Collections Unit (ASM 145, ASM 165).
24. New item created for W-2 and 1099s (ASM 146).
25. Procedural updates for W-2 and 1099 corrections (ASM 146).
26. Procedural updates for warrant rewrites (ASM 160).
27. Overpayment types (ASM 165).
28. Prevention of Overpayments (ASM 165).
29. Update instructions for the DHS 566, Recoupment letter for Home Help (ASM 165).
30. Recoupment for Adult Protective Services overpayments (ASM 165).
31. Overpayments returned to Medicaid Collections Unit (ASM 165).
32. Withdrawal of recoupments (ASM 165).
33. References to fraud-intentional program violation removed (ASM 165).
34. New manual created for information pertaining to Fraud-Intentional Program Violation (ASM 166).
35. Changes in the requirement of the DHS-54A (ASM 115, ASM 155).
36. Removal of references to redeterminations (ASM 155)

**1) Update DHS and
MDCH to MDHHS**

**ASM 125, ASM 135, ASM 140, ASM 145, ASM 146, ASM 160,
ASM 165, ASM 115 and ASM 155)**

All references to the Department of Human Services (DHS) and the Michigan Department of Community Health (MDCH) have been changed to the Michigan Department of Health and Human Services (MDHHS).

Reason: Due to the merger of DHS and MDCH to the Michigan Department of Health and Human Services (MDHHS).

2) Removal of joint policy development language

ASM 125, ASM 135, ASM 140, ASM 145, ASM 146, ASM 160, ASM 165, ASM 115 and ASM 155).

Language referencing the joint policy development at the end of each manual item was removed.

Reason: Due to the merger of DHS and MDCH to the Michigan Department of Health and Human Services (MDHHS).

3) MI Choice Waiver

ASM 125

The services covered under waiver services were listed in alphabetical order.

To enroll with Medicaid, home health agencies must be Medicare certified. This is accomplished through an accrediting agency such as Accreditation Commission for Health Care (ACHC) or Community Health Accreditation Partner (CHAP).

Language stating certification was completed by the Bureau of Health Care Services, Health Facilities Division, Michigan Department of Licensing and Regulatory Affairs (LARA) was removed.

Waiver agents are now referred to as Pre-paid Ambulatory Health Plans (PAHP).

Reason: Updating manual item.

4) New PACE Organization

ASM 125

The following PACE organizations were added to the manual item:

- VOANS Senior Community.
- Great Lakes PACE.
- Huron Valley PACE.
- Genesys PACE of Genesee County.

Reason: Updating manual item.

5) Level of Care Code Description

ASM 125

Level of care code 17 was added to the manual item. Individuals with a level of care 17 are residing in a state psychiatric facility.

Reason: Updating manual item.

6) MI Health Link Demonstration Project

ASM 126

New manual item.

Effective March 1, 2015, the Michigan Department of Health and Human Services (MDHHS) in partnership with the Centers for Medicare and Medicaid Services (CMS), implemented a new capitated managed care program called MI Health Link (MHL). This program is a demonstration project ending December 31, 2020.

Eligible participants are those who are age 21 years or older, receive full benefits under Medicaid and Medicare and reside in one of the four demonstration regions.

MDHHS and CMS contracts with managed care entities called Integrated Care Organizations (ICOs) to provide Medicare and Medicaid covered acute and primary health care, pharmacy, dental and long term supports and services.

Enrollment into the MHL program can occur either voluntarily or passively. Individuals enrolled in MHL must receive personal care services through the integrated care organizations and are not allowed to receive services from home help or adult community placement concurrently.

7) Updates to provider/client interview

Level of care codes specific to the MI Health Link program are listed in ASM 126.

Reason: Implementation of new demonstration program.

ASM 135

The specialist must document contact with the provider in ASCAP by selecting Face-to-Face with Provider under the contact module.

Picture ID may include driver's license/state ID, passport or employee ID. Expired IDs are acceptable as long as identity can be verified by the adult services specialist.

The following talking points were added to the provider/client interview process:

- Home help services are a benefit to the client and earnings to the provider.
- The provider must be enrolled in the Community Health Automated Medicaid Processing System (CHAMPS) and undergo a criminal history screen. The screening must be completed and passed before a provider can be paid to provide home help services.
- The provider must keep their contact information up-to-date in CHAMPS.
- The home help program is funded by Medicaid and payments will not be authorized by the department if the client's Medicaid eligibility is inactive.
- The provider cannot be paid if the client is unavailable; including but not limited to hospitalizations, nursing home or adult foster care (AFC) admissions.

Note: Home help services cannot be paid the day a client is admitted into the hospital, nursing home or AFC home but can be paid the day of discharge.

- The client and/or provider is responsible for notifying the adult services specialist within **10 business days** of any change;

including but not limited to hospitalizations, nursing home or adult foster care admissions.

- The client and/or provider is responsible for notifying the adult services specialist within **10 business days** of a change in provider or discontinuation of services. Payments must **only** be authorized to the individual/agency providing approved services.
 - Home help warrants can **only** be endorsed by the individual(s) listed on the warrant.
 - Home help warrants are issued only for the individual/agency named on the warrant as the authorized provider.
 - If the individual named on the warrant does not provide services or provides services for only a portion of the authorized period, the warrant must be returned.

Note: Failure to comply with any of the above **may** be considered fraudulent or require recoupment.

- Any payment received for home help services **not** provided must be returned to the State of Michigan.
- Accepting payment for services not rendered is fraudulent and could result in criminal charges.
- The provider must submit an electronic services verification (ESV) monthly to confirm home help services were provided.

Exception: Individuals who are unable to submit a service verification electronically must submit a paper service verification (PSV) form monthly.

- Home help warrants are issued as dual party and mailed to the client's address.

Exception: There are circumstances where payment to the provider only is appropriate, for example, client is physically or mentally unable to endorse the warrant. Authorizations to home help agency providers are payable to the provider only.

- Social security and Medicare tax (FICA) **are** withheld from individual provider home help warrants.
- Agency providers will receive a 1099.

**8) Provider
Enrollment**

Reason: Clarification in policy.

ASM 135 and 140

All providers of home help must enroll in the Community Health Automated Medicaid Processing System (CHAMPS) and be approved prior to authorizing payment. During the enrollment process, individuals will be screened for criminal history. Once a provider is approved, CHAMPS will assign the provider a seven digit identification number. The adult services specialist must allow 24 hours from the completion of enrollment in CHAMPS to interface with ASCAP.

Home help providers are required to agree to a list of terms and conditions during the electronic enrollment process. The terms and conditions **replace** the requirement for the provider to complete and sign the MSA-4678, Medical Assistance Home Help Provider Agreement.

Exception: Providers who are unable to enroll in CHAMPS electronically must complete and sign the MSA-4678.

Individuals who are unable to enroll into CHAMPS electronically must be assisted by the adult services specialist. The specialist will assist in the enrollment process by doing the following:

- Completes the DHS-2351X, Provider Enrollment/Change Request.
- Has the provider complete and sign the MSA-4678, Medical Assistance Home Help Provider Agreement.
- Forwards the DHS-2351X and MSA-4678 to the MDHHS Provider Enrollment Unit via ID mail to:

MDHHS Provider Enrollment Unit
P. O. Box 30437
Lansing, Michigan 48909

OR

Scan and email to MSA-HomeHelpProviders@michigan.gov

OR

Fax to 517-373-2382

The Provider Enrollment unit will notify the adult services specialist via email once the provider is enrolled in CHAMPS.

**9) Primary pay to
address in
CHAMPS**

Reason: Change in policy and procedures.

ASM 135 and ASM 160

CHAMPS identifies the following address types:

- **Location address** refers to the physical location where the home help provider resides.
- **Correspondence address** refers to where the home help provider's mail is delivered. The correspondence address could be the same as the location address or it could be different (for example, a post office post).

Note: W-2's are mailed to the correspondence address.

- **Primary pay to address** refers to the address a single party warrant is mailed to.

The location address and correspondence address can be updated in CHAMPS by the provider. However, the primary pay to address can **only** be updated in CHAMPS by the MDHHS Provider Enrollment (PE) unit. Providers must submit a written request to:

MDHHS Provider Enrollment Unit

P.O. Box 30437

Lansing, MI 48909

OR

Scan and email to MSA-HomeHelpProviders@michigan.gov.

OR

Fax to 517-373-2382

**10) Criminal
history screening**

Reason: Procedural revisions.

ASM 135

Individuals who wish to provide personal care services through the Medicaid home help program must undergo a criminal history screen during the enrollment process in CHAMPS. The screening must be completed and passed by MDHHS Provider Enrollment before payment can be authorized.

Individuals with certain excludable convictions may not be approved to provide home help. Excludable convictions fall into two general categories. Mandatory exclusions are those set forth in the Social Security Act (42 USC 1320a-7[a]). Permissive exclusions are felony convictions identified but not limited to the crimes listed in MSA Bulletin 14-40.

An individual or entity is considered to be convicted of a criminal offense when:

- A judgment of conviction has been entered against the individual or entity by a federal, state or local court, regardless of whether there is an appeal pending or whether the judgment of conviction or other record relating to criminal conduct has been expunged.
- A finding of guilt against the individual or entity by a federal, state, or local court.
- A plea of guilty or nolo contendere by the individual or entity has been accepted by a federal, state, or local court, or
- An individual or entity that has entered into participation in a first offender, deferred adjudication, or other arrangement or program where judgment of conviction has been withheld.

Reason: Change in policy.

**Mandatory and
permissive
exclusions**

ASM 135

Individual providers must be screened for and must disclose the following excludable convictions as required by the state of Michigan. Any person found to meet one of these four categories is **prohibited** from participating as a service provider for the home help program. The four mandatory exclusion categories are listed in MSA Bulletin 14-31 and are as follows:

1. Any criminal convictions related to the delivery of an item or service under Medicare (Title XVIII), Medicaid (Title XIX) or other state health care programs.
2. Any criminal convictions under federal or state law, relating to neglect or abuse of patients in connection with the delivery of a health care item or service.

3. Felony convictions **occurring after August 21, 1996**, relating to an offense, under federal or state law, in connection with the delivery of health care items or services or with respect to any act or omission in a health care program (other than those included in number one above) operated by or financed in whole or in part by any federal, state, or local government agency, of a criminal offense consisting of a felony relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct.
4. Felony convictions occurring after August 21, 1996, under federal or state law, related to **unlawful manufacture, distribution, prescription, or dispensing of a controlled substance**.

Permissive exclusions are felony convictions beyond the four mandatory exclusions. Individual providers are denied enrollment based on permissive exclusions identified in MSA Bulletin 14-40 unless the client signs an Acknowledgement of Provider Selection form stating he or she wishes to retain the provider.

A client may choose to select a provider who has been determined ineligible as a result of a permissive exclusion identified through the criminal history screening process. The client must sign an Acknowledgement of Provider Selection form in order to hire a provider with a permissive exclusion.

The client's signature acknowledges he or she has been informed of the criminal offense (s) and continues to choose the individual to provide services. The effective start date for the selected provider is the date the client signs the acknowledgement form. The specialist **must not** authorize payment prior to the signature date on the acknowledgment form.

Note: If a provider with a permissive exclusion desires to work for multiple clients, an Acknowledgement of Provider Selection form must be signed by **each** client. The approved date of payment is based on the date the client signed the acknowledgement form.

The Acknowledgement of Provider Selection form **cannot** be applied to the federally mandated exclusions.

Procedures

Refer to the Criminal History Screening Process on the adult services home page for processes and procedures.

12) LEIN

Reason: Change in policy.

ASM 135

Criminal history screens for home help providers are conducted during the CHAMPS enrollment process and **not** by staff at the local office. Adult services staff **must only** utilize LEIN information in the course of an APS investigation. Use of LEIN in any other adult services program is **prohibited**.

Any inappropriate access, use or disclosure of LEIN information will result in disciplinary action. For information regarding penalties for improper use and release of LEIN information, refer to ASM 264.

Reason: Clarification of policy.

**13) Removal of
reference to the
DHS 721, Personal
Care Services
Provider Log****ASM 135**

All references to the DHS 721, Personal Care Services Provider Log have been removed from this item. All individual home help providers must utilize the electronic or paper services verification.

Reason: Change in policy.

**14) Electronic and
paper services
verification****ASM 135**

Individual home help providers are required to submit an electronic services verification (ESV) through the Community Health Automated Medicaid Processing System (CHAMPS) each month.

The ESV lists the activities of daily living (ADL) and instrumental activities of daily living (IADL) approved by the specialist.

The adult services specialist accesses CHAMPS to view the submission of an electronic services verifications.

Individual home help providers with questions on how to submit an ESV should be referred to the MDHHS Home Help website at

www.michigan.gov/homehelp or call the Provider Support hotline at 1-800-979-4662.

The electronic services verification (ESV) replaces the DHS-721, Personal Care Services Provider Log.

A paper service verification (PSV) form is available as an **exception** for individual providers who are unable to submit an electronic services verification. Providers eligible for this **exception** must meet the following criteria:

- The individual providing care does **not** have access to a computer.
- The individual providing care does **not** have access to the internet.
- Internet access is unavailable within 15 minutes of where the client or provider resides and the provider has a valid reason, such as lack of transportation or unable to leave the client alone.
- Provider lives in a rural area where internet is scarce or non-existent.

The adult services specialist can generate the paper services verification (PSV) form through CHAMPS, along with a cover sheet and instructions for completing the PSV. Providers are required to return the form monthly to the following mailing address located on the cover letter:

MDHHS Adult Home Help
P.O. Box 26007
Lansing, Michigan 48909
OR
Fax to 517-763-0111

Note: Individual home help providers must be instructed not to submit PSVs for future months as these will not be accepted.

The PSV will be scanned and stored in CHAMPS and the specialist has the ability to view the PSV for accuracy.

The paper services verification form generated in CHAMPS replaces the DHS-721, Personal Care Services Provider Log.

Reason: Change in policy.

**15) MSA-4678,
Home Help
Provider
Agreement****ASM 135**

Providers who electronically enroll in CHAMPS meet this requirement by agreeing to a list of terms and conditions. Providers who are unable to enroll electronically **must** complete and sign the MSA-4678.

The specialist must forward the completed and signed agreement to the Provider Enrollment unit.

Reason: Change in policy.

**16) References to
BRIDGES replaced
with CHAMPS****ASM 135 and ASM 140**

Home help providers are enrolled in CHAMPS. All references to BRIDGES was replaced with CHAMPS.

Reason: Policy change

**17) Change Bureau
of Child and Adult
Licensing/BCAL to
Bureau of
Community and
Health
Systems/BCHS****ASM 160**

References to Bureau of Children and Adult Licensing (BCAL) have been changed to Bureau of Community and Health Systems (BCHS).

Reason: Change in bureau name.

**18) Vendor
Registration****ASM 140 and ASM 160**

Home help agencies must register and update their information online with Vendor Registration using Contract & Payment Express (C&PE) at www.michigan.gov/CPEExpress. If an agency provider is not registered with the state of Michigan, payments will not process.

Reason: Paper registration via the W-9 is no longer accepted.

**19) Payment
authorizations****ASM 140**

The adult services specialist can authorize an ongoing home help payment for up to six months, not to exceed the next review.

Reason: Authorizations reduced from 13 months to six months.

**20) Maximum
payment levels****ASM 140**

The adult services specialist is allowed to approve a maximum of \$799.99 a month.

Payment levels of \$800 - \$1599.99 a month must be approved by the supervisor.

Payment levels of \$1600 a month and over require prior approval from the MDHHS Long Term Care Policy Section. The specialist must receive a copy of the Policy Decision (DCH-1785) from the Long Term Care Policy Section before submitting the authorization.

Reason: Approval levels adjusted due to minimum wage increase(s).

**21) Update Office
of Adult Services
name and email
address****ASM 140**

Changed references to the Office of Adult Services to Adult Services Program Office. The adult service policy mailbox changed to MDHHS-Adult-Services-Policy@michigan.gov.

Program office is now under Aging and Adult Services. Email address change related to merger of DHS and DCH to MDHHS.

**22) Federal Income
Contribution Act
(FICA)****ASM 145**

Grammatical changes made in ASM 145.

The FICA rebate warrant is issued to the provider only.

The adult services specialist will be able to identify FICA rebate warrants in ASCAP by the service period and service code. The service period will reflect the entire year. ASCAP will display 'FICA' for the service code.

Information related to W-2 and 1099 removed from ASM 145 and placed in new manual item, ASM 146.

Reason: Manual item revisions and creation of new manual item.

**23) Update email
address for
Medicaid
Collections Unit****ASM 145 and ASM 165**

The Medicaid Collection Unit email address changed to MDHHS-Medicaid-Collections-Unit@michigan.gov.

Reason: Email address changed related to merger from DHS and MDCH to MDHHS.

**24) New item
created for
W-2 and 1099****ASM 146**

Information related to W-2 and 1099 removed from ASM 145 and placed in new manual item.

Reason: Manual revisions.

**25) Procedural
updates for W-2
and 1099
corrections****ASM 146**

In the home help program, payments made to individual providers are considered earned income and must be reported to the Internal Revenue Service (IRS). The Michigan Department of Health and Human Services (MDHHS), on behalf of the client, issues a W-2 for all individual providers. W-2s are based on wages **issued** in a calendar year. Agency providers are issued a 1099.

If an individual home help provider reports non-receipt of their W-2, refer to the Provider Support hotline at 1-800-979-4662.

W-2 corrections are required when an individual home help provider reports inaccurate earnings on their W-2 or when earnings were attached to an incorrect social security number.

Complete the following steps when a provider reports inaccurate earnings on their W-2:

- Verify the provider's period of employment with both the client and the provider
- Determine the total amount of gross wages that were **issued** in the calendar year.
 - Exclude warrants that were returned to Treasury and canceled. Outstanding warrants from the previous calendar year must be canceled or rewritten so earnings are determined accurately.
 - Exclude overpayments recouped by the MDHHS Medicaid Collections unit (MCU).
 - If there is a dispute over total earnings, the adult services specialist must order copies of the warrant(s) from Treasury to verify signatures.
 - If an overpayment is determined, follow recoupment procedures noted in ASM 165, Overpayment and Recoupment Process.
 - If fraud is determined, make a referral to the Office of Inspector General (OIG).
- Request a W-2 correction to MDHHS Provider Support via email at ProviderSupport@michigan.gov. Insert Home Help W-2 Correction in the subject line of the email.
- Furnish Provider Support with the following:
 - Provider name and social security number.
 - Provider's current address.
 - Client's name and recipient ID number.

- Client's current address.
- A summary describing the error, the time period when the error occurred and the correct gross wages earned.

Complete the following steps when it is discovered a provider's earnings were attached to an incorrect social security number:

- Determine the time period earnings were attached to the incorrect social security number.
- Determine the total amount of gross wages that were issued in the calendar year (s).
 - Exclude warrants returned to Treasury and canceled. Outstanding warrants from the previous tax year in issue status must be canceled or rewritten so earnings are determined accurately.
 - Exclude overpayments recouped by MDHHS Medicaid Collection unit (MCU).
- Request a W-2 correction to MDHHS Provider Support via email at ProviderSupport@michigan.gov. Insert 'Home Help W-2 Correction' in the subject line of the email.
- Furnish MDHHS Provider Support with the following:
 - Correct provider name and social security number.
 - Correct provider address.
 - Incorrect social security number and if available, provider name.
 - Incorrect provider address, if available.
 - Client's name and recipient ID number.
 - Client's current address.
 - A summary describing the error, the time period when the error occurred and the correct gross wages earned.

Payments made to agency providers for the provision of home help services and Adult Foster Care/Home for the Aged providers for the provision of personal care services qualify as income that must be reported to the IRS. A 1099 is issued to agencies and AFC/HA providers when earnings are above \$600 in a calendar year.

Providers (individual or business) who received payment for providing adult protective services will also receive a 1099.

**26) Procedural
updates for
warrant rewrites**

If an agency provider reports non-receipt of a 1099 or requires a 1099 correction, refer to the Provider Support hotline number at 1-800-979-4662.

Reason: Manual revisions and procedural updates.

ASM 160

Language and procedures that reference the DHS-2362, Services Warrant Rewrite/Disposition Request, was removed from ASM 160 as this form is no longer accepted by the Medicaid Payments Unit.

References to the Medicaid Collections Unit were changed to the Medicaid Payments Unit. Mailing address, email address and fax number updated.

References to local fiscal unit changed to local office designee (LOD).

Instructions for completing the DCH-2362A, Adult Services Warrant Rewrite/Disposition Request, have been placed at the end of the item.

Home help provider information must be up-to-date in the Community Health Automated Medicaid Processing System (CHAMPS).

For single party warrants:

- Changes to the provider's primary pay to address must be updated in CHAMPS before a warrant can be rewritten. The primary pay to address is the location the warrant is mailed if single party.
- The primary pay to address for providers can only be updated in CHAMPS by the MDHHS Provider Enrollment (PE) Unit. Providers must submit a written request to:

MDHHS Provider Enrollment Unit
P. O. Box 30437
Lansing, MI 48909

- The adult services specialist has the ability to view provider contact information in ASCAP.

Agency or business providers:

- The provider information in CHAMPS and Vendor Registration (MAIN) must match.
- When there is a change in address, agencies must update their information online with Vendor Registration using Contract and Payment Express (C&PE) at www.michigan.gov/CPEXpress; **and**
- Send a written request to the MDHHS Provider Enrollment unit to update the primary pay to address in CHAMPS.

Adult services specialists are not to accept returned warrants. Warrants must be returned to the Department of Treasury at the following address:

Department of Treasury
Office of Financial Services
P. O. Box 30788
Lansing, Michigan 48909

A history of adult services warrants can be viewed in ASCAP by clicking the Authorization History ICON and selecting the DCH Payroll function button. The Adult Services Authorized Payment system (ASAP) maintains a payment history dating back to April 2006

Adult services program warrants received by the local office must be voided per the accounting procedural manual and returned to the Department of Treasury.

Lost or Not Received Warrants

If a warrant is lost or not received, the adult services specialist will do the following:

- Verify the payment authorization was entered on ASCAP.
- Verify client's Medicaid eligibility status on the Bridges Eligibility screen in ASCAP. If Medicaid is not active for the time period in question, a warrant will not be generated.
- For AFC/HA payments, verify the status of the claim by selecting the ASAP Claims tab under the DCH Payroll button in ASCAP.

- Verify provider eligibility status was not end dated in CHAMPS. (Provider deceased or provider status end dated in error).
- **Waits 5-7 mail delivery days** from warrant date prior to pursuing the completion of the 1778 by the client/payee.
- Records his/her name and email address on the bottom of the 1778 in the event the MDHHS Medicaid Payments unit needs to contact the adult services specialist.

Treasury only requires one copy of the 1778 to be signed; sealed and notarized by a notary public (it is acceptable to make additional photo copies).

If the warrant was lost, instructs the payee (s) that if the warrant is found **after** the 1778 is processed, the warrant must not be cashed. The warrant must be voided and returned to Treasury.

Note: Prior to voiding the warrant and returning it to Treasury, the adult services specialist should contact the Medicaid Payments Unit to see if the 'stop payment' can be lifted. If the stop payment is lifted, the warrant may be cashed. If the stop payment cannot be lifted, the warrant must be voided and returned to Treasury so it can be rewritten.

Language was removed instructing the adult services specialist not to complete a 1778 if the warrant was lost **after** endorsement. Completing the 1778 for a lost warrant after endorsement is permitted.

Stolen/Forged Warrants

If a warrant disposition indicates paid and the payee claims they did not receive or cash a warrant, the payee(s) must complete the 1354, Affidavit Claiming a Forged Endorsement on a State Treasurer's Warrant.

The 1778, Affidavit Claiming Lost, Destroyed, Not Received, or Stolen State Treasurer's Warrant, is no longer required for suspected forged warrants.

The adult specialist must complete the following actions:

- Reviews warrant information under the DCH Payroll function in ASCAP, to ensure the warrant has not been pulled by Treasury (see ASM 161 for Treasury codes).

- Requests a copy of the warrant using Treasury form 1363, Request for Copy of Original Warrant, from MDHHS Medicaid Payments unit or directly from Treasury.
- When the copy of the warrant is received, schedules an appointment with the payee (s) in the local office to view the endorsements on back of the warrant.
 - If a client or provider refuses to sign the affidavit on a dual party warrant, the warrant cannot be rewritten. This now becomes a civil matter and possible fraud referral to OIG.
 - If one of the payees of a dual party warrant endorses the warrant it will not be rewritten.
- Retains a copy of the signed 1354 and copy of the cashed warrant in the case record, and gives a copy of the affidavit to the client/provider.
- Forwards the remaining **four** original copies of the 1354 and copy of warrant to the local office designee.

The local office designee will complete the following actions:

- Logs receipt of the 1354 and copy of cashed warrant according to accounting procedures.
- Forwards the **four original copies** of the 1354 to MDHHS Medicaid Payments Unit via ID mail to:

MDHHS Bureau of Finance
Expenditure Review/Medicaid Payments Unit
Grand Tower Building
235 S Grand Avenue, Suite 1005
Lansing, MI 48933

The Medicaid Payments Unit will review the 1354 for accuracy. If affidavit is inaccurate or incomplete, it will not be processed and the Medicaid Payments Unit will notify the adult specialist assigned to the case.

There is a statute of limitation on forgery claims, therefore, these claims are time sensitive. Financial institutions do not have to honor a forgery claim if it is three years past the date of the warrant.

Social security or federal tax ID numbers can only be changed in CHAMPS by the Provider Enrollment unit.

Mutilated/Destroyed Warrants

If the remains of a mutilated warrant identifies the warrant number, the warrant must be returned to Treasury. The completion of the 1778, Affidavit Claiming Lost, Destroyed, Not Received, or Stolen State Treasurer's Warrant is not necessary. Once the warrant is returned to Treasury and cancelled, ASAP will generate a DCH-2362A and forward to the local office designee.

If the remains of the mutilated warrant does not identify the warrant number, a 1778 must be completed. Follow the procedures for the completion of the 1778 listed under the Lost/Not Received Warrant section in this manual item.

Reference to the Office of Legal Affairs changed to Bureau of Legal Affairs. New address provided.

Reason: Revisions in policies and procedures.

27) Overpayment types

ASM 165

References to willful or non-willful were replaced with intentional or unintentional.

A client error occurs when the client receives more benefits than they were entitled to because the client provided incorrect or incomplete information to the department.

A client error also exists when the client's timely request for a hearing results in deletion of a negative action issued by the department and one of the following occurs:

- The hearing request is later withdrawn.
- The Michigan Administrative Hearing Services (MAHS) denies the hearing request.
- The client or authorized representative fails to appear for the hearing and MAHS gives the department written instructions to proceed with the negative action.
- The hearing decision upholds the department's actions.

28) Prevention of Overpayments

Client error can be deemed as intentional or unintentional.

Reason: Policy clarification

ASM 165

During the initial assessment and subsequent case reviews, the adult services specialist must inform the client and provider of their reporting responsibilities and act on the information reported back to the department prior to an overpayment occurring. The client and/or provider should be reminded of the following:

- Home help recipients are required to give complete and accurate information about their circumstances.
- Recipients and providers of home help are required to notify the adult services specialist within **10 business days** of any changes including but not limited to hospitalization, nursing home or adult foster care/home for the aged admissions.
- The recipient and/or provider agree to repay or return any payments issued in error to the State of Michigan for home help services not rendered.
- A timely hearing request can suspend a proposed reduction in the approved cost of care. However, the client must repay the overpayment if either:
 - The hearing request is later withdrawn.
 - The Michigan Administrative Hearings System (MAHS) denies the hearing request.
 - The client or authorized representative for the hearing fails to appear for the hearing and MAHS give the department written instructions to proceed with the negative action.
 - The hearing decision upholds the department's actions.

All home help providers agree to a series of terms and conditions upon enrollment in the Community Health Automated Medicaid Processing System (CHAMPS). Individual home help providers agree to terms and conditions when submitting their electronic services verification (ESV) in CHAMPS.

Individual home help providers who submit monthly paper services verifications (PSV) receive a cover letter with a list of terms and conditions. By signing the PSV, the provider understands and agrees to the terms and conditions.

Reason: Policy revisions.

**29) Update
instructions for the
DHS 566,
Recoupment letter
for Home Help**

ASM 165

Language was updated to reflect the electronic creation and submission of the DHS-566, Recoupment Letter for Home Help.

Reason: The recoupment letter is completed electronically through the ASCAP system.

**30) Recoupment
for APS Payments**

ASM 165

The adult services specialist must utilize the DHS-566 when recouping an overpayment for Adult Protective Services. The specialist must access the DHS-566 from the online Forms Library and complete it manually crossing out home help and inputting APS.

Reason: Current system does not allow the DHS 566 to be completed for APS recoupments.

**31) Overpayments
returned to
Medicaid
Collections Units**

ASM 165

There are occasions when a client or provider will return an overpayment directly to the Medicaid Collections unit (MCU) prior to notifying the adult services specialist of the error. In these instances, MCU will require the adult services specialist to complete a recoupment letter for the overpayment amount returned to the state.

Reason: Policy clarification.

**32) Withdrawal of
recoupments****ASM 165**

The specialist must provide the following information when requesting a recoupment be rescinded:

- Client name
- Client recipient ID number
- Provider name
- Provider ID number
- Amount of recoupment
- Reason for rescinding the recoupment.

Reason: Procedural revisions.

**33) References to
fraud-intentional
program violation
removed****ASM 165**

References related to fraud or intentional program violation were removed from ASM 165 and added to a new manual item, ASM 166, Fraud-Intentional Program Violation.

Reason: Separation of subject matter.

**34) New manual
item created on the
topic of fraud-
intentional
program violation****ASM 166**

New manual item created that provides information related to fraud-intentional violation for home help recipients and provider.

Reason: Policy clarification.

**35) Changes in the
requirement of the
DHS-54A****ASM 115 and ASM 155**

The medical needs form is only required for home help recipients at the initial opening of a case, unless one of the following exists:

- The specialist assesses a decline in the client's health which significantly increases their need for services.
- The specialist assesses an improvement in the client's ability for self-care, resulting in a decrease or elimination of services and the client states their care needs have not changed.
- The current medical needs form has a specified time frame for needed services and that time frame has elapsed.

At each case review, the specialist must document in the general narrative if a medical needs form is or is not needed.

Reason: Change in policy.

**36) Removal of
references to
annual
redeterminations**

ASM 155

The references to annual redeterminations in this item was removed. The requirements for both the annual redetermination and six month review are the same.

EFFECTIVE

August 1, 2016.

Subject(s)

Corrections

Formatting errors were corrected in the following adult services manual items:

ASM 135, Home Health Providers.

ASM 145, Federal Income Contribution Act (FICA).

ASM 160, Warrants.

ASM 165, Overpayment and Recoupment Process.

EFFECTIVE

October 1, 2016.

Subject(s)

Adult Community Placement (ACP) series of the Adult Services Manual (ASM) has new section numbers and reorganization of existing policy information to individual topics:

1. ASM-004, Adult Community Placement Program (ACP)- Overview.
2. ASM-005, ACP Reasonable Accommodations and Person Centered Planning.
3. ASM-010, ACP Program Eligibility.
4. ASM-015, DHS-390 and DHS-54A Forms.
5. ASM-020, ACP Referral Process.
6. ASM-025, ACP Comprehensive Assessment.
7. ASM-030, ACP Service Methodology.
8. ASM-035, ACP Service Plan.
9. ASM-040, ACP Case Management and DHS-1212 Advance Negative Action Letter.
10. ASM-045, ACP Placement Criteria.
11. ASM-050, ACP Legal Statute, Definitions, and Facility Descriptions.
12. ASM-055, ACP Incident, Accident Reports, and Adverse Actions.
13. ASM- 60, BCHS Rules Concerning BCAL Forms and Record Keeping.
14. ASM-065, ACP Provider Enrollment.
15. ASM-075, ACP Payment, Warrant, and Recoupment.
16. ASM-077, ACP SSI/SDA Provider Rates.

17. ASM-080, ACP Nursing Care Facility Information and Transition.
18. ASM-085, ACP Coordination with Other Agencies.
19. ASM-090, ACP Case Closure.
20. Appendix A & B.
21. Obsolete items.

1) ASM-004

ASM-004, Adult Community Placement (ACP) Program Overview

The Adult Services Manual (ASM) Adult Community Placement (ACP) policy sections are reorganized and renumbered. Obsolete language is removed; and examples and policy clarification is provided. For example, Michigan Department of Health and Human Services (MDHHS) replaces Department of Human Services (DHS) and Michigan Department of Community Health (MDCH) and Bureau of Community and Health Systems (BCHS) replaces Bureau of Child and Adult Licensing (BCAL).

Note: Some forms retain the old agency initials (DHS, DCH, BCAL) preceding the current form number.

Adult Community Placement is the Medicaid State Plan for personal care services provided to residents in a licensed facility. The purpose of the Adult Community Placement (ACP) program is to provide a range of support and assistance related services to enable individuals to live safely in the least restrictive community-based care setting.

ASM-004 states the program purpose, mission and vision statement and describes services available as well as program goals, outcomes, handling of information and the legal authority of the program.

2) ASM-005

ASM-005, ACP, Reasonable Accommodations and Person Centered Planning

The requirements of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) apply to

all Michigan Department of Health and Human Services (MDHHS) programs services and activities.

The adult services worker:

- Views each client as an individual with specific and unique circumstances.
- Approach's case planning holistically from a person-centered, strength-based perspective.
- Works cooperatively with other agencies to ensure effective coordination of services.

3) ASM-010

ASM-010, ACP Program Eligibility

An individual 18 years of age or older qualifies for Adult Community Placement (ACP) program services.

There are Medicaid eligible services and non-Medicaid eligible services as specified in this item along with program specific procedures.

MI Health Link for Integrated Care (ICO) program participant's information, as well as a list of the ICO partners that deliver services in participating counties, is provided.

4) ASM-015

ASM-015, DHS-390 and DHS-54A forms

The client or authorized representative must complete and sign a DHS-390, Adult Services Application, to receive the personal care supplement for the community placement of residence.

The DHS-54A, Medical Needs, form is required for **all** clients receiving Medicaid personal care services. A DHS-54A completed by a Veteran's Administration physician is acceptable as is a VA medical form (10-10M) in lieu of the DHS-54A.

The DHS-54A is no longer required for Medicaid (MA) ACP case clients on an annual basis after case opening. A DHS-54A is required at initial opening and only needed after if there are changes in the client's health.

5) ASM-020**ASM-020, ACP Referral Process**

Referrals by phone, mail, or in person at the local office must follow procedures for case registration, disposition, and documentation of enrollment as well as standard of promptness and referral transfer process are included in this item.

6) ASM-025**ASM-025, ACP Comprehensive Assessment**

The ASCAP comprehensive assessment is the basis for service planning and for the personal care supplement payment using the Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL) for medications. This item describes personal care and domiciliary care level of need, specialize care, and complex care needs of residents in an Adult Foster Care/Home for the Aged (AFC/HA).

7) ASM-030**ASM-030, ACP Service Methodology**

Case management is the primary service delivery method and assists adults to access needed medical, social, vocational, rehabilitative, and other services. This includes supportive services and protective intervention for specific needs, which require limited involvement of the adult services worker.

8) ASM 035**ASM-035, ACP Service Plan DHS-324-A, DHS-324-B**

The service plan directs the movement and progress toward goals identified jointly by the client, the facility and by the adult services worker.

9) ASM 040**ASM-040, ACP Case Management and DHS-1212 Advance Negative Action Letter**

Adult services workers and supervisors have the ability to access information on the status of contacts, reviews, payments, and provider management. Reports generated on ASCAP can aid the adult services worker's case management strategy.

During case management, an adult services worker may have a need to suspend or terminate personal care supplement payments on an active case using a **DHS-1212, Advance Negative Action Notice**.

10) ASM-045

ASM-045, ACP Placement Criteria, Responsible Agency and DHS/SSA-3471 Form.

This item provides a description of the following pre-placement process, Supplemental Security Income (SSI), State Disability Assistance (SDA), Placement, Responsible Agency, Assisted Placement, Voluntary relocation, 16 and 17 years old in AFC placement, youth aging out of MDHHS foster care and use of the DHS/SSA-3471 form.

11) ASM-050

ASM-050, ACP AFC Legal Statute, Definitions, and Rules Variances.

This item describes the legal statutes behind the licensing rules for Adult Foster Care (AFC) licensed family homes, small and large group homes, congregate facilities, and home for the aged (HA). This section also describes situations for BCHS license administrative rule variances.

Note: BCHS department forms currently have BCAL listed in front of the form number.

12) ASM-055

ASM-055, ACP BCHS Incident and Accident Report and Adverse Actions.

Explains the incident and accident report an adult services worker might receive from a licensing consultant or licensee as well as adverse actions for licensees that fail to follow rules that results in potential or actual harm or neglect of residents.

13) ASM-060

ASM-060, ACP BCHS Rules for forms and Record Keeping.

Each licensed facility has rules for recording keeping in order to satisfy licensing requirements. A list of required forms for each

facilities listed by need or an approved substitute if allowed for record keeping.

DHS-721, Provider Log Sheets, are no longer necessary for the licensee to keep and have signed by the adult services worker.

The license provider bills against the authorization created by the adult services workers and by doing so creates a record of providing services.

14) ASM-065

ASM-065, ACP Provider Enrollment

This item lists the licensee provider enrollment process for personal care supplement payments.

15) ASM-075

ASM-075, ACP Payment, Warrant, and Recoupment.

This item describes payments, warrants, and recoupment process for ACP personal care supplement authorizations.

16) ASM 077

ASM-077, SSI/SDA Provider Rates

This rate table shows the monthly provider rates and allowance allocated to a SSI/SDA resident. A list is updated when the cost of living adjustments are instituted by the federal government. This section will reflect any legislative increases in the monthly personal care supplement rate when they occur.

17) ASM-080

ASM-080, ACP Nursing Care Facility Information and Transition.

This item explains complaints regarding nursing care facility, involuntary relocation, facility closing and how to assist a person in transition from nursing facility to another living arrangement.

18) ASM-085**ASM-085, ACP Coordination with Other Agencies.**

To ensure clients are appropriately placed or relocated, adult services workers should maintain open ACP case for 90 days for MDHHS clients who have been admitted to a nursing care facility for rehabilitation, who plans to return an AFC/HA.

19) ASM-090**ASM-090, ACP Case Closure**

The adult community placement case must have all documentation and narrative entered in ASCAP before the case is closed. Payments must be ended prior to case closure.

**20) Appendix A &
B****ASM 379A-ACP, Appendix A DMH/DSS Agreement and ASM 379B-ACP, Appendix B Definitions/Institutions for Appendix A.**

Corrected terminology of "mentally retarded" to the current DSV diagnosis wording of "intellectually disabled" or "intellectual disability".

21) Obsolete

The following manual items were obsoleted:

- ASM 371--ACP, Program Overview
- ASM 372--ACP, Program Requirements
- ASM 373--ACP, Program Procedures
- ASM 374--ACP, Placement
- ASM 375--ACP, Nursing Home Transition
- ASM 376--ACP, Facilities
- ASM 377--ACP, Monthly Provider Rates
- ASM 378--ACP, Resources

Note: Historical policy can be accessed from the DHS internal policy manuals by changing the effective date. The policy manuals can be accessed from either:

- Start/Programs/Policy Manuals/Policy Manuals.
- MDHHS intranet under Popular Links/Policy Manuals.

- The [Michigan Department of Health and Human Services \(MDHHS\) public website under Inside MDHHS/Policy and Planning/Policy Manuals](#).

Reason: Policy clarifications, terminology changes including the merger between MDCH and DHS to MDHHS.

EFFECTIVE

October 1, 2016.

Subject(s)**Service Verifications Tied to the Receipt of Payment**

Starting with services provided in October 2016, individual home help providers must submit either an Electronic Services Verification (ESV) or a Paper Services Verification (PSV) in order to receive payment. An ESV or PSV must be submitted starting on the first day of the following month after the service period before a warrant is generated.

Note: A payment authorization must be on ASCAP in order for an ESV to be displayed in CHAMPS or for a PSV to be generated from CHAMPS.

EFFECTIVE

October 1, 2016.

Subject(s)**Adult Service Policy Manuals Correction**

The following manual items were obsoleted:

- ASM 371--ACP, Program Overview
- ASM 372--ACP, Program Requirements
- ASM 373--ACP, Program Procedures
- ASM 374--ACP, Placement
- ASM 375--ACP, Nursing Home Transition
- ASM 376--ACP, Facilities
- ASM 377--ACP, Monthly Provider Rates
- ASM 378--ACP, Resources

Note: Historical policy can be accessed from the MDHHS internal policy manuals by changing the effective date. The policy manuals can be accessed from either:

- Start/Programs/Policy Manuals/Policy Manuals.
- MDHHS intranet under Popular Links/Policy Manuals.
- The [Michigan Department of Health and Human Services \(MDHHS\) public website under Inside MDHHS/Policy and Planning/Policy Manuals.](#)

Reason: Policy clarifications, terminology changes including the merger between MDCH and DHS to MDHHS.

EFFECTIVE

January 1, 2016.

Subject(s)

1. Verification and collateral contacts.
2. Medicaid overview.
3. Presumptive eligibility.
4. Healthy Michigan Plan.
5. Medicaid (MA) group composition.
6. Income overview.
7. Food Assistance Program (FAP) divestment.
8. Disaster Food Assistance Program (DFAP).
9. Michigan Combined Application (MiCAP).
10. Supplemental Security Income (SSI) advocacy.
11. Categorical eligibility.
12. Intentional program violation.
13. Increase in MA long term care (LTC) divestment divisor.
14. FIP group composition.
15. Disability Determination requirements
16. Miscellaneous changes.

1) Verification and Collateral Contacts**BAM 130**

Self-attestation for Medicaid eligibility information added.

Reason: MDHHS local office staff request explanation of self-attestation.

2) Medicaid Overview**BEM 105**

Information on MAGI related Medicaid categories has been revised to reflect Affordable Care Act changes. Adult Medical Program (ABW/AMP) references were removed.

Reason: Michigan Department of Health and Human Services (MDHHS) local office staff request as ABW/AMP no longer exists.

3) Presumptive Eligibility**BEM 136**

A new item has been created to detail presumptive eligibility.

4) Healthy Michigan Plan

Reason: Presumptive eligibility has expanded to include all MAGI related Medicaid groups.

BEM 137

A new item has been created to detail Healthy Michigan Plan eligibility criteria.

Reason: MDHHS local office staff request that item be added to BEM as previously it existed in the Medicaid provider manual only.

5) MA Group Composition**BEM 211**

Modified Adjusted Gross Income (MAGI) related groups have been added. Information regarding determining tax groups based on tax filing status has been added.

Reason: MDHHS local office staff request for clarification.

6) Income Overview**BEM 500**

Modified Adjusted Gross Income (MAGI) information has been added, reasonable compatibility and 5 percent disregard definitions added.

Reason: MDHHS local office staff request for clarification.

7) FAP Divestment**BEM 406**

Updated so divestment means the transfer of assets for less, at or near fair market value. Miscellaneous formatting changes were made.

Reason: Policy clarifications.

8) Disaster Food Assistance Program**BEM 800**

The DFAP Maximum Allotment and Monthly Income Limit tables were updated with the 2015 figures.

Reason: Annual standards update.

9) MiCAP**BEM 618**

Concurrent receipt of benefits policy is incorporated into this item.

Reason: Clarification.

10) SSI Advocacy**BEM 271**

References to the SSI advocates have been removed.

Reason: Policy update.

11) Categorical Eligibility**BEM 213**

The need reason, "Eligible for FIP and/or SDA of less than \$10 monthly and therefore not receiving a payment" was obsoleted 10-1-2011. This is no longer a reason for traditional categorical eligibility. It was removed from this item to align with FIP/SDA policy.

Legal citation updated.

Reason: Policy consistency.

12) Intentional Program Violation**BAM 720****All Programs**

Suspected intentional program violation cases are investigated by Office of Inspector General (OIG). There is no longer a requirement they be investigated within 12 months.

**13) MA Divestment
Divisor**

Reason: Clarification.

BEM 405

The Baseline Date LTC costs used for calculating a divestment penalty updates effective January 1, 2015.

**14) FIP Group
Composition****BEM 210**

The Michigan Birth Registry Inquiry was added as a relationship verification source.

Reason: New verification type.

**15) Disability
Determination
Requirements****BAM 815**

Verification of Social Security Administration (SSA) application/appeal has been added as a verification that must be sent to Disability Determination Services (DDS) to begin the medical development process.

Reason: Clarification

**16) Miscellaneous
Changes****BAM 808**

Legal citations were updated.

BEM 126, 164, 165, 170, 172, 400, 402, 405, 545, 546

Miscellaneous updates and removal of obsolete terms (CIMS, scope coverage codes, joint policy statements). Return policy information that was accidentally edited out of the October 2015 BPB.

BEM 130

This is a new item. It details eligibility policy for the MICHild program following its conversion to a Medicaid expansion program.

BEM 125, 129, 131 173

Clarification of policy regarding eligibility rules and regulations. Update department title to Michigan Department of Health and Human Services (MDHHS), remove joint policy statement, update of legal base.

BAM 120

Update name to Michigan Department of Health and Human Services (MDHHS). Policy clarification regarding Medicaid programs administered by MDHHS. Delete references to MICHild as a program separate from Medicaid. Spell out local health department as opposed to using acronym. Removed joint policy statement.

BAM 825

Change were made to the prior authorization requirements.

BEM 540 and 541

There is not an annual COLA increase for SSI in 2016. The year was updated in the above items.

EFFECTIVE

January 1, 2016.

Subject(s)

BEM 435, Provider Enrollment

**PROVIDER
MANAGEMENT
PAYMENTS UNIT**

The Provider Management Payments Unit (PMPU) in central office is responsible for completing enrollments and making revisions or corrections to all medical service providers, energy-related service providers and non-energy related service providers.

Reason: To streamline the enrollment process.

EFFECTIVE

January 1, 2016.

Subject(s)

1. Fugitive Felon Match.
2. Categorical Eligibility for Migrant and Homeless Groups.
3. Application Processing.
4. Flat Rate Family Contribution.
5. DHS-4583.
6. DHS-5322, Notice of Potential Child Development and Care (CDC) Closure.
7. CDC Payments.
8. Wage Match and New Hire.
9. Unlicensed Child Care Providers.
10. Miscellaneous.

1) Fugitive Felon Match**BAM 800**

References to the Fugitive Felon match were removed.

Reason: Federal Court Order

2) Migrant and Homeless Groups**BEM 220**

CDC has been removed from the homeless section in this item.

BEM 703

CDC program groups with a homeless child or migrant farmworkers are included in the categorical eligibility group. The parents/substitute parents must have a verified valid need reason at application or redetermination. There is no income test. Once

categorical eligibility has been established, eligibility will continue for the entire certification period unless the group:

- Loses Michigan residency.
- Is unable to be located.
- Child ages out/is adopted.
- Provider or child care setting is not verified.
- Death.
- Parent/substitute parent requests case closure.

Sample questions have been added to this item to assist specialists with homeless clients.

Reason: Child Care and Development Fund(CCDF) Plan for 2016-2018.

3) Application Processing

BAM 115

An interview is required before denying assistance, even if it is clear from the application or other sources that the group is ineligible.

Reason: To ensure that CDC is not denied when there could potentially be eligibility based on a child being homeless.

4) Flat-Rate Family Contribution

BAM 220, 705 and BEM 525, 706

A flat-rate family contribution has replaced the department pay percentage. At initial application, income eligible families must enter the CDC program at the \$15 flat-rate family contribution level.

Child Care and Development Fund(CCDF) Plan for 2016-2018.

Communication: Office of Workforce and Development Training (OWDT).

5) DHS-4583, Child Development and Care (CDC) Application**BAM 110, 115, 125, 800, 802, 807, 809 and BEM 704**

References to the DHS-4583 have either been changed to the MDE-4583, Child Development and Care (CDC) Program Application or deleted from policy.

Reason: Michigan Department of Education (MDE) has ownership of this application.

6) DHS-5322, Notice of Potential Child Development and Care (CDC) Closure**BAM 210**

When redetermination materials have not been logged by the 10th day of the redetermination month, a new notice, the DHS-5322, Notice of Potential Child Development and Care (CDC) Closure will be mailed from Bridges informing the client that CDC will close benefits at the end of the redetermination month.

Reason: This form was developed to support continuous eligibility.

7) CDC Payments**BEM 706**

References to unlicensed providers tier training has been changed to level of training.

8) Wage Match and New Hire**BAM 802 and 807**

CDC will participate in the Wage Match and New Hire process. However, benefits cannot be reduced or the CDC EDG closed, if information is not returned, unless it is determined the group's gross income exceeds the income eligibility scale in RFT 270.

Reason: Clarification.

**9) Unlicensed
Child Care
Providers**

BEM 704

The criteria for the number of children that can be cared for by an unlicensed child care provider has changed. Unlicensed providers can provide care for up to four children at a time or up to six children, if all children live at the same address, all children are siblings or all children are sibling groups living at different addresses.

Reason: To maximize Child and Adult Care Food Program reimbursement for children.

10) Miscellaneous

BAM 110, 220, 800, 802, 807, 809 BEM 702, 703, 704, 706

Reason: Minor clarifications or changes.

Communication: Office of Workforce and Development Training (OWDT).

EFFECTIVE

January 1, 2016.

Subject(s)

CDC Provider Disqualifications

BAM 700, 715 and BEM 707

Provider disqualifications in BEM 707 has been revised. Time and attendance records reviewed by the central reconciliation unit has a new process.

Reason: Program integrity.

EFFECTIVE

March 1, 2016.

Subject(s)

Electronic Benefit Transfer Changes for Deceased or Incarcerated Individuals

BAM 401E**FIP, SDA, RCA, FAP**

If an individual is either deceased or incarcerated (in prison) and has **ever** had access to a Bridge card, their access, as well as the authorized representative's access, will be terminated once updated accordingly in Bridges. If there are other members of the household who are entitled to the benefits, a new head of household (HOH) will need to be determined from one of the remaining adult group members.

If the HOH is deceased or incarcerated, available benefits may be transferred to another group member who is the new HOH. Benefit transfers must be approved by policy.

EFFECTIVE

April 1, 2016.

Subject(s)

1. MA Category obsolete.
2. Non discrimination statements/complaints.
3. Referrals to Trust and Annuities Unit.
4. FAP Employment and Training
5. FIP Employment and Training
6. Miscellaneous changes.

**1.) Cobra
Widow(er)s****BEM 156**

The Cobra Widow(er)s MA category is removed from the manual as there are no remaining qualified beneficiaries in the category and the category is closed to new beneficiaries.

**2.) Non
Discrimination
Statements/
Complaints****BAM 105**

The FIP and FAP federal nondiscrimination statements are updated.

Reason: Food and Nutrition Service (FNS) provided updated statements.

**3.) Referrals to
Trust and
Annuities Unit****BEM 400**

The process to send trust and annuities for FAP and MA has changed. The DHS-1517, Request for Trust/Annuity Evaluation must be sent to the MDHHS-MA-FAP-Trusts_Annuities@michigan.gov. Please see the EDM business process on Trust & Annuity Review for information on how to complete the referral process.

Reason: Change to referral process.

4.) FAP Employment and Training

BEM 230B

For Care of a Child and Care of Disabled Household Member, defer one person who personally provides care for a child under age six or for a disabled member, even if the child or disabled member is not a member of the FAP group, unless the child or disabled member is in another FAP group in which another person is providing the care.

Reason: Policy Clarification

5.) FIP Employment and Training

BEM 233A

EFIP language was removed. The EFIP program was terminated October 1, 2015.

Updated information on triage scheduling, processing and guidelines. Triage procedure has been revised to reflect guidelines implemented prior to the triage and during the triage.

Reason: Policy Clarification.

6.) Miscellaneous changes

BEM 169, 245, 270, 400, 401, 405, 503, 536

Correction of spacing issues, removed obsolete contact information, correction of typographical errors, and reformatted a paragraph into bullets.

EFFECTIVE

April 1, 2016.

Subject(s)

1. New Forms
2. Request for Additional Assistance
3. Income Budgeting
4. Transitional CDC
5. CDC Administrative Rules

1) New Forms**BEM 703**

Two new forms, the MDHHS-5419, Child Development and Care (CDC) Request For Additional Assistance, and the MDHHS-5420, Child Development and Care (CDC) Continued Benefits Notice, have been created.

**2) Request for
Additional
Assistance****BAM 220, BEM 703**

When a client requests an additional provider, need reason or need hours, during his/her 12-month continuous eligibility period, generate the MDHHS-5419, Child Development and Care (CDC) Request For Additional Assistance. If after 10 calendar days the MDHHS-5419 or verifications are not received, the MDHHS-5420, Child Development and Care (CDC) Continued Benefits Notice will be generated.

Reason: This process is outside EDBC to be able to sustain benefits, if the verifications are not returned.

**3) Income
Budgeting****BEM 505, 525, 702**

When income eligibility is established in the first pay period of a CDC application **and** a change in income is reported, the income change is not required to be verified for approval of subsequent pay periods.

Reason: Twelve-month continuous eligibility.

**4) Transitional
CDC**

BEM 703

Transitional CDC has been eliminated.

Reason: Twelve-month continuous eligibility.

**5) CDC
Administrative
Rules**

BAM 220, BEM 505, 525, 702-704, 706-708, 710

References to Administrative Rules have been removed.

Reason: Rules were rescinded effective February 16, 2016.

EFFECTIVE

May 9, 2016.

Subject(s)

Flint Water Group

BEM 148

Medicaid Only

A new policy item has been created to detail eligibility for the Flint Water Group.

Reason: Implement new category due to approval of waiver.

EFFECTIVE

June 1, 2016.

Subject(s)**1) Heat Included In Rent****BEM 554****FAP**

A note was added to clarify that FAP groups whose heat is included in their rent may still qualify for the h/u standard. Some of the additional ways include but are not limited to receipt of the Home Heating Credit or a Low Income Home Energy Assistance Payment in an amount greater than \$20 in the application month or in the immediately preceding 12 months prior to the application month.

Reason: Clarification.

EFFECTIVE

October 1, 2015.

Subject**1) Mandatory Heat and Utility Standard****BEM 554****FAP**

For all FAP groups that received the h/u standard on or before February 7, 2014, the h/u standard will remain in place for a period of five months after the month of their first redetermination on or after May 1, 2014.

A reported case change does not begin the five month period.

Reason: Clarification from the Food and Nutrition Service.

EFFECTIVE

June 1, 2016.

Subject(s)

MA

BAM 805

The absolute maximum assignment for cemetery and funeral service contracts will increase effective June 1, 2016 to \$10,380 under the Michigan Insurance Code.

EFFECTIVE

July 1, 2016.

Subject(s)

1. Passive renewals.
2. Reverse mortgages.
3. ABLE Accounts.
4. Application.
5. Failure to provide.
6. Crowdfunding account.
7. Certified lists of SATCs and AFCs.
8. Attendance compliance test.
9. Miscellaneous.

**1.) Passive
Renewals****BAM 115, 130, 205, 210**

Information added regarding passive renewal process for MAGI related Medicaid.

Reason: Compliance with ACA regulation.

**2.) Reverse
Mortgages****BEM 400, 503****Medicaid Only**

Addition of policy addressing treatment of reverse mortgages as income and as an asset. Payments are not countable income. Payments are a non-countable resource in the month received and a countable resource in the following months.

**3.) ABLE
Accounts****BEM 400****Medicaid Only**

Addition of ABLE accounts to policy. ABLE accounts are an IRS recognized account under section 529A. They are excluded as a

resource for MA eligibility. ABLE accounts are administered through the Michigan Department of Treasury.

4.) Application

BAM 110

All Programs except Medicaid

Reference to a form fillable version of the DHS-1171 has been removed.

Reason: A form fillable version of the DHS-1171 is no longer available.

5.) Failure to Provide

BAM 807

FIP, SDA, MA and FAP

When a case has closed for failure to return a State New Hires verification and a client applies for assistance 30 days after case closure was initiated, the State New Hires verification must be returned before processing the application. The case can be opened from the date of the application after verifications are provided.

Reason: Clarification of policy.

6.) Crowdfunding Account

BEM 400

FIP, RCA, SDA and FAP

Funds that are available to the household in a crowdfunding account (such as, but not limited to, GoFundMe, Kickstarter, etc.) are considered a cash asset.

Reason: Policy Clarification from FNS.

7.) Certified Lists of SATCs and AFCs

BEM 617

FAP

The SATC/AFC home is not required to provide the local office with a certified list of currently participating residents. The local office are not required to conduct periodic random site visits to the SATC/AFC home to assure accuracy of the list provided by the SATC/AFC home.

Reference to RFT 261 was removed.

Reason: Policy is no longer relevant.

8.) Attendance Compliance Test

BEM 245

FIP Only

If verification is returned that a dependent child or minor parent that is **receiving** FIP is not attending school full-time, an attendance compliance test is required before taking appropriate action regarding the FIP group.

Reason: 2015 PA 56

9.) Miscellaneous

BEM 617

FAP

Legal site updated to include the Food and Nutrition Act of 2008, as amended.

BEM 105, 125, 129, 130, 131, 145, 544, 545, 547

Affordable Care Act legal citation added. Formatting changes. Revised dates from 2002 to 2016. Delete obsolete schedules and reports.

BEM 105, 170, 172, 401, 402, 501, 502, 503, 546, 657

Formatting changes and deletion of obsolete information. Update some out of date terms to currently used terms.

EFFECTIVE

July 1, 2016.

Subject(s)

1. Telephone interviews/redeterminations.
2. Assets.
3. Fluctuating income.
4. Case actions.
5. Redetermination.
6. Child Development and Care (CDC) group composition.
7. Temporary ineligibility.
8. CDC providers.
9. Time and attendance.
10. Miscellaneous.

1) Telephone Interviews/Redeterminations**BAM 115, 210**

If the DHS-1171, Assistance Application, or the online applications MIBridges, Renew My Benefits are used, for an initial CDC application or redetermination, the applicant must be contacted to determine if program group assets exceed \$1 million. This must be documented in the case record.

Reason: These applications could not be updated in time for this release.

2) Assets**BEM 400, 703**

CDC recipients are required to self-certify that the program group's countable assets do not exceed \$1 million. CDC countable assets are the same as those for the Family Independence Program.

All CDC eligibility groups, income eligible and categorical, must not exceed the asset limit.

3) Fluctuating Income**BEM 505**

CDC benefits must be maintained, with no change to authorized hours or family contribution, when a client reports the program

group's income exceeds the income eligibility scale in RFT 270 **and** the excess income will not continue for more than 6 months.

When a client reports excess income the MDHHS-5446, Child Development and Care (CDC) Temporary Excess Income Notice, must be generated to determine that the excess income will not continue for more than 6 months.

Income must be averaged over the 12-month certification period for an individual whose income is for a time period that is shorter than one year, but is expected to cover the entire year.

4) Case Actions

BAM 220

Clients are required to report if program group assets exceed \$1 million. This requirement has been added to reporting requirements.

A CDC EDG may close if:

- A client self-certifies the program group has total assets exceeding \$1 million.
- If the employer statement is not returned verifying the client's income will drop below the income eligibility scale (RFT 270) within 6 months (fluctuating income).

5) Redetermination

BAM 210

For currently active cases the asset policy does not apply until the first redetermination on the case after July 1, 2016.

If a case with temporary excess income crosses over a redetermination, the case will be approved at the highest family contribution amount via a policy exception.

6) CDC Group Composition

BEM 205

The Program Group has been revised to include those persons living together whose income **and** assets must be counted when

determining eligibility. All eligibility groups, categorical and income eligible, are subject to the asset limit.

7) Temporary Ineligibility

BEM 525

Temporary ineligibility has been deleted from this item due to fluctuating income policy.

Reason: Child Care and Development Fund (CCDF) Reauthorization

Communication: Office of Workforce Development and Training (OWDT).

8) CDC Providers

BEM 704

Providers are required to allow parent/substitute parents full access to their children at any time while they are in care.

Reason: CCDF requirement.

9) Time and Attendance Reviews

BEM 707

The following has been added to the examples of Intentional Program Violations (IPV) for child care providers.

Billing for children when time and attendance records have not been certified by the parent/substitute parent.

Reason: Requested by the Michigan Department of Attorney General.

10) Miscellaneous

BAM 220, BEM 703

These items have minor clarifications/changes only.

EFFECTIVE

September 1, 2016.

Subject(s)

Children's Clothing Allowance.

FAMILY INDEPENDENCE PROGRAM (FIP)

The 2016 Fiscal Appropriation Act included funding for the children's clothing allowance. The allowance is intended to assist FIP families to purchase school clothing for their children.

The children's clothing allowance for the 2016 fiscal year is \$157 per child and is excluded as income for all programs.

**ELIGIBILITY
CRITERIA**

- The FIP eligibility determination group (EDG) must be active as a child-only FIP EDG.
- All eligible children on the child-only FIP EDG will receive the clothing allowance. The eligible child must be eligible for FIP during September 2016. This includes children receiving SSI in the FIP EDG. Disqualified children will not receive the clothing allowance supplement.

Exception: Children disqualified for not having a social security number will receive the clothing allowance supplement.

Definition

A child-only FIP EDG is defined as an EDG in which there is not an eligible adult on the EDG. These could include the following:

- Ineligible grantees (grandparents, aunt or uncle that are not recipients on the FIP EDG).
- Parent(s) receiving SSI.
- Unrelated guardians who are court appointed.
- A FIP EDG in which an eligible adult is disqualified will not receive a clothing allowance supplement.

PAYMENTS

Bridges will automatically issue supplements for the children's clothing allowance to FIP EDGs with qualifying children who are eligible for September FIP payments in Bridges as of the single deadline date of August 31, 2016. The children's clothing allowance supplement is deposited into the client's EBT cash account.

The supplement amount will include \$157 for each eligible child. The supplement will be automatically issued if the FIP EDG is active on August 31, 2016 for September benefits. A supplement will be deposited into the client's EBT cash account at the same time as the FIP payment is issued, but will appear as a separate payment. The supplement will be viewable in Bridges under Benefit Issuance and View Benefits.

Any request for new FIP EDG openings or member adds for September 2016 that are processed after the initial clothing allowance monthly payroll run for September will require an exception. Please contact Bridges Resource Center in order to request a supplement for the FIP EDG.

Note: Once the funding for the children's clothing allowance is depleted, there will be no additional funds allocated, regardless of the eligibility of the FIP EDG.

A letter from the Michigan Department of Health and Human Services director will be mailed to eligible clothing allowance supplemental households in August. This letter advises eligible families of the allowance coming in September to help with the cost of children's clothing.

For questions regarding this bulletin please contact the FIP policy mailbox: Policy-FIP-SDA-RAP@michigan.gov.

LEGAL BASE

2016 Fiscal Appropriations Act

EFFECTIVE

October 1, 2016.

Subject(s)

1. Verification requirements.
2. Lag Social Security Credits (SSC)s.
3. Wage match.
4. Refugee Assistance Program (RAP).
5. Assisting the client.
6. The Case Record.
7. Miscellaneous changes.
8. Medicaid (MA).

1) Verification Requirements**BEM 245****FAP Only**

Verification of school enrollment for persons age 18-49 is not required.

Reason: Clarification.

2) Lag SSCs**BEM 225****SDA and FAP**

Social Security Credits (SSC)s which have been earned but not yet posted are lag SSCs, the following amounts were added to BEM 225:

- \$1,260 for 2016.
- \$1,220 for 2015.
- \$1,200 for 2014.

Reason: Updated yearly minimum earnings.

3) Wage Match**BAM 802****All Programs**

The department now receives wage match information from the Michigan Talent Investment Agency.

The failure to provide section was reworded for clarity.

Reason: Change in wage match source and clarification.

4) Refugee Assistance Program

BEM 630, BEM 230C

Refugee Cash Assistance (RCA)

BEM 230C was updated to include the term, "refugee contractor" and minor formatting changes were made to alien status information in BEM 630.

Reason: Policy clarification.

5) Assisting the Client

BAM 105

All Programs

The local office must assist clients who ask for help in completing forms, gathering verifications, and/or understanding written correspondence sent from the department. Particular sensitivity must be shown to clients who are illiterate, disabled or not fluent in English.

If such assistance requires interpreter services and the local office is unable to identify an interpreter service provider please escalate the request to your county's business service center and they will provide guidance on how to assist the client.

Reason: Policy clarification.

6) The Case Record

BAM 300

All Programs

Policy has been updated to include information regarding the Electronic Case File.

7) Miscellaneous changes

BAM 600

All Programs

DHS was changed to MDHHS, the Office of Legal Services and Policy was changed to Office of Legal Services, and other minor grammatical changes were made.

8) MA

Medicaid Only

BAM 120

Healthy Michigan Plan Cost-Sharing

All individuals who are eligible for the Healthy Michigan Plan (HMP) and enrolled in a Medicaid health plan will pay most cost-sharing through the MI Health Account. Cost-sharing includes co-pays, and for some beneficiaries, contributions. Point of service co-pays may be required for a limited number of services that are carved out of the health plans, such as certain drugs. HMP co-pay information, including amounts, can be found at the Michigan Department of Health and Human Services (MDHHS) website under [Assistance Programs/Health Care Coverage/Healthy Michigan Plan/Learn more about the Healthy Michigan Plan.](#)

Individuals eligible for HMP who are not enrolled in a health plan are only responsible for co-pays when applicable, and will pay those co-pays at the point of service.

Contributions

HMP beneficiaries with incomes above 100 percent of the Federal Poverty Level (FPL) may be charged monthly contributions for their health care coverage. Contribution amounts vary based on income and family size and will not exceed 2 percent of household income. Some individuals may be exempt from contributions.

Exemptions, and any other changes to the contribution amount because of changes in income or other demographic information will be processed by the MI Health Account vendor prospectively.

When a beneficiary is no longer eligible for coverage under HMP, he may be entitled to the remainder of any unused contributions in the MI Health Account. These funds may only be used to purchase private health insurance coverage.

Cost-Sharing Reductions for HMP Beneficiaries

Beneficiaries may earn cost-sharing reductions to co-pays and contributions owed through the MI Health Account.

Offset of State Tax Refunds and Lottery Winnings

Beneficiaries who fail to meet HMP cost-sharing obligations may be subject to offsets of their state tax refunds and lottery winnings. Beneficiaries who meet the criteria established for offsets will be notified of the potential for an offset and of his rights to a review of the referral of his unpaid cost-sharing amounts.

Cost-Sharing Limits

The limit is based on income and applies to most types of health care coverage cost-sharing including HMP.

Beneficiaries in the same household cannot be charged more than 5 percent of the family's income each calendar quarter for cost-sharing. Updates to the cost-sharing limit occur prospectively as income and other changes are received. MDHHS monitors the cost-sharing limit and costs as they are incurred and processes changes each quarter. Beneficiaries are not required to keep track of these costs.

BAM 402

BAM 402 has been updated due to changes covered by the Healthy Kids dental program.

Reason: Updates to the state budget.

BAM 802

Reference to the form DCH-373, has been changed to DCH-1426.

BAM 810

A reference to the Buy-In program has been removed. The local office can submit a Medicare enrollment form to SSA on behalf of a deceased MDHHS Medicaid client.

BEM 105

Update the program flow chart to show new categories and remove obsolete categories.

Reason: Changes in Medicaid titles and categories.

BEM 124

BEM-124, Plan First! Family Planning Program, has been deleted.

Reason: Waiver ended June 30, 2016.

BEM 129 & 131

Add Foster Care Department Ward (FCDW) eligibility as a valid reason to break continuous eligibility.

Reason: Correct access to care issue.

BEM 137

Parents requesting health care coverage for themselves must provide proof that their children have credible coverage, even if not applying for the children.

Credible coverage is health insurance coverage under any of the following:

- Group health plan, individual or student health insurance.
- Medicare or Medicaid.
- TRICARE/CHAMPUS.
- CHIP(MIChild in Michigan).
- Federal Employees Health Benefit Program.
- Indian Health Service.
- Peace Corps.

- Public Health Plan (any plan established or maintained by a State, the U.S. government, or a foreign country).
- A state health insurance high risk pool.

Reason: Parent's eligibility is dependent on their child(ren) having health care coverage to comply with waiver.

BEM 165

Complete a Medicare Savings Programs (MSP) determination for the following clients if they are entitled to Medicare Part A:

- Medicare Savings Programs-only.
- Group 2 MA (FIP-related and SSI-related).
- Extended Care (BEM 164).
- Healthy Kids.

Note: The individual who is eligible for MA under any of these categories does not have to request a determination of MSP eligibility or re-apply for MA in order to be reviewed for MSP eligibility by the department.

Note: The Centers for Medicare and Medicaid Services (CMS) may ask MDHHS to review eligibility for, and in addition of, MSP coverage for a timeframe when there was no Medicare Cost Share approved. The central office Buy-In Unit at MSA will contact the field office to ask that a determination of the recipient's eligibility for MSP during that timeframe be completed and to update the case record to add the MSP coverage if the recipient is eligible.

BENDEX and SOLQ indicate whether a Medicare Part A premium is being charged. Even if the BENDEX or SOLQ only indicate there may be entitlement for part A, a determination of MSP eligibility should be completed.

Individuals who receive Medicare part A (free or with a premium) but do not show receipt of part B, may not show part B coverage in Bridges because they refused it.

Because it is advantageous for the state to enroll every person who is entitled to MSP into the program, a determination of eligibility should be made even if a person shows only entitlement for Medicare part A.

Adding language on Medicare part A and B entitlement and the Medicare Savings Program (MSP).

Reason: Encourage workers to request MSP for clients who may be eligible.

BEM 167, 174, 401 and 545

Policy was updated to provide clarification and to make minor grammatical changes.

Reason: Questions from field office staff indicate some policy is not sufficiently addressed.

BEM 173

Remove reference to DHS-45, DHS to DCH/MICchild/FTW Transmittal.

Reason: This form is no longer used to transmit information to BCCPTP coordinator.

BEM 222

Reference to AMP removed.

Reason: AMP is no longer a valid Medicaid category.

EFFECTIVE

October 1, 2016.

Subject(s)

1. Assigning provider to case.
2. Child Development and Care (CDC) closure reasons.
3. Standard of promptness for CDC opening.
4. Miscellaneous.

**1) Assigning
Provider to Case****BEM 702 Verification Prior to Assigning Provider to Case**

The DHS-4025, Child Development and Care (CDC) Provider Verification, is no longer required in order to open a CDC case. It is still required before a provider can be assigned to a case.

Reason: To allow for 30 days standard of promptness for case openings.

**2) CDC Closure
Reasons****BAM 220 CDC EDG Closure Reasons**

Closure reasons clarified and the DHS-4025 not returned was removed.

Reason: To allow for 30 days standard of promptness for case openings and policy clarification.

**3) Standards of
Promptness for
CDC Opening****BAM 115 Standards of Promptness**

The standard of promptness for opening a CDC case is now 30 days from the date of application.

Reason: To serve clients in a timely manner.

3) Miscellaneous**BAM 700 Multiple Overissuance Types**

Clarified that CDC is authorized by Michigan Department of Health and Human Services (MDHHS) and paid by Michigan Department of Education (MDE).

Reason: Policy clarification.

BAM 725

MDE has been added as an allowable party to pursue recoupment of overissuances.

Reason: To clarify policy due to administrative rules being rescinded.

BEM 708 Good Cause

Clarification of actions to take when a CDC case closes as a result of a client or adult group member disqualification.

Reason: Policy clarification.

EFFECTIVE

November 1, 2016.

Subject(s)

Flint Emergency Declaration CDC

BEM 709

Beginning November 11, 2016, children under age four and pregnant women who consumed water from the Flint water system **and** lived, worked or received childcare or education at an address that was serviced by the Flint water system at any time from April 25, 2014 through August 14, 2016 **and** currently reside in the Flint water system area may be eligible for Child Development and Care (CDC) assistance. For this special population there is no income test or need requirement. There is a simplified application, recommended shortened standard of promptness and specific exceptions around program requirements and authorizing the need/eligibility reason. This policy item identifies exceptions to the standard CDC process and is applicable to Genesee County only.

EFFECTIVE

November 1, 2016.

Subject(s)

1. FAP Work Registration

**1) Work
Registration**

BEM 230B

FAP

Policy is updated to reflect the work registration requirement for Able Bodied Adults Without Dependents (ABAWDs).

Reason: FNS requirement

EFFECTIVE

October 1, 2016.

Subject(s)

SER LIHEAP income limits effective 10/1/2016.

ERM-100, SER Quick Reference Charts and ERM-208, Budget Procedures

Family Size 150 percent of the federal poverty level/month

1 \$1485

2 \$2002

3 \$2520

4 \$3037

5 \$3555

6 \$4072

7 \$4591

8 \$5111

For each additional group member add \$520

EFFECTIVE

January 1, 2016.

Subject(s)

FOM 903-7, Temporary Breaks/Bed Hold Payments

This policy has been updated to remove the direction of entering temporary breaks into MiSACWIS. The ability to enter temporary breaks will no longer be available in MiSACWIS. Any temporary breaks already entered into MiSACWIS will still be available to view. The temporary break hyperlink will only appear on placements that already have a temporary break entered.

Policy now specifies which of the temporary breaks that are to be entered as new placements and how to request a bed hold payment on the new form MDHHS-5406, Bed Hold Payment Request, if applicable. There is no longer a requirement to enter home visits as temporary breaks, but they should be included in the child's visitation plan; see FOM 722-06I.

Reason: Streamlined the process, payments and entry into MiSACWIS.

FOM 901-7, Service Types and Living Arrangements

This policy was updated to separate hospitalization into medical and psychiatric hospitalization. Further clarification was added to the Parental Home and Legal Guardian service types.

Reason: To align with added living arrangement types in MiSACWIS. Further clarification of living arrangements.

EFFECTIVE

February 1, 2016.

Subject(s)

1. FOM 722-6K, Services for Families who are not U.S. Citizens.
2. FOM 722-17, Unaccompanied Refugee Minors (URM) Program.
3. FOM 914, Placement Resources: MDHHS Responsibilities.

1) FOM 722-6K

Services for Families who are not U.S. Citizens

This new policy item describes the process for identifying and verifying the citizenship of all foster children. For children not born in the United States, there are additional notification requirements that must occur. Children in the child welfare system, who are not U.S. citizens or lawful permanent residents, may be eligible for immigration and legalization services; for example, Special Immigrant Juvenile Status or URM reclassification, if certain conditions are met.

Reason: CSA Services for Undocumented Children Work Group recommendation.

2) FOM 722-17

Unaccompanied Refugee Minors (URM) Program

This new policy item provides information on the URM Program. The URM Program provides culturally appropriate foster care services to assist eligible minors to develop appropriate skills to enter adulthood, while achieving economic self-sufficiency and social adjustment. This policy applies only to unaccompanied refugee minor foster care cases assigned to one of the URM programs in Michigan.

Reason: Foster Care Program Office recommendation.

3) FOM 914

Placement Resources: MDHHS Responsibilities

Policy was updated to reflect the responsibilities of MDHHS when a case is assigned to a placement agency foster care (PAFC) provider.

Reason: County Directors Advisory Committee (CDAC)
subcommittee recommendations.

EFFECTIVE

May 1, 2016.

Subject(s)

FOM 801, Health Services for Foster Children.

FOM 801 is revised to include the following updated policy items:

- Health Requirements
 - Yearly medical exam time frame.
 - Foster children hospitalized at time of removal from own home and during the 30 day time frame for initial well child exams.
 - Out-of-state foster children placed in Michigan and exclusion from health care requirements.
 - Non-medical waiver for immunizations.
 - DHS-Pub-268, Guidelines for Foster Parents and Relative Caregivers for Health Care and Behavioral/Mental Health Services.
- Medical Passport requirements.
 - Signature page requirements.
 - Time frame for initial caregiver to receive Medical Passport.
- Birth control and contraceptives.
- Michigan Children's Institute (MCI) superintendent designee and consent signature.
- Exclusion of Serious Emotional Disturbance Waiver from routine medical care.
- Changes to the Child and Adolescent Health Centers programs.
- Financial assistance provided by the Family Support Subsidy Program.

Yearly medical exam time frame.

The yearly medical exams time frame is updated to clarify the due date time frame. While the medical exams are required yearly for foster children and youth ages 3 through 20 years in out-of-home placements, it may occur up to 14 months from the previous medical exam to accommodate physician scheduling and insurance coverage requirements.

Reason: Child Welfare Medical Unit policy clarification.

Foster children hospitalized at time of removal from own home and during the 30 day time frame for initial well child exams.

Children who are hospitalized during the 30 day time frame for the required initial medical exam are excluded from this requirement. Physicians cannot complete a well child examination for a hospitalized child. Hospital medical records are to be obtained to document the child's health conditions and treatment.

Reason: Child Welfare Medical Unit policy clarification.

Out-of-state foster children placed in Michigan and exclusion from health care requirements.

Out-of-state foster children placed in Michigan are not required to comply with the Michigan foster care health requirements. The caseworker from the child's home state provides the necessary medical, dental and mental health standards for guidance in the child's health care while placed in Michigan.

Reason: Children's Services Administration clarification.

Non-medical waiver for immunizations.

A new administrative rule requires parents/guardians who wish to waive or delay immunizations for their child (ren) to receive education from the local health department prior to obtaining the requisite certified waiver. Policy details the specific grades, programs and new school district status applicable to the new rule and requires that these children must have either an up to date immunization record or one of the two allowable waivers, medical or certified nonmedical waiver.

Included within the policy are the parental requirements for the non-medical waiver, along with the caseworker's role in assisting and obtaining the waiver.

Reason: Children's Services Administration Communication Issuance Memo.

DHS-Pub-268, Guidelines for Foster Parents and Relative Caregivers for Health Care and Behavioral/Mental Health Services.

Policy is updated to include the DHS-Pub-268, Guidelines for Foster Parents and Relative Caregivers for Health Care and Behavioral/Mental Health Services to be provided to all foster parents and relative caregivers. The DHS-Pub-268 provides all caregivers with the health requirements and time frames for foster care children and youth, along with information that the caregiver is to receive from the caseworker. The caseworker is to discuss/review the DHS-PUB-268 with the caregivers at the first home visit after the child's placement into the home.

Reason: Children's Services Administration Communication Issuance Memo.

Medical Passport requirements

Upon a child's initial entry into foster care, the caseworker must provide the caregiver with the child's medical passport within 2 weeks from the placement date. The date the caregiver receives the medical passport must be documented in MiSACWIS.

The medical passport policy is revised to include the requirement of the legal parent or guardian's signature of receipt of the child's medical passport, every quarter while in foster care and upon reunification.

Reason: Children's Services Administration directive and Child Welfare Medical Unit clarification.

Birth control and contraceptives.

There are no state statutes regarding birth control for minors and parental authorization or notification. The policy has been updated to include the federal statutes addressing a minor's right to contraceptives without consent from parent or guardian. Policy also addresses the differences between the health care provider discretion of parental notification between publicly-funded health care coverage vs. doctors accepting private health care.

Reason: 42 USC §300(a); 42 USC §1396d (a)(4)(C) and field request for guidance.

MCI superintendent designee and consent signature.

In the absence of the MCI superintendent, one of the MCI consultants within MDHHS may be designated as acting superintendent, and authorized to approve or deny consents.

Reason: MDHHS Director Authorization.

Exclusion of Serious Emotional Disturbance waiver from routine medical care.

The Serious Emotional Disturbance Waiver program is not considered routine medical care. Signature of legal parent or guardian is required for temporary court wards participating in the Serious Emotional Disturbance Waiver (SEDW) program. The child welfare medical unit manager is the signatory delegate for MCI wards.

Reason: SEDW requirement.

Child and Adolescent Health Centers.

The Child and Adolescent Health Center (CAHC) policy is updated to include the revisions to the service model delivery and program expansion information.

Reason: To align with the MDHHS Children and Healthy Families, Child and Adolescent Health Center Information.

Family Support Subsidy Program.

The Michigan Department of Health and Human Services provides a family support subsidy to families with severely disabled children. The subsidy is designed to keep disabled children with or return to their birth or adoptive families. Policy outlines the program eligibility and application process.

Reason: Children's Services Administration request.

EFFECTIVE

June 1, 2016.

Subject(s)

FOM 722-06H, Special Accommodations

The hyperlinks to the [MDHHS Equal Opportunity and Diversity](#) webpage and the [MDHHS Non-Discrimination in Service Delivery](#) document were repaired.

Emphasis was added to the existing requirement for caseworkers to review this policy item and the linked documents, which include detailed instructions for meeting the obligation of providing appropriate services, policies, practices, and procedures, for individuals in need of special accommodations.

EFFECTIVE

September 1, 2016.

Subject(s)

1. Sex Trafficking Victim Definition
2. Case Plan Team Members' Role
3. The DHS-3813, Request for Assistance/Voluntary Foster Care
4. Rights and Responsibilities for Children and Youth in Foster Care
5. Maltreatment in Care Complaints - Foster Care Responsibilities
6. Psychotropic Medication and Informed Consent.

**1. SEX
TRAFFICKING
VICTIM DEFINITION**

FOM 722-3A, Absent Without Legal Permission

This definition was amended to add “patronizing, or soliciting”.

Reason: Social Security Act, 42 U.S.C. 675, Sec. 475(9)

**2. CASE PLAN
TEAM MEMBERS'
ROLE**

FOM 722-3C, Older Youth: Preparation, Placement, and Discharge

FOM 722-6B, Family Team Meeting

For youth age 14+ choosing to have a case plan team member assist with developing his/her case plan, clarification was added to indicate that the team member may also advocate for the youth with respect to the application of the DHS-5307, Rights and Responsibilities of Children and Youth in Foster Care.

Reason: Social Security Act, 42 U.S.C. 675, Sec. 475(4)(B)(ii)

**3. DHS-3813,
REQUEST FOR
ASSISTANCE/VOLU
NTARY FOSTER
CARE**

FOM 722-3C, Older Youth: Preparation, Placement, and Discharge

The DHS-3813, Request for Assistance/Voluntary Foster Care, is no longer required for MCI wards who chose not to participate in Young Adult Voluntary Foster Care, but wish to remain in foster care and continue to receive payments until age 20.

Reason: Foster Care Program Office and Federal Compliance Division decision.

**4. RIGHTS AND
RESPONSIBILITIES
FOR CHILDREN AND
YOUTH IN FOSTER
CARE**

FOM 722-6J, Rights of Children in Foster Care

The DHS-5307, Rights and Responsibilities for Children and Youth in Foster Care, form number was corrected.

**5. MALTREATMENT
IN CARE**

FOM 722-13A, Maltreatment in Care Complaints - Foster Care Responsibilities

This is a new policy item that provides guidance to the supervising agency when allegations of abuse or neglect are made regarding any child under their care and supervision. This item details the supervising agency's role in verifying the child's safety when the complaint is transferred to another agency for investigation.

Reason: Dwayne B. v Snyder, et al. Implementation, Sustainability, and Exit Plan.

**6. PSYCHOTROPIC
MEDICATION AND
INFORMED
CONSENT****FOM 802-1, Psychotropic Medication in Foster Care**

This item clarifies the requirements, forms, procedures and documentation necessary for informed consent. This includes a new DHS-1643, changes to the types of medications that require documentation, allowance for the use of other informed consent forms with FC-PMOU permission, and the use of verbal consent.

Reason: Dwayne B. v Snyder, et al. Implementation, Sustainability, and Exit Plan, Program office clarification, and MiSACWIS implementation.

EFFECTIVE

January 1, 2016.

Subject(s)

1. ICM 150, Interstate Parole/Probation Procedures.
2. ICM 160, Interstate Runaway, Escapee and Absconder Procedures.
3. ICM 170, Interstate Compact for Juveniles Travel Permits.
4. ICM 180, Interstate Return of Juveniles to Face Criminal Charges (Rendition Amendment) (OBSOLETE).

Policy revision incorporates references to Interstate Compact for Juveniles rules and reorganizes policy along the three primary functions of the compact. ICM 180 is no longer applicable and will be deleted.

Reason: Policy clarification for ICJ rules of 2014.

Communication Plan: Powerpoint presentation: Introduction to the Interstate Compact for Juveniles

EFFECTIVE

September 1, 2016.

Subject(s)

JJ8 802-1, Psychotropic Medication

This is a brand new item that works in conjunction with FOM 802-1, Psychotropic Medication in Foster Care to provide guidance to juvenile justice specialists on the use of psychotropic medication for juvenile justice youth in out-of-home care and during reentry from residential placement. This item clarifies the requirements, forms, procedures and documentation necessary for informed consent and identifies juvenile justice-specific areas of practice.

Job Aids

MiSACWIS Job Aid: *Adding Medications to a Health Profile*
MiSACWIS CBT: Record a Health Profile

Reason: Program office clarification, MiSACWIS implementation and FOM 802-1 updates.

EFFECTIVE

September 1, 2016.

Subject(s)

JJ3 340, Psychotropic Medications

This item has been updated to provide clarification on the appropriate use of psychotropic medications and informed consent requirements, including medication exempt from informed consent requirements. Clarification is provided for processes and documentation of psychotropic medications and informed consent for youth placed in state run and private, contracted juvenile justice residential treatment facilities. Legal base and consent definitions have been updated. Urgent medical need has been defined, and guidelines for the use of verbal consent were added.

Timeframes, authority to consent, forms, documentation in MiSACWIS and the youth's residential record has been clarified and job aids are listed.

Job Aids

MiSACWIS Job Aid: Adding Medications to Health Profile
MiSACWIS CBT: Record a Health Profile

Reason: Program office clarification and MiSACWIS implementation.

EFFECTIVE

June 1, 2016.

Subject(s)**Indian Outreach Services (IOS) and Native American Affairs Glossary (NAG)**

- MDHHS updates.

Native American Affairs (NAA)

- Indian Child Welfare Act (ICWA)/Michigan Indian Family Preservation Act (MIFPA) Indian Ancestry Inquiry/Verification & Notice Requirements.
- Case Record; Timeframes for Response to Request for Records.
- Qualified Expert Witness (QEW).
- Withdrawal of Consent to Voluntary Foster Care Placement.
- MDHHS; Hyperlinks; Contact Information updates.
- Deletions: DHS-120d; JOLT; American Indian Alaska Native Ancestry Acknowledgement form and policy; and Michigan Indian Child Welfare Agency (MICWA).

Tribal Agreement Manual (TAM)

- Keweenaw Bay Indian Community Tribal Title IV-E Memorandum of Understanding (MOU).
- Sault Ste. Marie Tribe of Chippewa Indians After-hours Adult Protective Services (APS) Agreement.

EFFECTIVE

June 1, 2016.

Subject(s)

Items IOS-100, Indian Outreach Services - History, and IOS-110, Indian Outreach Worker, have been deleted.

Reason: Technical correction.

EFFECTIVE

May 1, 2016.

Subject(s)

1. Prevention.
2. Medical Exams.
3. Medical Resource System.
4. Conflicting Opinions.
5. Social Work Contact.
6. Monthly case Consultation.
7. Visit Requirements.
8. Family Team Meetings.
9. CPS Supportive Services.
10. Responsibilities and Functions.

1) PREVENTION**PSM 711-5, Prevention**

Definitions for Primary, Secondary and Tertiary Prevention.

Reason: Program Office Recommendation.

2) MEDICAL EXAMS**PSM 713-4, Medical Exams**

A worker must contact the medical practitioner or other medical personnel who would have knowledge of the exam and ask him/her to interpret the findings to ensure a proper understanding as soon as possible following the exam.

Reason: Program Office Recommendation.

**3) MEDICAL
RESOURCE SYSTEM
(MRS)****PSM 713-4, Medical Resource System**

MDHHS maintains a contract with medical providers through the Medical Resource System (MRS). This contract provides a 24-hour, seven day/week statewide hotline for medical providers, MDHHS workers and law enforcement seeking medical information on cases involving CA/N.

To access this statewide hotline, counties must call (616) 391-1242, or can email ccptriage@spectrumhealth.org during usual business hours. After hours workers can page the triage team by

dialing 616-479-5858. After you dial this number you will only hear a beep, and after that beep must enter a return telephone number (area code included), followed by the # sign.

Reason: Contract Change.

4) CONFLICTING OPINIONS

PSM 713-4, Conflicting Opinions

When cases appear to have conflicting medical opinions, caseworkers may consult with a pediatric specialist, or a physician with experience in assessing child abuse/neglect identified in their region. The Medical Resource System contract may also be utilized, where available.

Reason: Program Office Recommendation.

5) SOCIAL WORK CONTACT

PSM 713-10, Social Work Contacts

MiSACWIS is the official record of a case. Any notes taken by a caseworker of statements made by the child, respondent(s), or other witnesses must be accurately and comprehensively entered into MiSACWIS. Once these notes are entered into MiSACWIS, the hard copies need not and should not be maintained.

Reason: Program Office Recommendation.

6) MONTHLY CASE CONSULTATION

PSM 713-1, PSM 714-1, Monthly case consultation

The CPS worker must meet with his/her supervisor at least monthly for case consultation for every case. To record in MiSACWIS that the conference occurred, select Supervision in the contact type and in the narrative only document that the conference occurred.

Reason: Program Office Recommendation.

7) VISIT REQUIREMENTS

PSM 714-1, Visit Requirements

In order to ensure child-centered safety planning, a face-to-face contact must be made by the CPS worker with the primary caregiver, from each participating household, every 30 days following the date of disposition. The visit and discussion must include child-centered safety planning, addressing the child's needs, continued services and case goals.

Attempts to have at least quarterly contact with the identified perpetrator should occur in order to address child safety concerns and assess service provision.

Reason: Program Office Recommendation.

8) FAMILY TEAM MEETINGS

PSM 714-1, Family Team Meetings

A Link has been added to PSM 714-1. [See FOM 722-06B for information about Family Team Meetings.](#)

Reason: Program Office Recommendation.

9) CPS SUPPORTIVE SERVICES

PSM 714-2, CPS Supportive Services

Updates have been made to CPS Supportive Services specific to State Emergency Relief and the Family Reunification Account.

Reason: Program Office Recommendation.

10) RESPONSIBILITIES AND FUNCTIONS

PSM 714-4, PSM 715-4, Responsibilities and Functions

The CPS worker must transfer case responsibilities by completing the transfer in MiSACWIS, within five working days of placement. Prompt completion of the transfer is essential to allow foster care time to develop case plans which must be submitted to the court within 30 calendar days of a child's removal.

When the transfer is complete, CPS is no longer responsible for provision of services to the child and family. The CPS case must be closed in MiSACWIS once the case is successfully transferred to the Foster Care worker.

CPS would still be required to testify at necessary hearings and submit amended petitions when required.

Reason: Program Office Recommendation.

EFFECTIVE

June 1, 2016.

Subject(s)

1. Temporary Voluntary Arrangements.
2. Relative Placement.

**1) TEMPORARY
VOLUNTARY
ARRANGEMENTS****PSM 713-1, PSM 715-2, Temporary Voluntary Agreements**

When CPS identifies safety concerns which do not rise to the level of court involvement, the DHHS-5433, Voluntary Safety Arrangement, can be utilized. The DHHS-5433 documents a voluntary arrangement between the caregiver(s) and an individual who agrees to care for the child(ren) until identified safety issues can be resolved.

Reason: Program Office Recommendation.

**2) RELATIVE
PLACEMENT****PSM 715-2, Relative Placement**

A link to FOM 722-3B, has been added to this section for all information and requirements to search and evaluate placement with a relative.

Reason: Program Office Recommendation.

EFFECTIVE

July 1, 2016.

Subject(s)

1. Abbreviated Investigations.

**1) ABBREVIATED
INVESTIGATIONS****PSM 713-1, 713-10, Abbreviated Investigations**

Although investigation checklists are not required in abbreviated investigations, **these cases cannot be closed until the local office director has reviewed the investigation.** Supervisors must route all abbreviated investigations to the local office director in MiSACWIS for review of every abbreviated investigation.

Reason: MCL 722.628e(4)

EFFECTIVE

August 1, 2016.

Subject(s)

Protect MiFamily

This bulletin replaces PSB 2015-008.

This bulletin updates the FEW mailbox address and clarifies effective ways to support families and encourage their participation in Protect MiFamily and removed the direction to distribute the Westat Study Information Sheet as that sheet is no longer necessary.

FEW 100**Project Description**

Protect MiFamily is Michigan's federally approved title IV-E waiver child welfare demonstration project. The project is expected to run for five years, beginning August 1, 2013 and will serve approximately 300 families per year in select counties by providing direct engagement and community services. The goals are to reduce the risk of future maltreatment, preserve the family unit while preventing out of home placement, increase safety, build parental strengths and capacity and improve child well-being.

FEW 110**Target Population Defined**

The local Michigan Department of Health and Human Services (MDHHS) office will adhere to the following policy for determining waiver program eligibility.

Eligibility must be determined and random assignment performed on each family that meets the outlined criteria.

MDHHS shall not perform random assignment or designate any family to the waiver project that does not meet the following criteria. Questions about family eligibility should be directed to central office waiver staff at MDHHS-FEW@michigan.gov

FEW 120**Eligibility Qualification**

Each of the following circumstances must exist for families to be determined eligible for the waiver experimental or control group:

- A Child Protective Services (CPS) investigation resulted in a Category II complaint disposition or a Category IV complaint disposition with high or intensive risk level as determined by the DHS Structured Decision Making (SDM) Risk Assessment tool.
- At least one household child is 0 through 5 years of age.
- The family resides in a geographical area designated as a waiver demonstration site: Macomb, Muskegon, or Kalamazoo County.

FEW 130**Eligibility Disqualification**

MDHHS shall not perform Random Assignment or designate a family to the waiver project when any of the following circumstances exists:

- The child(ren) would be living in the same household with a parent or other adult who has been convicted of criminal sexual conduct against a child(ren).
- The child(ren) would be living in the same household with a parent or other adult who has been substantiated by CPS for sexual abuse against a child(ren).

Note: If the above circumstances were not present at the time of random assignment, but subsequently occur (such as a perpetrator has moved in with the family after waiver services commence), central office waiver staff should be consulted.

- The case was investigated by the Maltreatment in Care (MIC) unit due to the perpetrator(s) being a licensed foster care provider or employee of a child caring institution.
- The case was previously randomized and selected as control experimental.

- CPS cases that are deemed or marked confidential.

FEW 140

Family Moves

If a family randomly assigned to the waiver experimental group subsequently moves less than 10 miles beyond Macomb, Muskegon, or Kalamazoo County, the waiver contractor must continue to provide waiver services to the family.

If a family moves more than 10 miles beyond Macomb, Muskegon, or Kalamazoo County, either of the following actions may be taken:

- The waiver private agency will close the case and notify CPS immediately if the case remains open to CPS.
- The waiver private agency will continue to provide waiver services to the family if prior approval was obtained from central office waiver staff.

FEW 150

Unusual Circumstances

The following guidelines govern cases in which random assignment was performed, the family was designated to the experimental group, and subsequently, a petition for court jurisdiction was filed prior to 15-month waiver case closure. As a general rule, the waiver private agency will continue to service the family so long as children remain in the home and foster care has not assumed full family responsibility.

- Court declines to take jurisdiction, child(ren) remains in the household.
Waiver experimental case remains open and the family continues to receive waiver services provided by the waiver private agency.
- Court takes jurisdiction, but at least one child remains in the household.
If CPS retains case responsibility, the waiver experimental case remains open and the family continues to receive waiver services provided by the waiver private agency. If foster care assumes responsibility for servicing the case, the waiver private agency will close its case.

Exception: Exceptions may be granted. Please contact central office waiver staff at MDHHS-FEW@michigan.gov

- The court orders the return of one or more household child(ren) within 21 days of the filing of the court petition.
- If CPS retains case responsibility, the waiver experimental case remains open and the family continues to receive waiver services provided by the waiver private agency.

After the children are removed, the waiver agency should maintain an open case, but pend service provision to the family. If the child(ren) is returned within 21 days, waiver service intervention by the waiver private agency will resume. If the children are not returned within 21 days or if foster care assumes responsibility for servicing the case, the waiver private agency will close its case.

Exception: Exceptions may be granted. Please contact central office waiver staff at MDHHS-FEW@michigan.gov

- Court ordered out-of-home placement of the child(ren) exceeds 21 days from the filing of the court petition.
Waiver experimental case is closed by the waiver private agency.

Note: Unless mitigated by the following FEW policies and guidelines, all CPS policies as outlined in Protective Service Manual (PSM) remain effective and must be followed, when applicable.

FEW 200

Waiver Experimental (X) Group

Designated child welfare program managers and supervisors in each demonstration site will perform random assignment to determine which families from the eligible target population will be referred to the waiver experimental (X) group. Families randomly assigned to the experimental (X) group will receive waiver services and supports for 15 months. The waiver private agency under contract with MDHHS is responsible for direct engagement and intervention with the family, case management, and collaboration with CPS and community service providers.

FEW 205**Referral to Waiver Private Agency**

Upon identification of a case's selection to the waiver experimental (X) group via the randomizer, the CPS specialist will complete the following within six business days:

- Notify the family of their selection to participate in the Protect MiFamily program.
- Complete the DHS-892-FEW, Referral and Designation Form.
- Send the DHS-892-FEW to the private agency using the established protocol.
- Schedule a joint home visit with the assigned waiver worker and the family.

Note: The joint home visit must be completed within 24 hours of the DHS-892-FEW being sent to the private agency. If the 24 hour timeline will not be met, due to unforeseen circumstances, an exception may be requested by the caseworkers and approved at a case conference between the waiver and CPS supervisors.

The DHS-154 shall be electronically sent to the waiver private agency within 48 hours of approval by the CPS supervisor unless the waiver worker is able to view the DHS-154 on MiSACWIS. If the DHS-154 is accessible to the waiver worker via MiSACWIS the CPS worker is not required to send an electronic copy. When it is necessary to send an electronic copy, CPS must follow SRM-131 and make the necessary redactions, including reference to the CPS reporting source, on the DHS-154 report before sending it to the waiver private agency.

Private agency staff members have access to and may review the following documents and or information via MiSACWIS:

- CPS Safety Assessment/re-assessments.
- CPS Risk Assessment/re-assessments.
- FANS and CANS, if applicable.
- Court orders, if applicable.
- Subsequent referrals and/or investigations.
- CPS required Family Team Meeting (FTM) documentation.

If the private agency is not able to access the above listed documents through MiSACWIS, the CPS specialist must send them electronically upon request.

The CPS specialist must notify the waiver private agency of immediate threats to child safety and any known threats to worker/provider safety.

FEW 210

Family Notification and Engagement

For families assigned to the experimental (X) group, CPS must make the referral to the private agency and participate in a home visit within 6 business days following random assignment, unless an exception is granted. The home visit shall include the CPS specialist, the assigned waiver worker, and the family. The purpose of the home visit shall be to communicate and explain the referral to the waiver project and to introduce the waiver worker to the family and to provide the following information:

- A description of the waiver services and supports that will be provided.
- An explanation of how participation will benefit the family and potential consequences of nonparticipation.

The assigned waiver worker is required to conduct a Family Team Meeting (FTM) between 21 and 45 days of receiving the referral. For all open Category II cases, the assigned CPS specialist must attend this FTM. If the CPS specialist holds a FTM after making the referral to the waiver private agency he/she may invite the waiver worker to attend and participate as appropriate.

Families assigned to the waiver who have an open Category II CPS case should be informed that participation is necessary to reduce risk and ensure child safety. It should further be emphasized that successful participation and progress will likely result in Families assigned to the waiver who have an open Category II CPS case should be informed that participation is necessary to reduce risk and ensure child safety. It should further be emphasized that successful participation and progress will likely result in effective ways to support families in their parenting role by building on their natural strengths and identifying coping strategies and community resources that can assist them long after the CPS case is closed (once risk is reduced).

Families referred to the waiver project whose CPS case will be closed (Category IV) should be informed that the risk of future maltreatment is high and that participation in waiver services has the potential to greatly benefit the family and may reduce the likelihood of future contact with CPS.

FEW 220**Communication and Information Sharing****Open CPS cases**

Consistent with policy outlined in the PSM, CPS will have ongoing case oversight responsibility for open Category II cases assigned to the waiver. As long as the CPS case remains open, CPS will maintain communication with the waiver private agency, share pertinent information, participate in team meetings, and receive updated reports and information.

CPS will notify waiver central office staff as soon as possible when a court petition has been filed involving a family assigned to the waiver.

Closed CPS cases

Consistent with CPS policy, after risk is reduced, CPS may decide to close a Category II case, even though the family's participation in the waiver continues. After the Category II CPS case is closed, and in all Category IV cases referred to the waiver, CPS is not required to maintain communication, oversight or information sharing with the waiver private agency. Likewise, in closed CPS cases, the waiver private agency is not required to maintain communication with CPS or provide updates or reports. If the CPS case is closed, the waiver private agency must file waiver reports in the family's waiver file and retain the file at the waiver private agency.

FEW 225**Contact Standards for Open CPS Cases**

For Category II cases assigned to the waiver experimental (X) group, face-to-face (F2F) contacts with the client by the waiver private agency may be counted as a F2F contact to replace a CPS specialist's contact, in the same way as outlined in PSM 714-1 for Families First and Families Together Building Solutions. To be clear, the CPS specialist must still maintain a minimum of one face

to face contact with the family per month, which must include contact with the child victim(s.) Minimum contact standards to be completed by the waiver private agency are:

Phase 1	Phase 2	Phase 3
Engagement & Case Planning	Engagement & Collaborative Monitoring	Support & Reduced Engagement
Verbal communication with the family within 24 hours of referral.	One F2F with the family every 7 days.	Monthly F2F contact with the family.
F2F within 24 hours of referral.	Verify the safety of each child at least 1 time every 7 days.	Collateral contacts as needed.
2 F2F contacts with the family every 7 days.	Frequent and regular collateral contacts are expected.	
Verify safety of each child at least 1 time per week.	Consistent communication with CPS specialist for open CPS cases.	
Several collateral contacts per week.		
Consistent communication with CPS specialist for open CPS cases.		
<p>Note: The family may only advance to Phase 3 after the score on the CPS Risk Re-Assessment has reduced to low or moderate.</p>		

FEW 230

Service Agreement/Case Plan

The waiver private agency will complete a DHS-1091-FEW, Waiver Case Plan, within 45 days of referral of the family to the experimental group. In situations in which there is an open Category II case, the waiver private agency will forward a copy of the completed case plan to the CPS specialist. This case plan fulfills the CPS requirement for completing a services agreement (a separate CPS services agreement is not required).

FEW 235

Post-Investigative Services

For families referred to the waiver experimental (X) group, post-investigative services, including goal identification, resource identification, etc. will be completed by the waiver private agency.

FEW 240**Family Team Meeting**

Families referred to the waiver experimental (X) group will participate in family team meetings convened and facilitated by the waiver private agency. In all waiver cases, the waiver private agency will convene a family team meeting between 21-45 days after the family was referred to the waiver.

A family team meeting may be convened at other times during waiver intervention and is required when there is a proposal to advance the family from waiver phase 2 to phase 3 and at 15-month case closure. The waiver private agency must provide CPS no less than seven days-notice to attend each family team meeting held concerning an open Category II case. When not feasible to provide 7 days-notice, the waiver private agency will notify CPS as early as possible.

After a case has been referred to the waiver experimental group and so long as the family maintains participation in the waiver, CPS is not required to convene separate family team meetings. However, CPS is not precluded from convening such meetings, if CPS determines it is necessary, including situations identified in PSM 715-2 (emergency removal or considered removal). If CPS convenes a family team meeting (also known as PPC, MiTeam, FTM), CPS must notify and seek participation of the waiver private agency, whenever feasible.

FEW 245**CPS Updated Service Plans**

DHS-1239-FEW, Waiver Progress Reports, DHS-152, CPS USPs. Completion of waiver progress reports by the waiver private agency follows the same timetable as CPS USPs. The initial waiver progress report will be completed 60 days after the family is referred to the waiver, and every 90 days thereafter. In all cases in which there is an open Category II case, the waiver private agency will forward a copy of the completed Waiver Progress Report to the CPS specialist.

FEW 250**Problem Resolution**

When local MDHHS staff identifies a problem with decision-making or actions taken by the contracted waiver private agency, the following steps may be taken towards resolution.

- Meet with the waiver private agency supervisor, program manager, or agency administration.
- Inform MDHHS waiver central office staff of the issue and its resolution at MDHHS-FEW@michigan.gov

Note: In no way does FEW policy prevent or limit CPS from taking whatever steps it determines necessary to investigate suspected abuse or neglect, address safety concerns, and/or take action to protect a child being serviced in the waiver.

FEW 300**Waiver Control (C) Group**

Designated child welfare program managers and supervisors in each demonstration site will perform random assignment to determine which families from the eligible target population will be referred to the waiver control (C) group. Families randomly assigned to the control (C) group will receive services as usual and will not be referred to the waiver private agency. CPS will be responsible for tracking and reporting expenditures related to services and interventions applied to control (C) group families using the DHS-1229-FEW, Control Group Expenditure Data Collection.

Note: Waiver private agency staff, including supervisors and workers, may not be assigned or have responsibility for servicing families in the control group **and** families in the experimental groups. To achieve required separation, agency staff personnel assigned to the waiver may not also be responsible for or provide services to families referred to the agency for Families First, FTBS, Wraparound, or other family prevention/preservation service.

FEW 320**Tracking and Reporting Expenditures**

For financial and accounting purposes as well as for the cost-analysis portion of the waiver evaluation, DHS must track services and expenditures applied to families in the control (C) group. This includes MDHHS and non-MDHHS services and expenditures. The DHS-1229-FEW, Control Group Expenditure Data Collection, must be completed and forwarded to the waiver central office staff on a monthly basis. Send to MDHHS-FEW@michigan.gov

EFFECTIVE

October 1, 2016.

Subject(s)

1. Extenuating Circumstances.
2. DHS-152, Updated Services Plan (USP).
3. Child Hospitalization.
4. Medical Needs of Children in Foster Care.

**1) EXTENUATING
CIRCUMSTANCES**

PSM 713-9, Extenuating Circumstances

In some situations, completing an investigation may require an extension of the 30-day standard of promptness (SOP). To allow for extenuating circumstances, supervisors may approve an extension. A face-to-face contact with each alleged child victim(s) and a safety assessment must be completed prior to requesting an extension. Submit the request for supervisory approval of an extension of the SOP by completing the extension request prior to the end of the initial 30-day period. The request must document the reasons for the extension. **Extensions are not to be approved solely for the purpose of meeting the SOP.** Supervisory approval can only occur for the following circumstances:

- Arranging travel and coordinating interview schedules with the alleged victims who do not reside in the county or are not available for immediate interviews.
- Obtaining a second medical opinion to verify an injury was not accidental or related to an existing medical condition.
- Coordinating interviews of sexual abuse victims with law enforcement.

Regardless of the approval of the extension request, face-to-face contact **must** be made every 30 days from the date of the complaint with each alleged child victim(s). For all CPS cases involving a child 12-months of age or younger living in the home, CPS must observe the infant's sleep environment and record the observation in their social work contacts.

Reason: Implementation, Sustainability and Exit Plan (ISEP) commitment.

**2) DHS-152,
UPDATED SERVICES
PLAN (USP)****PSM 714-4, DHS-152, Updated Services Plan (USP)**

The first USP must be completed within 60 days after the date the investigation was submitted for supervisory approval (or in the event of an overdue report or where an extension was granted, 90 days from the original complaint date). Additional USPs are due every 90 days thereafter or more frequently, if necessary. When a case is transferred to on-going Protective Services a risk-reassessment cannot be completed by the new worker until contact has been made with the family.

Reason: Program Office Recommendation.

**3) CHILD
HOSPITALIZATION****PSM 715-2, Child Hospitalization**

In the absence of a court order, CPS must not request that a hospital detain the child in temporary protective custody.

Reason: Program Office Recommendation.

**4) MEDICAL NEEDS
OF CHILDREN IN
FOSTER CARE****PSM 715-2, Medical Needs of children in foster care**

A child's health status must be assessed and medical needs must be identified and documented prior to the child's placement into foster care. CPS must make every effort to obtain this medical information, including names of medical provider(s), the date of the child's last medical visit, current medications, and current mental health status **before** the removal of a child. This information must be provided to the foster care worker and the foster placement. CPS should contact their designated Health Liaison Officer (HLO) before the removal occurs. CPS must contact the HLO within 24 hours of the child's removal and provide the name and contact information for the foster care home or relative caregiver and any know medical information for the child. CPS must also provide the placement with a completed DHS-3762, Medical Authorization Card and the DHS-Pub 268, Guidelines for Foster Parents and Relatives Caregivers for Health Care and Behavioral/Mental Health Services.

Reason: Implementation, Sustainability and Exit Plan (ISEP) commitment.

EFFECTIVE

October 1, 2016.

Subject(s)

The following items are being obsoleted from the Children's Protective Services policy manual:

- PSM-300, Preventive Services for Families (PSF) Program Overview.
- PSM-301, Four States in Preventive Services.
- PSM-302, PSF - Registration, Assessment, Case Opening.
- PSM-303, PSF - Resources.
- PSM-304, PSF - Documentation, Evaluation, Closure and Transfer.
- PSM-305, PSF - Community Collaboration.

Reason: Prevention policy is found in the following items.:

- PSM-711-5, Department Responsibilities and Operational Definitions.
- PSM-714-1, Post-Investigative Services.
- PSM-714-4, CPS Updated Services Plan and Case Closure.

EFFECTIVE

December 1, 2016.

Subject(s)

1. Amendment and Expunction.
2. Administrative Hearing Procedures.
3. DHS-1200, DHS-847.

1) Amendment and Expunction

PSM 717-2, Amendment and Expunction

This section has been updated to provide new guidance for MDHHS when a petitioner requests amendment or expunction from central registry.

2) Administrative Hearing Procedure

PSM 717-3, Administrative Hearing Procedure

This section has been updated to provide new guidance for MDHHS when a petitioner requests amendment or expunction from central registry.

3) DHS-1200, DHS-847

DHS-1200, Child Abuse/Neglect Central Registry Expunction Action, and the DHS-847, Notice of Placement on the Central Registry

These forms have been updated and **will not be available in MiSACWIS until December 17, 2016. In the Interim CPS must complete the updated forms in the MDHHS Forms Library until they are available in MiSACWIS.**

Reason: Program Office Recommendation.

EFFECTIVE

December 1, 2016.

Subject(s)

MAHS Contact / ALJ Protocol Update

Michigan Administrative Hearing System (MAHS)
Benefit Services Division
P.O. Box 30763
Lansing, MI 48909
Tel. (517) 373-0722
Fax: (517) 763-0146

The Pub-265, Administrative Law Judge Protocol, is obsolete as of 12/1/2016.



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

IV-D MEMORANDUM 2016-001

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: January 4, 2016

SUBJECT: Michigan's Adoption of the Uniform Interstate Family Support Act (UIFSA) 2008

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces changes to intergovernmental case processing due to the passage of UIFSA 2008, as required by the [Preventing Sex Trafficking and Strengthening Families Act](#) (Public Law 113-183). Michigan's UIFSA 2008¹ is a comprehensive revision to UIFSA 1996. It provides the framework for intergovernmental paternity and support establishment, and enforcement and modification of child support obligations.

The 2008 updates² to UIFSA address many concerns related to UIFSA 1996. UIFSA 2008 provides clarifying language, and incorporates the necessary provisions of the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (Hague Convention). UIFSA 2008 applies to any case where the child resides in a different state, country or tribal nation than the non-custodial parent (NCP), and long-arm jurisdiction or direct enforcement actions are not possible. Additionally, it applies to cases where income and/or assets are located in another state, country or tribal nation. Updates to Michigan's UIFSA statute were passed on December 16, 2015, and UIFSA 2008 replaces UIFSA 1996.

¹ Public Act 255 of 2015

² The 2008 updates to UIFSA are referred to UIFSA 2008 in this IV-D Memorandum.

After OCS completes its analysis of UIFSA 2008 along with the upcoming revised federal intergovernmental forms, OCS will update the *Michigan IV-D Child Support Manual*. The federal Office of Child Support Enforcement (OCSE) is updating and developing federal intergovernmental forms to assist in processing cases under UIFSA 2008. OCSE anticipates that these forms will be available in early 2016.

DISCUSSION:

Table of Contents

A. Background..... 3

B. Provisions of UIFSA 2008 4

1. Article 1, “General Provisions,” Sections 101-105..... 4

2. Article 2, “Jurisdiction,” Sections 201-211 5

 a. Section 201 – Jurisdiction over Nonresidents – Consent 5

 b. Section 202 – Duration of Personal Jurisdiction..... 5

 c. Section 205 – Continuing, Exclusive Jurisdiction (CEJ) – Changes to Modification Jurisdiction 5

 d. Section 207 – Determination of Controlling Order (DCO) Process..... 6

3. Article 3, “Civil Provisions of General Application,” Sections 301-319..... 7

 a. Section 304 – Duties of the Initiating State..... 7

 b. Section 307 – Duties of the Support Enforcement Agency..... 7

 c. Section 311 – Pleadings and Accompanying Documents 7

 d. Section 312 – Revisions to Nondisclosure of Information 8

 e. Section 316 – Special Rules of Evidence and Procedure 8

 f. Section 319 – Receipt and Disbursement of Payments – Redirection of Payments 9

4. Article 4, “Establishment of Support or Determination of Parentage,” Sections 401-402 10

 a. Section 401 – Petition to Establish Support Order – Changes to Temporary Support Orders..... 10

5. Article 5, “Enforcement of Support Order Without Registration,” Sections 501-507 10

 a. Section 501 – Employer’s Receipt of Income Withholding Order of Another State..... 10

 b. Section 502 – Employer’s Compliance With Income Withholding Order of Another State 11

 c. Section 504 – Immunity From Civil Liability..... 11

 d. Section 506 – Contest by Obligor..... 11

e. Section 507 – Administrative Enforcement of Orders.....	11
6. Article 6, “Registration, Enforcement, and Modification of Support Order,” Sections 601-616.....	12
a. Section 615 – Jurisdiction to Modify Child Support Order of a Foreign Country.....	12
b. Section 616 – Procedure to Register Child Support Order of Foreign Country for Modification.....	13
7. Article 7, “Support Proceeding Under Convention,” Sections 707-713.....	13
a. Section 701 – Definitions, Section 702 – Applicability, Section 703 – Relationship of Office of Child Support to United States Central Authority.....	13
b. Section 704 – Initiation by Office of Child Support of Support Proceeding Under Convention.....	13
c. Section 705 – Direct Request.....	14
d. Section 706 – Registration of Convention Support Order.....	14
e. Section 707 – Contest of Registered Convention Support Order.....	15
f. Section 708 – Recognition and Enforcement of Registered Convention Support Order.....	15
g. Section 709 – Partial Enforcement.....	16
h. Section 711 – Modification of Convention Child Support Order.....	16
i. Section 712 – Personal Information, Limit on Use.....	16
j. Section 713 – Record Original Language, English Translation.....	16
8. Article 8, “Interstate Rendition,” Sections 801-802.....	16
9. Article 9, “Miscellaneous Provisions,” Sections 901-905.....	16
C. Additional Resources.....	17

A. Background

UIFSA in Michigan originally became effective on June 1, 1997. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) required all states to adopt UIFSA 1996 by January 1, 1998.³ The Uniform Law Commission⁴ developed and approved UIFSA 2001, which included amendments that addressed concerns in UIFSA 1996. However, Michigan chose not to adopt UIFSA 2001 since it was not federally mandated at that time.

The Uniform Law Commission later developed and approved UIFSA 2008,⁵ which incorporates the provisions of UIFSA 2001. UIFSA 2008 also integrates the

³ Michigan had a statewide comprehensive training on UIFSA 1996 for IV-D staff.

⁴ The Uniform Law Commission is also known as the National Conference of Commissioners of Uniform State Laws.

⁵ Ref: The [Uniform Law Commission](#) website for more information on the drafting of UIFSA 2008.

appropriate provisions of The Hague Convention, which was adopted at the Hague Conference on Private International Law (Hague Conference) on November 23, 2007.

In September 2014, President Obama signed Public Law 113-183, which amended section 466(f) of the Social Security Act. It required all states to pass and implement UIFSA 2008 by January 1, 2016.

B. Provisions of UIFSA 2008

Similar to UIFSA 1996, UIFSA 2008 is organized into nine articles of law, which are listed below. Each article has multiple sections. Under each article, sections with changes due to UIFSA 2008 are discussed. Changes in statute from UIFSA 1996 to UIFSA 2008 are noted for IV-D staff who process intergovernmental cases.⁶ Sections that are unchanged from UIFSA 1996 to UIFSA 2008 are not discussed in this IV-D Memorandum.

1. Article 1, "General Provisions," Sections 101-105

There are no major changes to intergovernmental case processing in Article 1 of UIFSA 2008. However, Article 1 includes changes to definitions (Section 102), as well as a statement that the IV-D agency is the child support enforcement agency of every state (Section 103) and that Michigan courts must apply certain articles of UIFSA to court proceedings involving foreign support orders and residents of foreign countries (Section 105). Additionally, Section 104 has been expanded to state that:

- Remedies under UIFSA do not affect the recognition of a foreign support order;
- UIFSA does not provide an exclusive method of establishing or enforcing a support order under the laws of this state; and
- UIFSA does not grant a tribunal⁷ of this state the jurisdiction to render a judgment or issue an order relating to child custody or visitation in a proceeding under UIFSA.

Under Section 102, definitions of the following terms have been added or changed:

- Convention;
- Foreign country;
- Foreign support order;
- Foreign tribunal;

⁶ Because UIFSA 2008 incorporates the changes made to UIFSA 2001, the changes explained in this memorandum may have been provisions originally included in UIFSA 2001.

⁷ UIFSA 2008 uses the term "tribunal," which in Michigan is the circuit court.

- Home state;
- Initiating tribunal;
- Issuing foreign country;
- Issuing tribunal;
- Outside the state;
- Record;
- Register;
- Responding state;
- State; and
- Support order.

The mi-support glossary has been updated to include the new and modified definitions.

2. Article 2, “Jurisdiction,” Sections 201-211

a. Section 201 – Jurisdiction over Nonresidents – Consent

UIFSA 2008 allows a person to consent to jurisdiction in writing (such as by way of a letter) to a IV-D agency, even if no one lives there. UIFSA 2008 does not change the ability for an individual to consent to jurisdiction by entering a general appearance, or filing a responsive document that waives any contest.

b. Section 202 – Duration of Personal Jurisdiction

Personal jurisdiction refers to a tribunal’s jurisdiction over the individuals who are parties to the child support order. UIFSA 2008 states that personal jurisdiction continues as long as the state has Continuing, Exclusive Jurisdiction (CEJ) to modify or enforce its order. CEJ is discussed in Section 205 below.

c. Section 205 – Continuing, Exclusive Jurisdiction (CEJ) – Changes to Modification Jurisdiction

As long as the obligor, the obligee,⁸ or the child lives in the state that issued the controlling order, that state retains CEJ. UIFSA 2008 clarifies that the residence of the parties at the time of the filing of the modification request governs whether a tribunal has CEJ. UIFSA also allows for the parties to consent to the issuing tribunal to retain CEJ and modify the child support order, even if the parties or the child no longer lives in that jurisdiction. In this situation, parties may consent in writing or by stating in open court that they consent to the issuing tribunal retaining CEJ. UIFSA 2008 also makes it clear that long-arm jurisdiction may not be used to gain CEJ.

⁸ UIFSA 2008 uses the term “obligee,” which refers to a payee of child support.

The law of the issuing state governs the duration of support and whether it is a non-modifiable term. UIFSA 2008 clarifies that it is the initially determined controlling order that locks in the duration of support. Once the support obligation has ended under the initial controlling order, a new order may not be established. Therefore, if the controlling order provides for support until the child reaches 18, the obligation will end at age 18 – another tribunal cannot enter an order providing for post-majority support under its own law. Only the issuing state with the controlling order may modify the duration of support.

d. Section 207 – Determination of Controlling Order (DCO) Process

UIFSA 2008 allows for only one child support order to be effective for the parties and the child, regardless of where they may live. If there is already more than one order for child support, a determination of controlling order (DCO) must be made. This remains unchanged from UIFSA 1996; however, UIFSA 2008 requires that to make a DCO, the tribunal must have personal jurisdiction over the parties, and the IV-D agency must have sent the parties a notice of the DCO proceeding.

UIFSA 1996 allowed only a **party** to request a DCO, while UIFSA 2008 allows either party or the **IV-D agency** to request a DCO. UIFSA 2008 further clarifies that a DCO may be made in any of three situations:

- 1) With a registration for enforcement;
- 2) With a registration for modification; or
- 3) As a separate proceeding.

In a DCO proceeding in which two or more orders are alleged to be in effect, the request for DCO must identify the order believed to be the controlling order, as well as the amount of consolidated arrears under the orders. The requesting party or agency must notify the non-requesting party of the DCO.⁹ The requesting party must also notify the other party that the order alleged to be the controlling order will be determined to be the controlling order unless the non-requesting party contests within the proper timeframe.

UIFSA 2008 also specifies the findings that a tribunal must make in its DCO. The findings must include the basis upon which the tribunal made the determination, the amount of support, and the total amount of arrearages, including any interest or surcharge, if applicable.

UIFSA 1996 did not require a determination of arrears in the context of a DCO because it only required an arrears determination in registration proceedings. However, UIFSA 2008 requires IV-D staff to determine the amount of consolidated arrears under all previous orders during a DCO.

⁹ Requesting parties or agencies will use the *Notice of Determination of Controlling Order* (FSA-208 or INTNDCO) to notify non-requesting parties of the DCO.

3. Article 3, “Civil Provisions of General Application,” Sections 301-319

a. Section 304 – Duties of the Initiating State

If the responding agency is in a foreign country, the initiating state must complete currency conversion prior to sending a UIFSA registration. This is a new duty for states, and it supports international case processing under the Hague Convention.

b. Section 307 – Duties of the Support Enforcement Agency

UIFSA 2008 clarifies that IV-D services must be provided to IV-D applicants, regardless of their residency status. Therefore, IV-D staff will provide services to an applicant who resides in the state of Michigan or in a different state, or to an applicant who is requesting services through his/her central authority in a different country. IV-D staff **may** accept IV-D applications directly from applicants who reside in a different country and have not requested services through the central authority of the foreign country in which they reside. OCS has not yet made a policy decision on whether the Michigan IV-D program will accept IV-D applications directly from applicants in other countries who have not requested services through their central authority. OCS continues to discuss this option, and will communicate further information once it makes a policy decision.

The 2008 UIFSA amendments place additional responsibilities upon IV-D staff to seek a DCO; to convert any child support orders, arrears or judgments listed in foreign currency to U.S. dollars; and to cooperate with a request for the redirection of payments.

IV-D staff must also send copies of any notices from attorneys or other state agencies to the requesting party within five business days. This is different from UIFSA 1996, which required a timeframe of two business days.

UIFSA 2008 does not create or negate a relationship of attorney and client privileges with a support enforcement agency and another agency or with the individual being served. This is a new statement that did not appear in UIFSA 1996.

c. Section 311 – Pleadings and Accompanying Documents

Under UIFSA 2008, IV-D staff are required to provide additional information in all pleadings. This might include the name of the parent or alleged parent, if known. The pleading or petition must also include a copy of any support order known to have been issued by another state.

d. Section 312 – Revisions to Nondisclosure of Information

UIFSA 2008 changes the language regarding the protection of information in family violence¹⁰ or child abduction cases to make it consistent with the language in the [Uniform Child-Custody Jurisdiction and Enforcement Act \(UCCJEA\)](#).

If a party alleges in an affidavit or pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by the disclosure of specific identifying information, that specific identifying information must be kept confidential and may not be disclosed to the other party or the public.

After a hearing in which the tribunal takes into consideration the health, safety, or liberty of the party or child, the tribunal may order the disclosure of information that the court determines to be in the interest of justice.

e. Section 316 – Special Rules of Evidence and Procedure

1) Testimony via Telephone

UIFSA 1996 permitted a tribunal to accept testimony via telephone or audiovisual or other electronic means from a tribunal in that state. UIFSA 2008 makes such acceptance mandatory. Therefore, IV-D staff must allow appearance by telephone from an out-of-state party.

In addition, documents may be admitted into evidence “under penalty of perjury” rather than “under oath.”

2) Voluntary Acknowledgement of Paternity

A voluntary acknowledgement of paternity that is certified as a true copy is admissible to establish paternity for a child. This is a new requirement for processing cases under UIFSA 2008.

3) Transmittal of Documentary Evidence

Documentary evidence that may be transmitted by telephone, telecopier, or other **electronic** means that do not provide an original record may not be excluded from evidence due to the means of transmission. This is different from UIFSA 1996, which stated that **other** means of transmission could be used to transmit evidence.

¹⁰ Ref: [Action Transmittal \(AT\) 2009-017, REVISED: Family Violence Indicator \(FVI\) Enhancement](#) for more information on family violence cases.

f. Section 319 – Receipt and Disbursement of Payments – Redirection of Payments

1) Request for Payment Redirection and Response

In an effort to expedite the obligee's receipt of support, UIFSA 2008 includes requirements that provide for the redirection of child support payments if neither party nor the child(ren) lives in the state that issued the controlling order.

Upon receiving a valid redirection request from another state's IV-D agency, or from the order-issuing state, the IV-D agency or tribunal of the order-issuing state must redirect the payment to the agency in the state in which the obligee is receiving services. The state or tribunal receiving the payment redirection request must also issue a "conforming income withholding order or an administrative notice of change of payee" to the obligor's employer to notify the employer of the payment redirection. The redirection process is a new uniform process for all states. OCS is anticipating more direction and a new federal intergovernmental form from OCSE. OCS is also completing a separate analysis on Section 319 of UIFSA and will be working with its partners to develop policy and procedures.

The new federal intergovernmental form pertaining to Section 319 of UIFSA is still pending final approval. OCS will send additional communication as more information becomes available.

2) Certified Statement of Payments

Previously, UIFSA required a IV-D agency or tribunal to provide a requesting party or tribunal of another state with a certified statement of the amounts and dates of all payments received. A similar provision was added in UIFSA 2008 to support the new payment redirection process. The new provision requires, upon request of a party or another state, that the IV-D agency that receives redirected payments must provide a certified statement of the amounts of the payments and the dates they were received. UIFSA 2008 also expanded the UIFSA 1996 certified statement of payments provision to support the Hague Convention by requiring a IV-D agency to provide a certified statement of payments to a requesting party or tribunal of a foreign country.

4. Article 4, “Establishment of Support or Determination of Parentage,” Sections 401-402

a. Section 401 – Petition to Establish Support Order – Changes to Temporary Support Orders

Typically, all child support orders in Michigan are final, and temporary support orders are not issued. However, UIFSA 2008 changes the circumstances under which a temporary support order may be issued. The court may issue a temporary support order if the tribunal determines that such an order is appropriate and the individual ordered to pay support is:

- 1) The presumed father of the child;
- 2) Petitioning to have his paternity adjudicated;
- 3) Identified as the father of the child through genetic testing;
- 4) An alleged father who has declined to submit to genetic testing;
- 5) Shown by clear and convincing evidence to be the father of the child;
- 6) An acknowledged father as provided by the [Paternity Act](#);
- 7) The mother of the child; or
- 8) The established father who has been ordered to pay child support in a previous proceeding, and the order has not been reversed or vacated.

5. Article 5, “Enforcement of Support Order Without Registration,” Sections 501-507

UIFSA 2008 Article 5 provides uniform procedures for issuing, recognizing, and enforcing income withholding orders/notices across jurisdictional lines. The process by which income withholding notices are issued and enforced without formal intergovernmental registration is also known as direct withholding.

The definition of “state” in Section 102 of UIFSA 2008 no longer includes a foreign country or political subdivision that is a foreign reciprocating country under federal law, has an established reciprocal arrangement with the state, or has substantially similar laws or procedures for issuance and enforcement of support orders. Because Sections 501 through 506 specifically refer to orders issued by another state, they do not expressly require a domestic employer to comply with an income withholding order sent to the employer directly from a foreign country. Section 507 provides the procedures for enforcing foreign income withholding orders.

a. Section 501 – Employer’s Receipt of Income Withholding Order of Another State

UIFSA 2008 clarifies who has the authority to send a withholding notice for an order issued in one state directly to an employer in another state (i.e., across state lines) without intergovernmental registration. UIFSA 1996 did not

expressly state who had this authority but presumed this authority for IV-D agencies and implied this authority was not restricted to IV-D agencies.

UIFSA 2008 expressly authorizes a IV-D agency, an obligee, or someone else on behalf of the obligee to send direct withholding notices. For example, the obligor, a private attorney, or a private collection agency may send a direct withholding notice to the obligor's employer on behalf of the obligee.

b. Section 502 – Employer's Compliance With Income Withholding Order of Another State

Aside from minor wording changes, UIFSA 2008 did not significantly change Section 502. This section continues to require employers to honor direct income withholding notices, to provide direction to employers regarding their compliance, and to advise employers that income withholding amounts are stated as sum-certain amounts.

c. Section 504 – Immunity From Civil Liability

Aside from minor wording changes, UIFSA 2008 did not significantly change Section 504. This section continues to hold employers non-labile to the obligor for complying with direct income withholding notices.

d. Section 506 – Contest by Obligor

UIFSA 2008 includes an amendment that clarifies the procedures for an obligor/employee to contest the validity and enforcement of a direct income withholding notice and/or the underlying support order. UIFSA 1996 stated that an "obligor may contest the validity or enforcement of an income withholding order issued in another state and received by an employer in this state in the same manner as if the order had been issued by this state." This UIFSA 1996 provision is applicable to objections to withholding based on mistake of fact such as errors in the arrearage amount or mistaken identity. UIFSA 2008 retains this provision, but a new provision clarifies that the obligor may also object by registering the order in a tribunal of the employer's state and filing a contest to that order. The new UIFSA 2008 provision is intended to provide a way for the obligor to object to the underlying order (e.g., amount of support ordered, personal jurisdiction, controlling order) that is not considered a mistake of fact objection.

e. Section 507 – Administrative Enforcement of Orders

UIFSA 2008 includes two substantive amendments to Section 507.

1) Administrative Enforcement of Another State's Order

According to UIFSA 1996 and UIFSA 2008, a party may seek administrative enforcement (i.e., enforcement without formal registration) of one state's support and/or withholding order by sending the required registration forms to a different state. If the law of the state in which the party is seeking registration authorizes administrative enforcement, and the obligor does not object to that enforcement, the state may administratively enforce the other state's order without registering the order. UIFSA 2008 allows a IV-D agency to pursue administrative enforcement in another state – this action is no longer restricted to only a party.

2) Extension of Administrative Enforcement to Foreign Orders

UIFSA 2008 also introduces a significant amendment that extends the administrative enforcement provision to foreign orders. This change supports the treaty requirements of the Hague Convention by allowing a party or IV-D agency to seek administrative enforcement of a foreign country's order. A state IV-D agency can enforce (administratively or through registration) a foreign country's support/income withholding order by issuing an income withholding notice to the source of income. This includes the IV-D agency issuing an income withholding notice directly across state lines without registering the foreign order in the other state pursuant to Sections 501 through 506.

Note: The administrative enforcement of foreign orders provision of Section 507 is not applicable to UIFSA Sections 501-506. In other words, outside of a IV-D agency administratively enforcing a foreign order or the registration of the foreign order in a state, UIFSA does not provide any expressed authority for a foreign country/tribunal or party to issue a direct income withholding notice to a domestic source of income to enforce the foreign order, or for a source of income to honor such withholding.

6. Article 6, "Registration, Enforcement, and Modification of Support Order," Sections 601-616

The information contained in UIFSA 2008 Article 6 contains new sections for which UIFSA 1996 had no similar provisions.

a. Section 615 – Jurisdiction to Modify Child Support Order of a Foreign Country

If a foreign country lacks or refuses jurisdiction to modify its child support order, another country or state may assume jurisdiction to modify the order. If another state modifies a foreign child support order, that order becomes the controlling order.

b. Section 616 – Procedure to Register Child Support Order of Foreign Country for Modification

A foreign country seeking to modify a foreign child support order that is not under the Hague Convention¹¹ may do so just as any state would register the case to modify an order from Michigan. The foreign country must also be a country in which Michigan or the United States has reciprocity (a Foreign Reciprocating Country [FRC]).¹² IV-D staff will process all international cases with reciprocity under the provisions outlined in Articles 1-6 of UIFSA 2008.

7. Article 7, “Support Proceeding Under Convention,”¹³ Sections 707-713

Article 7 of UIFSA 2008 is new in its entirety and pertains to the Hague Convention. When processing intergovernmental cases with a Hague Convention country,¹⁴ IV-D staff will follow the procedures outlined in the sections under Article 7:

a. Section 701 – Definitions, Section 702 – Applicability, Section 703 – Relationship of Office of Child Support to United States Central Authority

Sections 701, 702, and 703 give general information such as definitions in the law. They also state that Article 7 applies only to cases being processed under the Hague Convention (Convention cases). In addition, these sections state that OCS is the authority in Michigan that will assist in performing duties required to process incoming Convention registrations through the Michigan Interstate Central Registry (ICR).

b. Section 704 – Initiation by Office of Child Support of Support Proceeding Under Convention

OCS, through the ICR, will receive all incoming registrations under the Hague Convention and will process them in the same manner that all other incoming registrations are received.

- 1) The following support proceedings are available to an obligee under the Convention and will be processed by the ICR:

¹¹ Ref: “Article 7, ‘Support Proceeding Under Convention,’ Sections 707-713,” in this memorandum for more information on processing cases under the Hague Convention.

¹² An FRC is a country in which Michigan or the United States has a formal agreement to perform child support services on behalf of the other country, and the other country can perform the same services on behalf of Michigan. Ref: [OCSE's International search results webpage](#) for information on FRCs.

¹³ Ref: the [Hague Convention website](#) for required forms and more information on processing Convention cases.

¹⁴ Ref: the Hague Convention website for a list of countries under the Hague Convention.

- a) Recognition and enforcement of a foreign support order;¹⁵
 - b) Enforcement of a support order issued or recognized in Michigan;
 - c) Establishment of a support order if there is no existing order, and no paternity establishment;
 - d) Establishment of a support order if recognition of a Convention order is refused by the registering tribunal;
 - e) Modification of a support order of Michigan; and
 - f) Modification of a support order of another state or a foreign country.
- 2) The following support proceedings are available under the Convention to an NCP for whom there is an existing support order:
- a) Recognition of an order suspending or limiting the enforcement of an existing support order;
 - b) Modification of a support order of Michigan; and
 - c) Modification of a support order of another state or a foreign country.
- c. Section 705 – Direct Request

Any parent or person caring for the child may file a direct request (a motion in the tribunal without working through the ICR) for either of the following:

- 1) Seeking establishment or modification of a support order or paternity establishment; or
 - 2) Seeking recognition and enforcement of a support order.
- d. Section 706 – Registration of Convention Support Order

A request for registration of a Convention support order must include:

- 1) A complete text of the support order or an abstract of the support order drawn up by the issuing tribunal, which may be in the form recommended by the [Hague Conference on Private International Law](#);
- 2) A record stating that the support order is enforceable in the issuing country;
- 3) A record that the respondent had proper notice of the hearing or of the support order, if the respondent was absent during the proceedings that established the support order;
- 4) A record showing the amount of arrears and the date the amount of arrears was calculated; and
- 5) A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations.

¹⁵ A foreign support order registered under the Hague Convention may also be referred to as a Convention order.

A registration of a Convention support order may be vacated if it is determined that recognition and enforcement of the order would be profoundly against public policy. The court with jurisdiction over the case must promptly notify the parties in the event of an order vacating the registration.¹⁶

e. Section 707 – Contest of Registered Convention Support Order

A party who is a resident of the United States has 30 days to contest the registration of a Convention support order in Michigan. However, a party who does not reside in the United States has 60 days to contest the registration. Failure of the non-registering party to contest the registration within the required timeframe will result in the order being enforceable. A contest may only be filed under certain circumstances that are outlined in Section 708 of UIFSA 2008, and the contesting party will bear the burden of proof.

f. Section 708 – Recognition and Enforcement of Registered Convention Support Order

1) There are certain circumstances in which a tribunal may refuse recognition and enforcement of a registered Convention support order. These are listed below:

- a) Recognition and enforcement of the order is profoundly against public policy, including failure of the issuing tribunal to observe minimum standards of due process which include notice to the parties and an opportunity for parties to be heard;
- b) The issuing tribunal lacked personal jurisdiction;
- c) The order is not enforceable in the issuing country;
- d) The order was obtained by fraud in connection with a matter of procedure;
- e) Part of the registration packet lacks authenticity or integrity;
- f) A proceeding between the same parties for the same purpose is currently pending;
- g) There is a more recent support order involving the same parties and for the same purpose;
- h) Arrears have been paid in full or in part;
- i) In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(1) If the law of that country requires proper notice, and the respondent did not receive proper notice; or

(2) If the law of that country does not require proper notice, and the respondent did not receive proper notice, and the respondent did

¹⁶ Ref: Section 7(f) of this memorandum, “Section 708 – Recognition and Enforcement of Registered Convention Support Order,” for more information on vacating a registration.

not have an opportunity to be heard in a challenge on fact or law before the issuing tribunal; and/or

j) The order was made in violation of Section 711 – Modification of Convention Support Order.

2) If a Convention support order is not recognized for reasons (b), (d), or (i) above:

- a) The proceeding must not be dismissed without allowing a reasonable time for a party to request the establishment of a new Convention support order; and
- b) The IV-D program will take all appropriate steps to request a child support order for the obligee as outlined under Section 704.

g. Section 709 – Partial Enforcement

A party or another state may seek recognition and partial enforcement of a Convention support order.

h. Section 711 – Modification of Convention Child Support Order

If the obligee is still a resident of the issuing foreign country, a Convention child support order must not be modified unless:

- 1) The obligee submits to the jurisdiction of Michigan; or
- 2) The tribunal in the foreign country lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

i. Section 712 – Personal Information, Limit on Use

Any personal information used in processing intergovernmental cases may only be used for the IV-D purposes for which it was gathered or transmitted.

j. Section 713 – Record Original Language, English Translation

Any child support orders filed with the Michigan must be in English.

8. Article 8, “Interstate Rendition,” Sections 801-802

There are no changes to the sections in Article 8 of UIFSA 2008.

9. Article 9, “Miscellaneous Provisions,” Sections 901-905

The sections in Article 9 state that the purpose of UIFSA 2008 is to promote uniformity among states, and that with the implementation of UIFSA 2008, UIFSA

1996 is repealed. These sections also indicate that the effective date of UIFSA 2008 is January 1, 2016.

C. Additional Resources

OCSE has published many Informational Memorandums (IMs), Action Transmittals (ATs), and Dear Colleague Letters (DCLs) that provide additional information on UIFSA 2008 and the Hague Convention. These are listed below:

- IM-15-01, *Uniform Interstate Family Support Act (2008) and Hague Treaty Provisions*, published April 13, 2015.
- AT-14-11, *P.L. 113-183 UIFSA 2008 Enactment*, published October 9, 2014.
- AT-14-08, *H.R. 4980: Preventing Sex Trafficking and Strengthening Families Act of 2014*, published September 30, 2014.
- DCL-10-20, *Hague Convention on the International Recovery of Child Support*, published October 12, 2010.
- DCL-08-41, *Uniform Interstate Family Support Act 2008*, published November 12, 2008.

In addition, the Eastern Regional Interstate Child Support Association (ERICSA) has published a PowerPoint presentation on [UIFSA 2008 and the Hague Convention](#).

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Intergovernmental Work Improvement Team (INT-WIT)
Enforcement Work Improvement Team (ENF-WIT)
Program Leadership Group

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SUPPORTING REFERENCES:

Federal

UIFSA 2008

Public Law 113-183

State

Public Act 255 of 2015

EPF/CF/CT

IV-D MEMORANDUM 2016-002

TO: IV-D Office Project Directors¹⁷
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: January 12, 2016

SUBJECT: Central Paternity Registry and Birth Registry System (CPR/BRS)
User Monitoring Requirement

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: IV-D offices must submit their semiannual
User Verification Report by **January 31, 2016**.

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum introduces a new requirement for IV-D offices to semiannually report their CPR/BRS users' status to OCS by using a new report implemented in the Electronic Grants Administration & Management System (EGrAMS). This requirement will take effect in January 2016.

Policy regarding the CPR/BRS user monitoring requirement will be incorporated into Section 4.05, "Paternity Establishment," of the *Michigan IV-D Child Support Manual* in a future publication.

DISCUSSION:

Two user monitoring reports are currently available in CPR/BRS. The reports provide user activity and status information that may be used for auditing purposes. The *User Audit Report* tracks detailed CPR/BRS user activity during a designated time period. The *User Status Report* shows the current status of all users, as well as the date of a user's last successful login to the application.¹⁸ Statuses include "active," "inactive," and "deleted."

OCS administrative staff and Michigan Department of Health and Human Services (MDHHS) Division for Vital Records and Health Statistics (Vital Records) administrative

¹⁷ For more information about project directors in IV-D offices, reference [IV-D Memorandum 2015-029, Cooperative Reimbursement Program \(CRP\) Agreements, Line Item Transfers, and Amendments](#), Section A(1), "Identify a Project Director for the IV-D Office."

¹⁸ For more information about CPR/BRS reports, reference [Section 4.05, "Paternity Establishment," of the Michigan IV-D Child Support Manual](#).

staff have access to the user monitoring reports. County IV-D staff do not have access to the reports in CPR/BRS.

Findings from a CPR/BRS audit conducted by the Michigan Office of the Auditor General in 2013 concluded that an adequate process to monitor CPR/BRS user activity and status was not in place to utilize the reports and routinely report user status changes. In addition, counties could not access the user monitoring reports for their staff.

In response to the audit findings, Vital Records and OCS have:

- Implemented an additional CPR/BRS user monitoring report, the *User Verification Report*, in EGrAMS to routinely monitor current authorized users of CPR/BRS at the county level; and
- Established processes for monitoring user activity and status.

A. User Verification Report

The *User Verification Report* in EGrAMS will identify active, inactive, and deleted users in an effort to keep more accurate user records and improve CPR/BRS security. Vital Records will use the report to delete users who are no longer authorized to access CPR/BRS.

Current authorized CPR/BRS users meet the following criteria:

- They are currently employed with the IV-D program (either county or state);
- They are authorized to sign into CPR/BRS to complete IV-D work; and
- Their *IV-D Program Request for Computer Access* (DHS-393) and CPR/BRS web-based training completion certificate are on file with MDHHS.

A current authorized user may not necessarily be currently in “active” status on the system. (S)he could be temporarily inactive for several reasons; for example, (s)he could be on a temporary leave of absence for medical or other reasons, or (s)he hasn’t accessed the system in a certain period of time.

Even if a IV-D office does not have any listed CPR/BRS users, submission of a *User Verification Report* is still required. EGrAMS is set to produce a report for every IV-D office because a CPR/BRS user may be added at any time.

B. Report Due Dates, Completion, Submission, and Review

1. Report Due Dates

The *User Verification Report* will be available to county IV-D offices in EGrAMS in mid-January and mid-July of each year. The IV-D office project director must complete the *User Verification Report* in EGrAMS by **January 31 and July 31** of

each year. There is no paper version of the *User Verification Report*; it must be submitted in EGrAMS.

EGrAMS is set up so that a IV-D office will not be able to submit a *Title IV-D Cooperative Reimbursement Actual Expenditure Report* (DHS-286) billing for January or July if the *User Verification Report* is not completed and submitted in EGrAMS.

Note: The first *User Verification Report* is due **January 31, 2016**. The regular semiannual process will start at that time.

2. Report Completion and Submission

- a. Prior to each due date of the *User Verification Report*, one of the following will occur:
 - 1) Vital Records will provide OCS with a list of current CPR/BRS users, and OCS will upload the list into EGrAMS; or
 - 2) Vital Records will upload the list of current CPR/BRS users into EGrAMS.
- b. The list will populate each IV-D office's *User Verification Report* in EGrAMS.
- c. The IV-D office project director will certify whether each listed CPR/BRS user is a current authorized CPR/BRS user by selecting "Yes" or "No" next to the user's name.
- d. After the IV-D office project director completes the *User Verification Report*, (s)he will submit the report in EGrAMS.

Note: EGrAMS will automatically populate the certifying official's name (the IV-D office project director's name) and date, and will check the certification box at the bottom of the *User Verification Report*.

3. OCS Financial Management Review

OCS Financial Management staff will complete their review of the submitted *User Verification Report* along with their usual review process for the DHS-286.

- a. If OCS Financial Management staff disapprove the *User Verification Report* and request revisions, they will reject the report in EGrAMS. The *User Verification Report* will reappear in EGrAMS as a report to be completed by

the IV-D office. OCS Financial Management staff will notify the IV-D office project director and provide further instructions.

- b. If OCS Financial Management staff approve the *User Verification Report*, it will appear as an approved report in EGrAMS.

C. Report User Guide

For additional assistance, IV-D office project directors may reference the *User Guide to Verify and Submit the CPR/BRS User Verification Report in EGrAMS*. It is available:

- On mi-support: mi-support > Central Activities > Contracts > CRP Agreement / EGrAMS Information; and
- In EGrAMS under “Show Documents.”

D. User Monitor Reporting for OCS Operations

There are user monitor reporting requirements currently in place for OCS Operations staff.

In January and July of each year, OCS Planning and Evaluation (P&E) staff run the *User Status Report* in CPR/BRS. The report is modified to display only OCS Operations staff. User statuses include “active,” “inactive” and “deleted.”

P&E staff send the modified report to OCS Operations management so they can review it for any user status changes. OCS Operations management staff then report any user status changes to P&E staff, who will modify the report to reflect the changes.

P&E staff then send the revised report to Vital Records staff, who will update CPR/BRS with the user status changes. P&E staff also report to Vital Records when there are no user status changes.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Program Leadership Group
Division for Vital Records and Health Statistics
Beth Kirshner, Macomb Prosecuting Attorney
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ATTACHMENTS:

None

EPF/DN

IV-D MEMORANDUM 2016-003

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: February 26, 2016

SUBJECT: Actions for Meeting Federal Requirements in the IV-D
Application Process and Clarifications of Policy Regarding IV-D
Services in Domestic Relations Cases

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum discusses actions for meeting federal requirements in the IV-D application process, including changes to the IV-D application process for customers who are parties on privately filed domestic relations cases.¹⁹ It also announces revisions and clarifications to policy regarding IV-D services in domestic relations cases.

This memorandum introduces the *Application for IV-D Child Support Services (For Privately Filed Domestic Relations Cases Only)* (DHS-1201D). This is a new form that parties on a privately filed domestic relations case may use to apply for IV-D services. The DHS-1201D will simplify the IV-D application process for parties on domestic relations cases and improve the efficiency of application processing for IV-D staff.

This memorandum introduces:

- Exhibit 2016-003E1, Questions and Answers Regarding IV-D Services for Domestic Relations Cases. This exhibit is the former Exhibit 2015-001E1. Although the title of this exhibit remains the same from its previous publication, the content has been revised with minor clarifications, and the exhibit is being republished as Exhibit 2016-003E1. Changes to content since its previous publication are indicated by a change bar in the right margin; and
- Exhibit 2016-003E2, Additional Questions and Answers Regarding IV-D Services for Domestic Relations Cases. This exhibit provides more information about delivering IV-D services in domestic relations cases.

¹⁹ Domestic relations cases include divorce filings, custody filings, and/or support filings.

Since the publication of IV-D Memorandum 2015-001, *IV-D Services in Domestic Relations Cases*, OCS has received questions and concerns on much of its contents. Therefore, this IV-D Memorandum and its attached exhibits serve as a follow-up to provide further information.

DISCUSSION:

A. Overview: The Domestic Relations Workgroup

After the publication of IV-D Memorandum 2015-001, the Program Leadership Group (PLG) chartered a temporary Domestic Relations Workgroup (“Workgroup”). The Workgroup members included Friends of the Court, State Court Administrative Office (SCAO) representatives, a Prosecuting Attorney, support specialists, and OCS Program Development Division staff.

1. Primary Focus of the Workgroup

The Workgroup was tasked with solving issues associated with IV-D services in domestic relations cases. Resolving these issues is part of Michigan’s Establishment corrective action plan.²⁰ The Workgroup’s primary focus was on prioritizing, resolving, or addressing the desire to:

- a. Receive IV-D applications timely in the domestic relations process. This may help ensure that the FOC will be properly reimbursed for services traditionally completed in IV-D cases and that the family will receive the benefits from IV-D services as soon as possible;
- b. Ensure that the IV-D application process is as streamlined and easy as possible for parties who complete other paperwork related to their domestic relations case (e.g., Verified Statement, Judgment Information Form, etc.);
- c. Await a court order entry or service of process before IV-D case opening; and
- d. Close the IV-D case upon termination of a domestic relations filing without a child support order.

2. Additional Tasks

In addition, the Workgroup was tasked with determining:

²⁰ OCS developed the Establishment corrective action plan to address issues found in its Self-Assessment audit. For more information, reference [IV-D Memorandum 2015-021, Self-Assessment \(SASS\) Audit – Establishment of Paternity and Support Order \(Establishment\) Program Compliance Criteria Corrective Action Plan \(CAP\)](#).

- a. Whether the “DHS” logo/identifier should appear on the *IV-D Child Support Services Application/Referral* (DHS-1201) and whether to make other changes to the DHS-1201 suggested by the Case Management Work Improvement Team (CM-WIT) and the FOC User Group;
- b. Whether the booklet *Understanding Child Support: A Handbook for Parents* (DHS-Pub 748)²¹ can be or should be combined with the *Friend of the Court Handbook* to use with domestic relations filings; and
- c. Actions to take (and who will take those actions) when an application for IV-D services has been received, and either the domestic relations case takes an extended amount of time or the family still wants IV-D services and their court case filing has been dismissed.

The Workgroup considered working on other tasks such as business process designs, service of process (SOP) issues, domestic violence issues, and Michigan Child Support Enforcement System (MiCSES) enhancements. However, upon reflection and further analysis of performance factors identified for the Establishment corrective action plan, the Workgroup determined that focusing on tasks related to properly opening a IV-D case within the federally required 20 days was most important. This led the Workgroup to look for improvements in the IV-D application process to better meet federal regulations.

As a result, the group:

- Developed the DHS-1201D, a new IV-D application to use in domestic relations cases;
- Reviewed and approved OCS policy for domestic relations cases;
- Worked with SCAO to propose changes to multiple forms; and
- Made recommendations for the inclusion of language from the DHS-Pub 748 into the *Friend of the Court Handbook* for a future publication.

The Workgroup also determined that it is best for local FOC office staff and their leadership to develop their own business processes, rather than follow processes created by the Workgroup. Therefore, the Workgroup encourages FOCs to examine their business processes for opening IV-D cases to ensure that they meet IV-D federal requirements and OCS IV-D policy. The Workgroup also encourages FOCs to consult with SCAO staff and FOC colleagues in other offices to make improvements to their practices.

Additionally, OCS consulted with the Workgroup in answering FOC User Group and CM-WIT questions in response to IV-D Memorandum 2015-001. The Workgroup assisted OCS in the revision and creation of questions and answers regarding domestic relations cases. This information, which is found in Exhibits

²¹ The DHS-Pub 748 provides IV-D applicants with information about the child support program.

2016-003E1 and 2016-003E2, is explained in Sections E and F of this memorandum.

B. Meeting Federal Requirements in the IV-D Application Process

When providing and processing IV-D applications, there are multiple federal regulations and sections of the Social Security Act that the IV-D program must consider. There is also the federal requirement to provide information regarding IV-D services to all applicants. OCS and the Workgroup agreed that the most effective way to meet the federal regulations and requirements is to gather specific information and provide specific notices at the time of the IV-D application.

As part of the Establishment corrective action plan, OCS and the Workgroup reviewed current IV-D application forms, policies, and processes. The *IV-D Child Support Services Application/Referral* (paper DHS-1201 or online DHS-1201 [e1201])²² and the DHS-Pub 748 are Michigan-developed tools that meet the federal requirements.

FOC offices have also been using the [Verified Statement and Application for IV-D Services \(FOC 23\)](#)²³ or another comparable document developed by FOC offices as an application for IV-D services. However, through the development of the Establishment corrective action plan, OCS determined that the FOC 23 and other comparable FOC documents do not ensure the Michigan IV-D program meets applicable IV-D federal requirements.²⁴ OCS identified the following issues of federal non-compliance:

1. FOC 23
 - a. The FOC 23 is a court document that is required²⁵ at the time of a domestic relations filing. Unlike a IV-D application, completion of the FOC 23 is not voluntary;²⁶ and
 - b. OCS believes that in its present form, the FOC 23 is primarily a court document used by FOC offices to obtain information about the parties to a court case. It may not adequately inform the parties of its dual nature as an application for IV-D services.
2. Comparable FOC Document Used As a IV-D Application
 - a. FOC offices use different versions of IV-D applications – there is not one standard form; and

²² Ref: [Section 2.05, "Referrals and Applications," of the Michigan IV-D Child Support Manual](#) for information on the DHS-1201 and e1201.

²³ This document is referred to as the Verified Statement throughout related policy.

²⁴ Ref: Subsection C(1) of this IV-D Memorandum for more information.

²⁵ Michigan Court Rule (MCR) 3.206(B)

²⁶ 45 Code of Federal Regulations (CFR) 302.33 states that IV-D services are voluntary.

- b. OCS is unable to monitor all the various IV-D applications used by FOC offices to ensure each county's application includes all the data elements of the DHS-1201, which fulfills all the federal and state regulations.²⁷

In light of these issues, the Workgroup identified three IV-D application methods. Instead of using the FOC 23 or a comparable document, FOC staff may use the DHS-1201, e1201, or the newly developed DHS-1201D, which is discussed below. SCAO is considering changes to the FOC 23 and other forms to take into account the existence of the DHS-1201D.

Note: IV-D offices are **not** required to obtain new IV-D applications on current IV-D cases opened with an FOC 23 or a comparable FOC document.

C. DHS-1201D

As a result of requests from FOCs, and in an effort to streamline the IV-D application process for domestic relations cases, OCS and the Workgroup have developed the DHS-1201D. FOC offices will use the DHS-1201D in conjunction with the FOC 23 or with the [Domestic Relations Judgment Information Form \(FOC 100\)](#).

The DHS-1201D is not designed to be a stand-alone application. The DHS-1201D does not ask for information that has already been entered on the FOC 23, FOC 100, or other similar court forms. The DHS-1201D will prevent duplicate information and simplify the process for both applicants and FOC staff.

If the DHS-1201D in combination with another data-collection form does not suit the local office's business practice, the DHS-1201 or e1201 can be used. The DHS-1201 and e1201 are designed to work in a variety of situations, including domestic relations filings.

The DHS-1201D is the best IV-D application to use in privately filed domestic relations cases; OCS encourages IV-D staff to use either of the above combinations of forms that include a DHS-1201D. The DHS-1201D may also be used at any time as long as relevant information needed for opening the case in MiCSES has been collected on an FOC 23, an FOC 100, or other similar form.

The Workgroup identified several opportunities for obtaining IV-D applications:

- 1) At the time a court case is filed;
- 2) At a reconciliation conference or other meeting;
- 3) After successful service of process;
- 4) At the time a child support order is entered; or
- 5) Any other time an FOC determines to be best.

²⁷ Ref: Section 2.05 of the *Michigan IV-D Child Support Manual* for more information on federal and state regulations for providing and processing IV-D applications.

Local FOC office staff and their leadership are in the best position to determine the approach that meets their office's business practice.

The DHS-1201D includes a statement in which the applicant acknowledges that (s)he received or had an opportunity to review a copy of the DHS-Pub 748. It also includes a link to the DHS-Pub 748. This permits the applicant to access an electronic copy and prevents the need for IV-D staff to regularly provide a hard copy of the DHS-Pub 748. Federal regulations do not require a hard copy to be provided. However, if the applicant requests a hard copy, IV-D staff will provide it.

FOC offices will offer the DHS-1201, e1201, or DHS-1201D to non-public assistance applicants who previously opted out²⁸ of FOC services (and consequently IV-D services) but wish to begin receiving IV-D services again.²⁹

Note: Unlike the DHS-1201, the DHS-1201D does not have an option to select locate-only services.³⁰ It is believed that in privately filed domestic relations cases, the applicant is unlikely to desire locate-only services. However, if an applicant expresses an interest in such services, (s)he must note this in writing on the DHS-1201D. FOC staff must honor the request and provide those services.

1. Data Elements on the DHS-1201D Not Found on the FOC 23

Collection of certain data is needed either because federal or state requirements identify the data specifically or because Michigan's program must collect or display the data to meet auditing requirements. The DHS-1201D includes the following data elements not found on the FOC 23:

- a. Fields to indicate the date the application was requested (*App Req DT*) and the date the application was returned (*App Retd DT*), which are necessary fields to complete in MiCSES when opening a IV-D case on the *Case Member Details* (CASE) screen;³¹

²⁸ Ref: [SCAO Administrative Memorandum 2004-016, *Opting Out of Friend of the Court Services*](#), for more information.

²⁹ SCAO is reviewing the [Request to Reopen Friend of the Court Case \(FOC 104\)](#) and is considering changes to the form based on the need for a IV-D application for cases opting back in to the FOC for IV-D services.

³⁰ Ref: Section 2.05 of the *Michigan IV-D Child Support Manual* for more information on locate-only services.

³¹ Properly entering these dates in MiCSES is critical to meeting the federal requirement to open the IV-D case within 20 days. Ref: Section 2.05 of the *Michigan IV-D Child Support Manual* for more information on IV-D application requirements.

- b. A family violence³² disclosure section regarding possible physical or emotional harm to the applicant or child(ren) as a result of supplying an address or other identifying information on the application;³³
- c. An acknowledgement statement allowing the IV-D program permission to withhold a percentage from future child support payments and to allow the Michigan State Disbursement Unit (MiSDU) to correct processing errors in the event the customer is issued money in error or overpaid;³⁴
- d. An acknowledgement statement regarding the services the customer is requesting under Title IV-D of the Social Security Act;³⁵
- e. An acknowledgement statement that the customer has access to a copy of the DHS-Pub 748;³⁶
- f. The Michigan Department of Health and Human Services (MDHHS) non-discrimination statement;
- g. An instruction to applicants that they must provide their Social Security number in order to receive IV-D services; and
- h. Legal authority information indicating that IV-D services are voluntary.³⁷

2. FOC Staff Suggestions Incorporated Into the DHS-1201D

OCS received many suggestions from FOC staff regarding changes to the DHS-1201 that would better meet their business needs. The Workgroup considered each of these suggestions and incorporated them into the DHS-1201D where possible. The DHS-1201D is shorter than the DHS-1201 and is geared toward the unique needs of a domestic relations case. OCS has made the following changes to the form:

- a. The terms “custodial parent/caretaker” and “parent who is not in the home” have been changed to “Mother” and “Father;”³⁸
- b. The MDHHS logo has been removed from the top of the form;³⁹
- c. Information and questions regarding public assistance have been removed;
- d. Marital status information has been removed because it is contained in court filings; and
- e. Information about the children has been removed because it is contained in court filings.

³² IV-D staff must conduct further research if an applicant discloses family violence on a IV-D application. Ref: [Action Transmittal \(AT\) 2009-017, REVISED: Family Violence Indicator \(FVI\) Enhancement](#) for more information on family violence.

³³ Section 454(26)(c) of the Social Security Act

³⁴ 45 CFR 303.2(a)(2)

³⁵ 45 CFR 303.2(a)(2)

³⁶ 45 CFR 303.2(a)(2); Ref: Section G(4) of this memorandum for further discussion of the DHS-Pub 748.

³⁷ 45 CFR 302.33

³⁸ Guardianship and third-party applicants must use a DHS-1201 or e1201.

³⁹ Applicants will use the DHS-1201D to request the assistance of a federally funded human services program that is administered by MDHHS through Michigan’s IV-D State Plan. However, there was a concern that the MDHHS logo would inappropriately imply to applicants that they are requesting public assistance.

3. Other Suggestions Incorporated Into the DHS-1201D

Other changes incorporated in the DHS-1201D will make the form easier to follow and will assist IV-D staff with correctly entering the case in MiCSES:

- a. Instructions have been added to the top of the form to educate the applicant on the proper use of the form;
- b. A domestic relations docket number field has been added to help IV-D staff ensure the IV-D application is for the correct domestic relations court case;
- c. A question regarding residency of the children has been added to assist IV-D staff in determining which parent should be entered into MiCSES as the custodial party (CP).⁴⁰ The field indicates that this information is for administrative purposes only and will not be considered as part of a custody hearing; and
- d. Instructions telling applicants to return the completed application to the local FOC office rather than to OCS have been added.

Note: DHS-1201D suggestions discussed in Sections C(2) and C(3) above will be considered during future revisions to the DHS-1201.

The DHS-1201D is currently being developed as a MiCSES-generated form. OCS will send a notification to IV-D staff when this development is complete. Until the DHS-1201D is available in MiCSES, it may be found on mi-support.

D. Transition Period Away From Using the FOC 23 or Comparable Documents As a IV-D Application

OCS asks that FOC offices begin transitioning away from using the FOC 23 or other comparable FOC documents as a IV-D application. FOC staff may use the newly developed DHS-1201D, the DHS-1201, or e1201 as a IV-D application.

SCAO is in the process of removing the checkbox for IV-D services from the FOC 23. It is expected that the revised FOC 23 will be completed sometime in early to mid-2016. The FOC 23 will still be considered a valid IV-D application during the transition phase, which will end with the introduction of the revised FOC 23.

The purpose of the transition period is to allow FOC offices the opportunity to develop a business process to accommodate the DHS-1201D and the impending change to the FOC 23. FOC offices may interpret the FOC 23 to no longer be a valid application. FOC offices are not required to have a transition period, and may immediately implement this change by no longer accepting the current version of the FOC 23 as a IV-D application.

⁴⁰ Using information supplied by the applicant on the DHS-1201D, IV-D staff will determine who they believe will be the CP so they can administratively build the case in MiCSES. MiCSES does not have the functionality for a role switch on a IV-D case. If the CP changes roles with the originally identified non-custodial parent, a new IV-D case must be opened.

The Workgroup suggested that during the transition period, FOC offices may interpret the receipt of an FOC 23 (with the IV-D services checkbox selected) as a request for a IV-D application. If so, FOC staff must provide a IV-D application within five days of the receipt of the request.⁴¹

FOC office leadership may inform potential applicants of the local approach to IV-D applications through their website or other communication channels as they deem appropriate.

E. Updates to Content in Exhibit 2016-003E1

Exhibit 2016-003E1, which was previously published as an attachment to IV-D Memorandum 2015-001, contains questions and answers regarding the delivery of IV-D services in domestic relations cases. Six minor clarifications have been made to Exhibit 2016-003E1 since its last publication:

- Questions 1, 2, 4, 9 and 17 have been clarified to indicate that IV-D staff may refer applicants to an electronic copy of the DHS-Pub 748 online. They are not required to provide a paper copy;
- In question 8, the sentence “Nevertheless, OCS and SCAO may request further direction from OCSE on this topic” was removed. The Workgroup decided not to pursue a request to OCSE related to a customer having the ability to request a delay in the 20-day case opening rule;
- In question 12, “accruing support order” was replaced with “support order” because zero support orders are not excluded from consideration. Additionally, language was added to further clarify and add more context around obtaining a child support order;
- In question 13, “until the domestic relations case is final” has been replaced with “until the child support order is entered” to include the possible entry of temporary child support orders;
- In question 15, a citation to 45 CFR 303.2(b) regarding IV-D application processing requirements has been added; and
- In questions 17 and 18, the words “in writing” have been removed since IV-D applicants’ requests for IV-D case closure are not required to be in writing.

F. Additional Questions and Answers Regarding Domestic Relations Cases (Exhibit 2016-003E2)

OCS received new questions and other comments from IV-D staff (primarily FOC staff) upon publication of IV-D Memorandum 2015-001. OCS also received many suggestions on how to improve the delivery of IV-D services in domestic relations cases, specifically related to the DHS-1201 and the DHS-Pub 748. To address these

⁴¹ Subsection 3.1.2(A) of Section 2.05 of the *Michigan IV-D Child Support Manual* for federal timeframes for providing applications.

issues, OCS drafted Exhibit 2016-003E2. The Workgroup reviewed and approved this exhibit prior to publication.

G. Future Policy Updates

1. Updates to Section 2.05, “Referrals and Applications”

OCS published this memorandum and its attachments in an effort to quickly get this important policy information out to IV-D staff. In the future, OCS will update Section 2.05 with this information and will include the elimination of the use of a comparable FOC document as a IV-D application.

2. Updates to the FOC 23 and the FOC 104

SCAO is in the process of removing the checkbox for IV-D services from the SCAO-owned forms FOC 23 and FOC 104. OCS is working with SCAO to have the DHS-1201D IV-D application print on the back of these forms.

3. IV-D Case Closure Language on the *Notice of Intent to Dismiss for No Progress* (MC 26), the *Voluntary Dismissal* (MC 09), and other SCAO forms

Several staff asked about the preference to close a IV-D case when a domestic relations case is dismissed as described in question and answer 18 of Exhibit 2016-003E1. The answer remains accurate. A dismissed domestic relations case is not a federally approved reason for IV-D case closure, and the IV-D applicant may still want IV-D services. However, it is possible that the applicant no longer wants IV-D services.

Consequently, OCS is working with SCAO to add IV-D case closure language to the SCAO-owned forms MC 26 and MC 09. The forms will explain that the IV-D case will close along with the domestic relations case in 60 days, unless the applicant contacts OCS to request that IV-D services continue. If IV-D staff do not receive a response, they will manually close the case using the “WQ – Non-Public Assistance Applicant Requests Closure” reason code. If IV-D staff receive a response, they will continue IV-D services (e.g., attempt to obtain a support order on behalf of the family).

OCS will provide further direction when it is notified by SCAO that the MC 26, MC 09, and any other forms have been updated with this language.

4. *Understanding Child Support: A Handbook for Parents* (DHS-Pub 748)

a. Addition of a DHS-Pub 748 Reference to the *Friend of the Court Handbook*

In response to suggestions from FOC staff, SCAO intends to add a reference to the DHS-Pub 748 in the *Friend of the Court Handbook*. This addition will

meet the requirement for FOCs to provide access to the DHS-Pub 748 at the time of or before a request for a IV-D application.

OCS will send a notification to IV-D staff when the DHS-Pub 748 language is added to the *Friend of the Court Handbook*.

Until SCAO publishes the new *Friend of the Court Handbook*, IV-D staff must continue to offer access to the DHS-Pub 748 to applicants at the time of or before the request for a IV-D application. This is largely accomplished through use of the DHS-1201D, which includes a link to the DHS-Pub 748. As stated earlier in this memorandum, this will permit the applicant to access an electronic copy and will prevent the need for IV-D staff to regularly provide a hard copy of the DHS-Pub 748.

b. Family Violence Information Added to DHS-Pub 748

Information on family violence will be added to a future publication of the DHS-Pub 748.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. OCS recommends that IV-D staff read the attached Exhibits 2016-003E1 and 2016-003E2 in their entirety. OCS also recommends that FOCs use the DHS-1201D as the primary application for IV-D services in domestic relations cases.

With the publication of this policy, the following are obsolete:

- IV-D Memorandum 2015-001;
- Exhibit 2015-001E1;
- Michigan Data Reliability Best Practice 2006-002, *FOC Setting Up a IV-D Case on MiCSES before Entering a DM Court Order*;
- The *IV-D Child Support Services Application/Referral* (F1201), which is generated by FOC staff. (It was last updated in June 2015 with IV-D Memorandum 2015-015); and
- The *IV-D Child Support Services Application/Referral with Pamphlet* (F1201P).

REVIEW PARTICIPANTS:

CM-WIT
Domestic Relations Workgroup
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SUPPORTING REFERENCES:

Federal

45 CFR 303.2(a)(2)

45 CFR 303.2(b)

45 CFR 302.33

Section 454(26)(c) of the Social Security Act

State

MCR 3.206(B)

ATTACHMENTS:

2016-003E1: Questions and Answers Regarding IV-D Services for Domestic Relations Cases

2016-003E2: Additional Questions and Answers Regarding IV-D Services for Domestic Relations Cases

DHS-1201D: *Application for IV-D Child Support Services (For Privately Filed Domestic Relations Cases Only)*

EPF/CMF

IV-D MEMORANDUM 2016-004

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: February 5, 2016

SUBJECT: Expansion of the Data Warehouse (DW) View for Health Support and Family Services (HSFS) Staff and Updates to Sections 4.25, "Birth Expenses" and 6.06, "Medical Support" of the *Michigan IV-D Child Support Manual*

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces the expansion of the Michigan Department of Health and Human Services (MDHHS) HSFS⁴² Data Warehouse (DW) view and updates to Sections 4.25, "Birth Expenses" and 6.06, "Medical Support" of the *Michigan IV-D Child Support Manual*. On February 10, 2016, DW staff will expand the HSFS DW view to include medical support obligation and insurance coverage data for IV-D cases of current or former Medicaid recipients whom MDHHS referred to MiCSES.⁴³

OCS has updated Section 4.25 with information about the expanded HSFS DW view. Additionally, OCS has incorporated into Section 4.25 the content from:

- IV-D Memorandum 2013-007, *Birth Expenses Reimbursement*. This memorandum described the policy and procedures for including the repayment of Medicaid-paid birth expenses in child support orders; and
- IV-D Memorandum 2013-027, *Updates to the Birth Expenses Request* (OCS0076). This memorandum announced the title change of the OCS0076 from *Confinement Expenses Request* to *Birth Expenses Request*. This change has been made in Section 4.25.

Within Section 4.25, most of the references to the Michigan Department of Community Health (MDCH) have been changed to HSFS to reflect the merger of the Department of Human Services (DHS) and MDCH, which was effective April 10, 2015. This change is

⁴² HSFS is the agency within MDHHS that oversees medical assistance programs.

⁴³ MiCSES is the Michigan Child Support Enforcement System.

not marked with a change bar in the manual section. In some instances, the references to MDCH remain for historical accuracy.

OCS has also updated the following attachments to Section 4.25 with 2015 data:⁴⁴

- Exhibit 4.25E3: Poverty Level Comparison Chart 2015: hard copy representation; and
- Exhibit 4.25E4: Birth Expense Obligation Formula 2015: hard copy representation.⁴⁵

Section 6.06 has been updated with information about the expanded HSFS DW view. In addition, OCS has reorganized Section 6.06 to consolidate the military topics into one subsection. There are no substantive changes to the military information.

Change bars in the right margin of the manual sections identify new policy and substantive changes to previously published policy. Reorganized content or content that has been incorporated from IV-D Memorandums is not identified with a change bar. Additionally, changes to Exhibits 4.25E3 and 4.25E4 are not marked with change bars.

DISCUSSION:

A. Expanded HSFS DW View

Federal regulations require the IV-D agency to provide the Title XIX agency⁴⁶ certain data elements on IV-D cases for which an assignment is in effect.⁴⁷ Federal regulations also permit IV-D agencies to share additional confidential information with other state agencies, including the Title XIX agency, as necessary to carry out their responsibilities, but only to the extent that it does not interfere with the IV-D agency's ability to fulfill its own responsibilities.⁴⁸ In Michigan, OCS provides data to HSFS through a DW view. The DW view displays data extracted from MiCSES.

On February 10, 2016, DW staff will expand the existing HSFS DW view. The expanded HSFS DW view will provide insurance coverage data as well as medical support and birth expense obligation data. This data will be provided only for MiCSES members who are former or current Medicaid recipients whom MDHHS referred to MiCSES.

⁴⁴ 2016 updates to these attachments are in progress and will be published after this IV-D Memorandum is published.

⁴⁵ OCS first announced these updates in an [email notification on June 10, 2015](#). These documents are also accessible on [mi-support](#) under the Central Activities tab → Medical and Birth Expenses. While Exhibit 4.25E4 is a hard copy example of a completed calculation, the Birth Expense Obligation Formula on mi-support is an Excel sheet (DHS-1244) that can be used to calculate birth expense obligations.

⁴⁶ Title XIX of the Social Security Act governs grants to states for medical assistance programs. The Title XIX agency administers the Medicaid program.

⁴⁷ Ref: 45 Code of Federal Regulations (CFR) 303.30; 42 CFR 433.146 and [Section 5.15, "Assignment of Support \(Certification/Decertification\)," of the Michigan IV-D Child Support Manual](#).

⁴⁸ Ref: 45 CFR 303.21.

Prior to the expansion of the HSFS DW view, HSFS had access to collections data for MiCSES members whose medical support obligation was assigned to HSFS. However, HSFS staff needed additional MiCSES data to assist them in determining whether insurance is available to pay for Medicaid recipients' medical expenses.⁴⁹ The expanded DW view will provide this information.

In addition, HSFS staff can use the birth expense obligation data in the expanded DW view to track birth expense obligation amounts that are assigned to HSFS. Prior to the expansion of the DW view, IV-D workers manually notified HSFS whenever a new order included a birth expense obligation amount to reimburse HSFS for a Medicaid-paid birth. The access to medical support and birth expense obligation data in the DW view will eliminate the IV-D worker's responsibility to notify HSFS.

Note: In the past, HSFS staff were granted direct access to MiCSES, which they used, in part, to process *Birth Expenses Requests* and *Support Collection Payment Requests* (DHS-820s). OCS is considering adding the Medicaid arrears (MEDI) amount as a data element to the HSFS DW view in the near future. This will address HSFS's stated need for continued direct access to MiCSES.⁵⁰

B. Birth Expenses Policy

Section 4.25 incorporates content from IV-D Memorandum 2013-007, which described the policies and procedures for the establishment of Medicaid-paid birth expense repayment obligations in IV-D child support orders. Section 4.25 incorporates information from the memorandum on the following topics:

1. Sending only one *Birth Expenses Request* per child;
2. Maternity case rate;
3. Fee-for-service;
4. HSFS response timeframes;
5. Challenges to the *Birth Expenses Request* amount;
6. HSFS's response when Medicaid will not pay birth expenses;
7. Procedures for when the *Birth Expenses Request* amount is pending; and
8. Overcollections by HSFS.

Section I, "Order Establishment Notification to MDCH," of IV-D Memorandum 2013-007 has not been incorporated into Section 4.25 because the expanded DW view makes this step unnecessary.

The updates to Section 4.25 also include the *Birth Expenses Request* (OCS0076) form name change announced in IV-D Memorandum 2013-027.

⁴⁹ Ref: 42 United States Code (USC) 1396a(a)(25).

⁵⁰ With the addition of the MEDI arrears amounts to the HSFS DW view, HSFS's ability to access MiCSES directly will be eliminated.

Additional revisions to Section 4.25 include:

- Significant rewording of some subsections to clarify and add context for the topic;
- The addition of an “Overview” subsection;
- Adding a note in Subsection 5.2 to explain that third parties have the right to request reimbursement from the parents for birth expenses paid on behalf of the parents;
- Removing the phrase “extraordinary medical expense percentage” and replacing it with the phrase “medical expense percentage” to accurately describe how to calculate the father’s share of the birth expenses;
- Replacing the phrase “Medicaid case” with the more accurate phrase “Medicaid-paid birth expense”; and
- Updating the HSFS Third Party Liability Division’s email address to mdhhs-paternity@michigan.gov.

C. Medical Support Policy

OCS has reorganized Section 6.06 to consolidate all of the medical support policy concerning the military into one subsection, “Medical Support and the Military.”

Additional revisions to Section 6.06 include:

- Updated guidance from the 2013 Michigan Child Support Formula Supplement on selecting the parent ordered to provide medical insurance; and
- Minor wording changes to clarify policy.

NECESSARY ACTION:

Review Sections 4.25 and 6.06 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual sections and add them to the manual. Discard the previously published version of Section 4.25 (June 6, 2011) and Section 6.06 (September 28, 2015).

With the publication of this memorandum, IV-D Memorandums 2013-007 and 2013-027 are obsolete. Form OCS0076, which was attached to IV-D Memorandum 2013-027, is not obsolete and is being republished with this memorandum. There are no changes to the OCS0076 since its last publication.

REVIEW PARTICIPANTS:

Program Leadership Group
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MDHHS HSFS

SUPPORTING REFERENCES:

Federal

42 CFR 433.146
45 CFR 303.21
45 CFR 303.30
42 USC 1396a(a)(25)

State

None

ATTACHMENTS:

Section 4.25:	Birth Expenses
Section 6.06:	Medical Support
Exhibit 4.25E3:	Poverty Level Comparison Chart 2015: hard copy representation
Exhibit 4.25E4:	Birth Expense Obligation Formula 2015: hard copy representation
OCS0076:	<i>Birth Expenses Request</i>

EPF/VPW

IV-D MEMORANDUM 2016-005

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: March 8, 2016

SUBJECT: Self-Assessment (SASS) Audit: Progress Report on Service of Process (SOP)

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

Michigan did not meet the federal benchmark for the Establishment criterion in the Self-Assessment (SASS) audit for fiscal years (FYs) 2013 and 2014, and as a result, OCS implemented a corrective action plan per federal requirements. However, despite Michigan's corrective actions, Michigan is at risk for not meeting the federal benchmark for the Establishment criterion in FY 2015 and FY 2016. OCS recommends that PA offices⁵¹ assess their local office business practices for potential changes that will improve Michigan's performance for the Establishment criterion.

DISCUSSION:

A. Background

Federal regulations require the Michigan child support program to perform a yearly SASS audit to ensure its compliance with eight program compliance criteria. One of these criteria is "Establishment of paternity and support order" (Establishment). Within the Establishment criterion benchmark of 75 percent, there are three regulations for which states must be successful: 20-day case-open timeframe, 75/90-day locate timeframe, and 90-day service of process (SOP) timeframe.⁵²

Michigan failed to meet the federal benchmark for the Establishment criterion in the SASS audit for FYs 2013 and 2014. Analysis of the SASS data determined that SOP contributed to 52 percent of the failures in the Establishment cases reviewed for FY 2014. The review showed that not all IV-D staff used the *Legal Service of Process*

⁵¹ In some counties, the FOC performs establishment functions rather than the PA. The information provided in this memorandum applies to those FOC offices.

⁵² Ref: 45 Code of Federal Regulations (CFR) 308.2.

(LSOP) screen to enter the SOP attempt dates and successful service dates. IV-D staff must maintain the LSOP screen to ensure the SASS audit reliably measures Michigan's SOP success. In addition, SOP was not always completed timely. SOP must be completed timely and within the *Federal Expiration Date* on the LSOP screen.

As part of the Establishment corrective action plan for the FY 2014 SASS audit, OCS completed a progress report⁵³ of *potential* FY 2015 SASS cases⁵⁴ in which SOP requirements either were met or may **not** have been met within the *Federal Expiration Date*. The progress report includes cases in which at least one of the following SOP activities was not completed within the federal 90-day timeframe or within the *Federal Expiration Date*:

- A court order was established;
- Successful SOP occurred;
- Three SOP attempts were made and documented; or
- A IV-D-qualifying summons extension was obtained.

The progress report shows that statewide, Michigan completes SOP 63 percent of the time. If the 75 percent threshold for the Establishment criterion were applied solely to the SOP, Michigan would remain below the necessary threshold.

Michigan's corrective action plan indicates that it will improve the Establishment criterion rate through changes and improvements in policy, system functionality, training methods, and business practices. OCS has conducted an evaluation of its policy, system, training, and its own operations, and has acted on many of its findings. However, after two years of corrective action, it appears Michigan remains at risk of failing the Establishment criterion again. Consequently, Michigan's IV-D program must rely on PA offices to review and improve their business practices. OCS expects individual counties to meet (and ideally exceed) the 75 percent threshold in the area of SOP.

After consulting with the Program Leadership Group regarding the Establishment compliance rate, the OCS IV-D director decided to issue letters to the elected PA (or the judge in counties in which the FOC provides this service) and the PA's child support office manager in counties that had at least 10 court orders established in FY 2015. The letters will describe the SASS SOP deficiencies identified in this memorandum and will provide the county's compliance rate for SOP for cases with court orders established in FY 2015. By issuing the letter, it is expected that child support staff will receive the appropriate executive support and resources needed at the local level to improve performance.

⁵³ The report is titled <county number> *Fiscal Year 2015 Court Orders with Possible SOP Errors*. It is a tally of historical Michigan Child Support Enforcement System (MiCSES) records. Each affected county will have access to its own progress report on mi-support. Ref: Section C in this IV-D Memorandum for more information.

⁵⁴ OCS did not audit these cases in MiCSES.

B. Recommended Action for PA Offices

OCS expects that PA offices **near or below** the federal compliance benchmark of 75 percent in Category 1 of the progress report⁵⁵ will review the Category 1 cases listed as “Fail” to determine the obstacles that prevented – and the procedures that did not permit – timely service. PA staff will then re-evaluate their business practices in an effort to better meet due diligence and the federal timelines. The progress report shows there is significant room for improvement since 33 counties are below the 75 percent threshold in Category 1; these counties account for 71 percent of the failed cases in Category 1.

Additionally, OCS recommends that *all* PA offices strive to improve their compliance percentage in Category 1 since incremental improvements in all counties can help ensure Michigan meets the SASS Establishment criterion.

Some local PA office business practices that OCS identified in the audit analysis appear to conflict with federal requirements and/or IV-D policy, causing delays in meeting SOP within the *Federal Expiration Date*. These business practices included:

- Rejecting the court action referral (CAR) when the issue can be resolved by the PA (such as transferring the case to another county when the support specialist sends it to the incorrect PA office). **Pursuant to policy, the *Federal Expiration Date* timeline continues when a CAR is rejected by local office staff.** Inappropriate CAR rejections negatively impact program compliance in the Establishment criterion.
- Shutting down the MiCSES major activity for the NCP’s SOP tracking prior to the *Federal Expiration Date*.
- Locating parents (sending postal verifications) after the support specialist sent a CAR already showing current locate information for the parents;
- Delaying the sending of appointment letters to the parents or setting an appointment that is near or beyond the *Federal Expiration Date*, preventing SOP in a timely manner.
- Failing to set the NCP to a **not located** status on the *Member Address History* (AHIS) and *Member Employment History* (EHIS) screens when the NCP’s home and employer locations are clearly unknown. IV-D staff should set a “not located” status for the NCP by end-dating all bad residential and mailing addresses and employer addresses. (Note: When an NCP has multiple cases, IV-D staff must ensure that the other cases are not negatively affected when end-dating addresses or employers on one of the NCP’s cases).⁵⁶

⁵⁵ Category 1 of the progress report consists of cases that appear to have a correct *Federal Expiration Date* in MiCSES, and the PA office had at least 60 days to serve the non-custodial parent (NCP) from the time of the CAR to the *Federal Expiration Date*. Ref: Section C(1) in this IV-D Memorandum for more information.

⁵⁶ Legal addresses do not affect the NCP’s MiCSES locate status. Reference Subsection 3.4.1 of [Section 4.15, “Service of Process \(SOP\),” of the Michigan IV-D Child Support Manual](#) for an explanation.

- Not properly marking or noting the reason for the IV-D-qualifying summons extension on the *Notes Processor* (NOTE) screen.

OCS recommends PA staff review Section 4.15 of the *Michigan IV-D Child Support Manual* for further information regarding due diligence and SOP. PA staff may also review the following for more information on meeting due diligence and SOP:

- The [PA Case Processing Web-Based Training](#); and
- The [Federal Expiration Dates webcast](#).

PA offices that are interested in further consultation about changing business practices to improve SOP timelines are encouraged to request this assistance by entering a Help Desk ticket. OCS will monitor these tickets and respond as resources allow.

In addition, the *Service of Process (SOP) Details* (ES-202) report is an operational report in Business Objects that IV-D staff can use to monitor local office compliance with the federal and state SOP timeframes. PA offices are encouraged to use this report to monitor open CARs where the NCP has been located but SOP has **not** been successful.

C. Progress Report

The spreadsheet titled <county number> *Fiscal Year 2015 Court Orders with Possible SOP Errors* is a compilation of open IV-D cases with an initial order established in FY 2015 and includes potential SOP pass and fail cases for a county. There is a spreadsheet for each county that had at least 10 court orders established in FY 2015. The spreadsheet is located in each county's folder in the mi-support [Document Distribution Center](#).

Note: The following counties had fewer than 10 cases with court orders established in FY 2015. For these counties, OCS will not send a letter to the PA and will not provide a spreadsheet.

- Alcona;
- Alger;
- Baraga;
- Benzie;
- Chippewa;
- Iron;
- Keweenaw;
- Luce;
- Mackinac;
- Manistee;
- Midland
- Missaukee;

- Ontonagon;
- Oscoda; and
- Tuscola.

OCS compiled the data for the progress report following the 8.13 MiCSES Release on November 13, 2015. OCS did **not** perform a detailed review of all cases provided in the progress report; therefore, some cases' pass/fail results could change upon further review. Additionally, SOP policy changes published in [IV-D Memorandum 2015-024, Updates to Federal Expiration Date and Service of Process \(SOP\) Policy](#), could also positively affect a county's SOP compliance rate.

1. Categories of Cases in the Report

The cases in the spreadsheet are organized into two categories:

- a. Category 1 – Cases that appear to have a correct *Federal Expiration Date* in MiCSES, and the PA office had at least 60 days to serve the NCP from the time of the CAR to the *Federal Expiration Date*; and
- b. Category 2 – Cases that appear to have a correct *Federal Expiration Date* in MiCSES, and the PA office had fewer than 60 days to serve the NCP, including cases for which the county received the CAR *after* the *Federal Expiration Date*.

Multiple CARs may exist for both Category 1 and 2 cases; the most recent CAR and its *Federal Expiration Date* were used to determine SOP compliance for this report. However, these multiple CARs did not significantly impact the county compliance rates.

OCS will perform a centralized review of Category 2 cases. However, action from *both* PA offices and OCS may be appropriate. CARs that were inappropriately rejected by PA staff may fall into this category, and such rejections can cause SOP failures. OCS may provide further direction on Category 2 cases in a future communication. Until then, PA offices should focus their resources on Category 1 cases, and then if resources are still available, review cases in Category 2 to further refine their local business procedures.

2. Report Tabs and Columns

The progress report includes a summary of the county's SOP pass/fail percentages located on the "Stats" tab. The pass/fail percentages are broken out by each of the two categories and as an overall total. Counties with IV-D cases with potential failures will find case details on the tab marked with the county number. Column descriptions are provided on a separate tab.

The first column of the report, "Overall P/F," indicates if the individual case passed or failed to complete SOP activities within the *Federal Expiration Date* period.

- a. Cases that had a successful SOP, three unsuccessful SOP attempts, or an order issued on or before the *Federal Expiration Date* were identified as "pass."
- b. Cases indicated in MiCSES with a summons expiration date extension are considered a pass; however, PA staff should further review these cases to ensure they meet the qualifying summons extension requirements as described in Section 4.15 of the *Michigan IV-D Child Support Manual*.

3. Case Types Not Included in the Report

Certain types of cases have limited PA involvement and are currently not a primary focus of the SASS audit analysis or the current corrective action plan. Consequently, the following case types are not included in the report:

- a. Intergovernmental cases with R or I in the *Intergov* field on the *Case Member Details* (CASE) screen or cases whose support order had a *Court Case Type* that started with a U on the *Support Order Entry* (SORD) screen;
- b. Foster care cases with a *IV-D Case Type* of F, J, or G on the CASE screen;
- c. Domestic relations cases (i.e., cases with a *Court Case Type* on the SORD screen of DC, DM, or DO);
- d. Cases without CARs; and
- e. Cases that have an incorrect *Federal Expiration Date*⁵⁷ in MiCSES.

D. Additional Information

For more information regarding the FY 2014 SASS audit and corrective action plan, refer to the [FY 2014 SASS report](#). Also refer to:

- [IV-D Memorandum 2015-021, Self-Assessment \(SASS\) Audit – Establishment of Paternity and Support Order \(Establishment\) Program Compliance Criterion Corrective Action Plan \(CAP\)](#); and
- IV-D Memorandum 2015-024.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

⁵⁷ The *Federal Expiration Date* did not correctly recalculate for reopened cases, cases in which the NCP became not located, or cases that had a noncooperation or good cause activity within the 90-day *Federal Expiration Date* period.

Program Leadership Group

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None

SUPPORTING REFERENCES:

Federal
45 CFR 308.2

State
None

ATTACHMENT(S):

None

EPF/PGM

IV-D MEMORANDUM 2016-006

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff
All Michigan State Disbursement Unit (MiSDU) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: February 29, 2016

SUBJECT: Updates to the Federal Tax Refund Offset (FTRO) Fraud Process and to Section 6.21, "Tax Refund Offset," of the *Michigan IV-D Child Support Manual*

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum introduces revised policy surrounding the FTRO fraud process. Several manual steps in this process will be automated with the Michigan Child Support Enforcement System (MiCSES) 9.0 Release (March 4, 2016). The FTRO fraud process identifies potentially fraudulent FTRO receipts and places a hold on a receipt until the federal Office of Child Support Enforcement (OCSE) confirms whether it is fraudulent or valid. The changes to the FTRO fraud process include:

- Creating a unique suspense hold code for FTRO receipts that are potentially fraudulent or confirmed fraudulent;
- Eliminating several labor-intensive manual steps of the process;
- Displaying the FTRO fraud status of Social Security numbers (SSNs) on three MiCSES screens; and
- Adding functionality to the *FTRO Fraud Queries* (FFRQ) screen to allow OCS Central Operations staff to update an SSN's fraud status and view the results of the "potential fraud" query.

This memorandum describes revisions to Section 6.21, "Tax Refund Offset," of the *Michigan IV-D Child Support Manual* to reflect changes in the FTRO fraud process. This memorandum also introduces an Internal Revenue Service (IRS) Interim Final Rule⁵⁸ that limits the IRS's ability to recover fraudulent FTRO receipt amounts from states after six months for those receipt amounts that have been forwarded to custodial parties. The six-month limitation does not apply to FTRO receipt amounts from a joint return.⁵⁹

⁵⁸ Ref: [OCSE Dear Colleague Letter \(DCL\) 15-21, Offset of Tax Refund Payments to Collect Past-Due Support Interim Final Rule.](#)

⁵⁹ Ref: Subsection 9.3.1 of Section 6.21 of the *Michigan IV-D Child Support Manual*.

Note: IV-D workers must not take action based on this interim final rule. OCS is seeking clarification from OCSE on how this rule will impact the FTRO fraud process. IV-D workers should wait for published policy that will provide further guidance.

OCS has also updated Section 6.21 with information on a new search option in the State Services Portal (SSP) Federal Collections and Enforcement application. The search option will allow OCS Central Operations staff⁶⁰ to check the fraud status of an FTRO receipt using the Treasury Offset Program (TOP) Trace number.

A change bar in the right margin of Section 6.21 indicates significant changes to the policy since its last publication. Content that has been reorganized or reformatted since its last publication is not identified with a change bar.

DISCUSSION:

In December 2013, OCS implemented a process to identify potentially fraudulent FTRO receipts and place them on hold until OCSE confirmed that the receipts were fraudulent or valid.⁶¹ OCS has made several improvements to this process since its introduction. The revisions to the process in the MiCSES 9.0 Release will automate many of the manual steps. The revisions will also eliminate the possibility of delayed processing of the IRS Collection and Adjustment file by reducing the time needed to manually process holds on potentially fraudulent receipts. The updates will substantially reduce the amount of time OCS Central Operations staff use to perform their fraud prevention tasks.

The MiCSES 9.0 Release will automate the process of placing FTRO receipts on hold and documenting the action in a docket-level note. The 9.0 release will also implement a new suspense hold code, *FTRO Tax Fraud Process* (STFP).⁶² The STFP hold will remain on FTRO receipts identified as potentially fraudulent until OCSE confirms they are valid. The STFP hold will also remain on a confirmed fraudulent receipt until the negative adjustment is processed in MiCSES. Although MiCSES will place the hold automatically, it will follow the existing criteria for identifying potentially fraudulent receipts.

The MiCSES 9.0 Release will also add functionality to allow OCS Central Operations staff to manually update an SSN's FTRO fraud status and view an SSN status report on the FFRQ screen. This will ensure that updates are done quickly and efficiently. Furthermore, an *FTRO Fraud Status* field will be added to the following MiCSES screens: *Member Demographics* (DEMO), *Federal Offset Information* (FEDH), and

⁶⁰ Only OCS Central Operations staff who are responsible for the FTRO fraud process will have access to this search option.

⁶¹ Ref: Section 6.21 of the *Michigan IV-D Child Support Manual* for more information.

⁶² Ref: [MiCSES Customer Information Guide: Suspense Management Reference](#) for information on suspense holds.

Member SSN History (MSSN). This field will allow IV-D users to easily identify when a receipt is on hold for potential or confirmed fraud.

MiCSES Screen Updates

OCS Central Operations staff may view and manually update the FTRO fraud status of an SSN that MiCSES maintains on the FFRQ screen. The FTRO fraud status of “Potential Fraud,” “Confirmed Fraud,” or “No Fraud” will display in the *FTRO Fraud Status* field on the DEMO, FEDH, and MSSN screens. The *FTRO Fraud Status* field will be read-only. MiCSES will automatically update the value in this field when it automatically updates the FTRO fraud status maintained on the FFRQ screen, or when OCS Central Operations staff manually update the FTRO fraud status on the FFRQ screen. IV-D workers will have access to the FTRO fraud status without searching through notes on the *Notes Processor* (NOTE) screen.

The FFRQ screen will also display the *SSN Status Report*, which consists of all SSNs with a potential or confirmed fraud status, the date the SSN was added to the list, and the date the SSN was last modified.

Automated FTRO Tax Fraud Process (STFP) Hold

As of March 4, 2016, MiCSES will automatically place the STFP hold on potentially fraudulent receipts. The automated “potential fraud” query identifies FTRO receipts that are potentially fraudulent.⁶³ The STFP hold will remain on a potentially fraudulent receipt until OCS Central Operations staff remove it based on OCSE’s confirmation that the receipt is valid. When placing the STFP hold, MiCSES will also create a docket-level note documenting that an STFP hold was placed on the receipt. In addition, MiCSES will document the member ID and primary SSN. IV-D workers will be able to view this information when responding to non-custodial parent questions.

SSP TOP Trace Number Search

OCSE developed a search option for the SSP Federal Collections and Enforcement application. IV-D workers with Full FTRO view access can use the TOP Trace number to check the fraud status of an FTRO receipt. OCS Central Operations staff can use this search option during the interval between OCSE reports to identify which receipts are fraudulent or valid.

Revisions to Section 6.21, “Tax Refund Offset”

OCS has made the following changes to policy in Section 6.21:

- Updated Subsection 10 with the automated FTRO fraud process changes effective with the MiCSES 9.0 Release;

⁶³ Ref: Section 6.21 of the *Michigan IV-D Child Support Manual* for more information on identifying potentially fraudulent receipts.

- Updated Subsection 10 with information about the six-month limitation on recovering fraudulent receipts from states when the money has been forwarded to a custodial party unless the receipt is from a joint return;
- Added information on an SSP TOP Trace number search option for IV-D staff to check on the fraud status of an FTRO receipt;
- Removed the description of manual steps that have been automated, and renumbered the subsections;
- Removed text about prioritizing weight values for manually placing holds on potentially fraudulent FTRO receipts;
- Revised the FTRO fraud process workflow task table in Subsection 10.4;
- Removed text describing the procedure for delayed processing of the IRS Collection and Adjustment file, which is required for placing manual holds;
- Added instructions for responding to the OCSE response of “PAR” (partial);
- Updated the email address for the OCS Central Operations Tax Refund Offset Unit; and
- Made minor revisions and updates to headings, text, and footnote references.

NECESSARY ACTION:

Review Section 6.21 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual section and add it to the manual. Discard the previously published version of Section 6.21 (published July 30, 2015).

REVIEW PARTICIPANTS:

Enforcement Work Improvement Team
 Financial Work Improvement Team
 OCS Central Operations
 Program Leadership Group

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SUPPORTING REFERENCES:

Federal
OCSE DCL-15-21

State
None

ATTACHMENT:

Section 6.21: Tax Refund Offset

EPF/VPW

IV-D MEMORANDUM 2016-007

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: February 29, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Updates to the Generation of the *Federal Expiration Date* in the Michigan Child Support Enforcement System (MiCSES)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces upcoming changes that will affect how MiCSES populates the *Federal Expiration Date*. These changes, which will be effective with the MiCSES 9.0 Release (March 4, 2016), will align MiCSES functionality with the previously published service of process (SOP) policy announced in [IV-D Memorandum 2015-024, Updates to Federal Expiration Date and Service of Process Policy](#).

Additionally, Section 4.15, "Service of Process (SOP)," of the *Michigan IV-D Child Support Manual* has been updated to further explain policy related to the *Federal Expiration Date* and to reflect the implementation of the MiCSES functionality. Change bars in the right margin indicate revisions since the previous publication of the policy. Content that has been removed is not indicated with a change bar.

DISCUSSION:

IV-D Memorandum 2015-024 explained that following the results of the 2013-2014 Self-Assessment (SASS) audit, OCS and PA staff reviewed examples of cases that did not meet the federal 90-day SOP timeframe. The cases revealed several conditions that may prevent IV-D workers from exercising due diligence,⁶⁴ and therefore, a recalculation of the *Federal Expiration Date* is required. IV-D Memorandum 2015-024 and Section 4.15 advised IV-D workers to manually monitor SOP timeframes and/or recalculate the *Federal Expiration Date* until MiCSES functionality to support this policy is implemented in the future. This functionality will be implemented in MiCSES on March 4, 2016 with the 9.0 release.

Note: The upcoming MiCSES enhancements are intended to make positive impacts to

⁶⁴ These conditions are described in Section 4.15 of the *Michigan IV-D Child Support Manual*.

the Establishment criterion in the fiscal year 2015 SASS audit. However, these changes only address some of the SASS audit findings. IV-D staff should refer to [IV-D Memorandum 2015-021, Self-Assessment \(SASS\) Audit – Establishment of Paternity and Support Order \(Establishment\) Program Compliance Criterion Corrective Action Plan \(CAP\)](#) for more information regarding the SASS audit and additional actions that IV-D staff should take to improve performance in the Establishment criterion.

Initial Calculation of the *Federal Expiration Date*

45 Code of Federal Regulations (CFR) 303.4(d) requires that the federal timeframe for SOP begin at the point when the non-custodial parent (NCP) is located. Previously, MiCSES would not populate a *Federal Expiration Date* until after a court action referral (CAR) was generated. However, with the 9.0 release, MiCSES will no longer require that a CAR be generated before populating the *Federal Expiration Date* field. MiCSES will instead initially populate the *Federal Expiration Date* field with the date that a case meets all of the following conditions:

- The case is an open IV-D case;
- An NCP has been added to the case;
- A dependent has been added to the case; **and**
- The NCP has been located.

Once MiCSES initially determines the *Federal Expiration Date*, it will immediately display it on the following screens:

- *Case Activity Diary* (CASD);
- *Case Member Addition* (CMAD);
- *Case Member Details* (CASE);
- *Case Processor* (CPRO);
- *Legal Case* (LCSE);
- *Legal Processor* (LPRO);
- *Legal Service of Process* (LSOP);
- *Member Assistance History* (MAHI); and
- *Resolve Referral* (RESR).

Note: If MiCSES has not initially populated a *Federal Expiration Date* (e.g., the NCP has never been located) and a case is placed into a noncooperation or “good cause pending” status, the *Federal Expiration Date* will initially populate when the above conditions are met and the case is placed into cooperation status, a status of “good cause granted, continue action,” or a status of “good cause denied.”

With the implementation of the 9.0 release, MiCSES will populate the *Federal Expiration Date* on all cases that meet the above criteria. This will result in dates being populated on domestic relations cases and cases that have an established order. IV-D staff do not need to take SOP action on these cases since SOP requirements are not currently

monitored for domestic relations cases in the SASS audit, and cases with an established order do not currently need SOP.

The above information related to MiCSES' initial calculation of the *Federal Expiration Date* has been added to Section 4.15.

Recalculation of the *Federal Expiration Date*

After the *Federal Expiration Date* is initially populated, MiCSES will recalculate and display a new *Federal Expiration Date* as of the date any of the following conditions occur on a case:

- A located NCP is added;
- A new dependent is added;
- An initiating intergovernmental case status changes to a non-intergovernmental case status;
- A new defendant is added to the CAR;
- The case changes from a non-IV-D case to a IV-D case;
- A previously closed IV-D case is reopened;
- A custodial party (CP) who is in noncooperation status is placed into cooperation status; or
- A CP's status of "good cause pending" is changed to a status of "good cause, continue action" or "good cause denied."

Some MiCSES functionality to support the recalculation of the *Federal Expiration Date* in these situations was implemented in the 8.13 release (November 2015). The remainder of this functionality will be implemented in the 9.0 release. Therefore, IV-D staff no longer need to manually recalculate the *Federal Expiration Date* in any of these situations. References to manual recalculation and future MiCSES functionality have been removed from Section 4.15.

Additionally, the *Federal Expiration Date* fields will become blank when the NCP becomes not located or the CP is placed into a noncooperation or "good cause pending" status.

NECESSARY ACTION:

Review Section 4.15 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual section and add it to the manual. Discard the previously published version of Section 4.15 (published September 29, 2015).

REVIEW PARTICIPANTS:

Program Leadership Group
Establishment Work Improvement Team

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CC:

None

SUPPORTING REFERENCES:

Federal
45 CFR 303.4(d)

State
None

ATTACHMENT:

Section 4.15: Service of Process (SOP)

EPF/AER

IV-D MEMORANDUM 2016-008

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: February 29, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Implementation of the *Online Child Support Response* Form (e842)
and Revision to Cooperation Timeframes

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces the statewide implementation of the *Online Child Support Response* form (e842). The e842 will be available on March 4, 2016 with the Michigan Child Support Enforcement System (MiCSES) 9.0 Release.

Custodial parties (CPs) who have been referred to the child support program based on their receipt of public assistance benefits must provide information to OCS to begin their child support case. The e842 allows CPs to provide this information electronically via the MiChildSupport portal. The e842 uses a self-directed, interview-style approach similar to the online child support application (e1201) to guide CPs through the interview process. It provides increased accessibility, efficiency and convenience to child support services for CPs, IV-D staff and partner agencies. CPs who are unable to complete the e842 may call OCS at (866) 540-0008 to provide the requested information. Beginning with the implementation of the e842, the paper *Child Support Response* form (DHS-842)⁶⁵ will no longer be mailed to the CP, nor will it be available online.

The e842 initiative supports the following goals in the [Michigan Child Support Program's 2013-2017 Strategic Plan](#):

- Process cases in a way that provides effective, efficient and holistic child support services;
- Deliver services to the public in an engaging, effective and accessible manner;
- Foster a culture of excellence in which Michigan child support professionals work as a team; and

⁶⁵ The DHS-842 was previously titled *Child Support Information*. The title of the form has been changed to *Child Support Response*. See Section G, "Form Revisions," of this memorandum for more information.

- Use innovative technology to enhance customer service and improve business practices.

This memorandum also announces revisions to Section 1.35, “MiChildSupport Portal,” Section 2.05, “Referrals and Applications,” and Section 2.15, “Cooperation/Noncooperation/Good Cause,” of the *Michigan IV-D Child Support Manual*, as well as to the following forms and publications:

- DHS-842;
- *First Customer Contact Letter* (OCS0015);
- *Final Customer Contact Letter* (OCS0025);
- *Client Contact Letter* (OCSCONT);
- *Understanding Child Support: A Handbook for Parents* (DHS-Pub 748/OCSPAMP); and
- *Notice of Noncooperation* (OCS1252A).

In addition, this memorandum announces the implementation of two new forms:

- *Client Contact Letter 1* (OCSCONT1); and
- *Client Contact Letter 2* (OCSCONT2).

Within Sections 1.35, 2.05, and 2.15, a change bar in the right margin indicates significant changes since the previous publication of the policy. Reorganized content or content that has not been substantively updated with new information or policy is not identified with a change bar.

Finally, this memorandum obsoletes the following:

- *Child Support Services Application with Pamphlet* (OCS1201P);
- *First Customer Contact Letter with Pamphlet* (OCS0015P);
- IV-D Memorandum 2012-024, *Changes to Customer Contact Letters for Child Support Cooperation*; and
- Action Transmittal (AT) 2007-006, *Michigan Child Support Enforcement System (MiCSES) Versions of the IV-D Child Support Services Application/Referral* and its attachments.

DISCUSSION:

A. e842 Background and Development

Before the e842, CPs who were referred to the child support program were mailed a DHS-842 with the OCS0015 and the OCS0025. The CP was then required to either call OCS and provide requested information over the phone, or manually complete the DHS-842 and send it to OCS.

The e842 allows CPs to complete and submit the requested information online.

Unlike the paper DHS-842, the e842:

- Allows for faster processing of a referred case for a CP;⁶⁶
- Guides the CP while (s)he completes the e842;⁶⁷ and
- Assists the CP with providing all required information.

B. e842 CP Experience

After a CP is referred to the child support program, (s)he will receive the OCS0015 directing him/her to either access the e842 on the MiChildSupport portal⁶⁸ or call OCS to provide the information needed to start a child support case.

The e842 is designed to obtain information for all fields on the e842 but will not require the applicant to complete all fields.⁶⁹ Consequently, some fields on the resulting e842 PDF may be blank. It will be prepopulated with information from MiCSES, allowing the CP to provide only the missing information or to correct the prepopulated information. The e842 will ask the CP subsequent questions based upon his/her answers to previous questions.

However, before the e842 allows a CP to submit an application, (s)he must provide a minimum amount of information. The required information for submission is identified in Section 1.35.

If the CP does not provide the minimum required information for submission, (s)he will not be able to submit the e842.

As the CP progresses through the e842 interview questions, the e842 displays a progress bar showing the CP where (s)he is in the process. The e842 also allows the CP to save his/her information and complete the e842 later, if needed. In addition, the e842 will provide a status of the CP's IV-D case to inform him/her about the progress of the case.

C. Processing the e842

Once the CP submits the e842, a PDF copy of the e842 will be stored on the *Historical Reprints* (FHST) screen in MiCSES. MiCSES will then process the information obtained from the e842 and update the case through the overnight referral batch processes.

⁶⁶ Ref: Section C, "Processing the e842," in this memorandum for information related to processing the online form.

⁶⁷ Ref: Section 1.35 of the *Michigan IV-D Child Support Manual* for the specific information that the e842 requires. CPs may still need to contact a support specialist (SS) to give more detailed information in order to progress the case.

⁶⁸ The OCS0015 and other letters sent to the CP refer to the MiChildSupport "portal" as the MiChildSupport "website."

⁶⁹ A CP may be the mother, the father, or a third party. Third-party CPs may not be able to provide all the required information, and therefore may need to speak to an SS to progress the case.

While a CP will be able to submit the e842 by providing the minimum required information for submission, in order for a case to be worked by an SS, the CP must have provided the required information for the SS to generate a court action referral (CAR).⁷⁰

If there is not enough information for an SS to review, MiCSES will generate and send the *Client Contact Letter 2* (OCSCONT2).⁷¹ The OCSCONT2 informs the CP that OCS needs more information, and that (s)he must call OCS to provide the needed information. MiCSES will list on the OCSCONT2 what information is still needed from the CP in order for OCS to proceed with his/her case.

If there is enough information, MiCSES will generate the *Client Information Review* (CIREV) alert to notify the SS to review the case. If the SS determines that there is still some information that is needed before the case can proceed to the PA office, the SS will generate and send the OCSCONT2.

Additionally, an SS may determine that more time is needed for the CP to provide the required information needed for a CAR after the CP has already received two contact letters. When this occurs, the SS must inform the CP what specific information is needed, and the date that the information must be submitted by. The SS must generate and send the *Client Contact Letter* (OCSCONT), verify that the information that is still needed is listed on the form, and include the date that the information must be submitted by. Once the form has been generated and sent, the SS must ensure that the correct noncooperation date is reflected in MiCSES.

D. Updates to Section 1.35

Section 1.35 of the *Michigan IV-D Child Support Manual* has been updated to include information about the e842, which is available on the MiChildSupport portal. It describes the CP experience in completing the e842, as well as the required fields.

E. Updates to Section 2.05

Section 2.05 of the *Michigan IV-D Child Support Manual* has been updated to include information about the processing of the e842.

The mailing address for OCS has been updated to remove the street address and use only the P.O. box. Also, all references to the Department of Human Services (DHS) in Section 2.05 have been changed to the Michigan Department of Health

⁷⁰ Ref: [Section 2.20, "Court Action Referrals \(CARs\)," of the Michigan IV-D Child Support Manual](#) for the information needed for a CAR.

⁷¹ For more information about contact letters used in this process, refer to Section G(4) of this memorandum.

and Human Services (MDHHS).⁷² These changes are not indicated by a change bar in the manual section.

F. Updates to Section 2.15

Section 2.15 of the *Michigan IV-D Child Support Manual* has been updated to:

- Reflect the new e842 process for contact letters sent to the CP; and
- Explain to IV-D workers the shortened timeframes for cooperation.

Prior to implementation of the e842, a CP would not be placed into noncooperation status until (s)he had failed to cooperate for up to 56 days after the generation of the OCS0015. Because the e842 eliminates the need to mail a form to the CP and wait for the CP to mail the form back, and because it allows the CP to provide needed information at any time that is convenient to the CP, OCS discussed the possibility of reducing the 56-day timeframe. After careful evaluation, OCS determined that it would be appropriate to reduce the cooperation timeframe to reduce the number of months in which CPs receive grant assistance when they never intend to cooperate with the child support program.

The CP will have 10 days to respond after the generation of the OCS0015 or the OCSCONT1, and eight days to respond after the generation of the OCS0025 or the OCSCONT2. The maximum amount of time an unresponsive CP has to cooperate will be 18 days. However, this is dependent on when the CP provides information. If the CP responds to the OCS0015 before the 10-day period has elapsed but an OCSCONT2 has been sent in order to obtain additional information, the CP will have eight days from the generation of the OCSCONT2 to cooperate. Any remaining time from the OCS0015 timeframe will not be carried over. This may result in a CP having less than 18 days to cooperate. Additionally, once the noncooperation status has been communicated to the public assistance program, the public assistance program will provide the CP an additional 12 days to become cooperative before any reduction to public assistance benefits is applied.

Likewise, a CP may have more than 18 days to cooperate with the child support program. If a CP has received two contact letters and then contacted an SS, the SS can extend the date the CP has to cooperate in order to give the CP more time to provide the required information.⁷³

Section 2.15 has also been updated to include changes in child support noncooperation policy related to child welfare agency placements (“foster care”).

G. Form Revisions

⁷² DHS and the Michigan Department of Community Health merged and became MDHHS through an Executive Order signed by Governor Snyder. The merge was effective April 10, 2015.

⁷³ Ref: Section 2.15 of the *Michigan IV-D Child Support Manual* for more information.

1. *Child Support Response* (DHS-842)

The DHS-842 was previously titled *Child Support Information* form. The title of the DHS-842 has been changed to *Child Support Response* form. This change more clearly highlights that the CP is required to respond to the child support program, and helps distinguish it from the voluntary *IV-D Child Support Services Application/Referral* form (DHS-1201).

Additionally, the following fields have been added to the DHS-842:

- Identifying information for the CP (identifying marks, height, weight, etc.);
- CP's mailing address;
- CP homeless indicator;
- Other ways to contact the CP;
- Assistance received by the CP in another state;
- Child's age;
- Country the child was conceived in;
- The mother's spouse's date of birth;
- NCP's alias names;
- NCP's date of death;
- NCP's relationship to the child;
- NCP's tribe name;
- Tribal child support order indicator;
- NCP's mailing address;
- NCP homeless indicator;
- NCP's email address;
- Other ways to contact the NCP;
- NCP's social media names;
- NCP's driver information; and
- NCP's jail and prison information.

With the implementation of the e842, the paper DHS-842 will no longer be sent with the contact letters, nor will it be available online. In the rare situation when a CP requests a paper DHS-842 because (s)he is unable to go online or call OCS, IV-D workers must provide a printout of the DHS-842 PDF that is attached to this memorandum.

2. *First Customer Contact Letter* (OCS0015)

The OCS0015 has been updated to include language directing CPs to access the *Online Child Support Response* form (e842) or call OCS to provide information about themselves, their child(ren) and the parent(s) who is not in the home. This information will help OCS start a child support case. The OCS0015 informs CPs that they need to provide the requested information within 10 days of the date of the letter, or OCS will find them uncooperative.

The OCS0015 no longer includes a paper copy of the DHS-842. Instead, the CP will need a full-access MiChildSupport account to access and complete the e842 online.⁷⁴ Therefore, the OCS0015 provides instructions to the CP for accessing the MiChildSupport portal, and includes the required Personal Identification Number (PIN) for full access if the CP does not already have full access to MiChildSupport.

3. *Final Customer Contact Letter (OCS0025)*

The OCS0025 has been updated to provide the same information as the updated OCS0015, but with a few exceptions. The OCS0025 tells the CP that this is the final notice to the CP, and it provides the date on which the CP will be found uncooperative if the requested information isn't received. This date is eight days after the date the letter is generated.

4. *Client Contact Letter (OCSCONT)*

The OCSCONT letter has been updated to contain the revised MDHHS nondiscrimination statement. Additionally, two new forms have been created from the OCSCONT based on the case situation, as outlined below:

a. *Client Contact Letter 1 (OCSCONT1)*

If Bridges⁷⁵ provides a referral with enough basic information for an SS to generate a CAR, but there is something that the SS needs to clarify before sending the CAR (for example, there is an unverified address), the SS will generate the OCSCONT1. The OCSCONT1 informs the CP that because of his/her receipt of public assistance, (s)he is required to cooperate with the child support program by providing additional requested information. It also includes the consequences of noncooperation. Like the OCS0015, the letter includes directions for the CP to access the e842 or call OCS to provide the additional information.

b. *Client Contact Letter 2 (OCSCONT2)*

The OCSCONT2 is generated one of two ways:

- 1) Automatically by MiCSES: If a CP has submitted an e842 but hasn't provided enough information for the SS to generate a CAR, MiCSES will automatically generate the OCSCONT2. The OCSCONT2 informs the CP what information is still needed, and directs him/her to call an SS in order to provide the information. Additionally, it informs the CP to provide the

⁷⁴ Before the implementation of the e842, the only MiChildSupport users with full access had court orders in MiCSES.

⁷⁵ Bridges is the assistance program's computer system.

information by a specific date or the CP will be placed into noncooperation. The date provided is eight days after the date of the letter.

- 2) Manually by the SS: If the CP has submitted an e842 that has enough information for the SS to generate a CAR, but the SS needs clarifying information before sending a CAR (for example, there is an unverified address), the SS will generate the OCSCONT2. It informs the CP to provide the information by a specific date or the CP will be placed into noncooperation. The date provided is eight days after the date of the letter.

c. *Client Contact Letter (OCSCONT)*

The existing OCSCONT form will remain available in MiCSES for rare situations when the SS needs to send an additional letter requesting more information after the CP has already received two letters. Ref: Section 2.15 for more information.

5. *Understanding Child Support: A Handbook for Parents (DHS-Pub 748/OCSPAMP)*

Federal regulations require the IV-D program to provide the DHS-Pub 748 to all child support applicants and CPs who have been referred to the child support program. OCS has updated the DHS-Pub 748 and OCSPAMP to include information about the e842 and to add more information about what a CP may expect from the PA's office.

6. *Notice of Noncooperation (OCS1252A)*

The OCS1252A has been updated to include the new noncooperation timeframes:

- The sentence "You did not respond to the first contact letter within 21 days," has been changed to "You did not respond to the first contact letter within 10 days"; and
- The sentence "You did not respond to the second contact letter within 14 days," has been changed to "You did not respond to the second contact letter by XX/XX/XXX."⁷⁶

7. *Elimination of the OCS1201P and OCS0015P*

The OCS1201P and the OCS0015P are duplicates of the OCS1201 and the OCS0015. When the forms were originally implemented in MiCSES, the "P"

⁷⁶ MiCSES will fill this in with the date that is eight days after the date it sent either the OCS0025 or the OCSCONT2.

versions of the forms contained the OCSPAMP as an attachment. However, through various revisions of the “non-P” versions, the OCSPAMP was added as an attachment. Since there is no longer a need to have separate versions of these forms, the “P” versions of the forms have been removed from MiCSES.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. Review Sections 1.35, 2.05, and 2.15 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual sections and add them to the manual. Discard the previously published versions of Section 1.35 (published August 3, 2015), Section 2.05 (published March 2, 2015), and Section 2.15 (published September 29, 2015).

With the publication of this IV-D Memorandum, the following are obsolete:

- OCS1201P;
- OCS0015P;
- IV-D Memorandum 2012-024; and
- AT 2007-006 and its attachments.

REVIEW PARTICIPANTS:

Case Management Work Improvement Team
Establishment Work Improvement Team
MiChildSupport Workgroup
Program Leadership Group

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CC:

None

ATTACHMENTS:

Section 1.35:	MiChildSupport Portal
Section 2.05:	Referrals and Applications
Section 2.15:	Cooperation/Noncooperation/Good Cause
DHS-842:	<i>Child Support Response</i>

DHS-Pub 748/ OCSPAMP:	<i>Understanding Child Support: A Handbook for Parents</i>
OCS0015:	<i>First Customer Contact Letter</i>
OCS0025:	<i>Final Customer Contact Letter</i>
OCSCONT:	<i>Client Contact Letter</i>
OCSCONT1:	<i>Client Contact Letter 1</i>
OCSCONT2:	<i>Client Contact Letter 2</i>
OCS1252A:	<i>Notice of Noncooperation</i>

EPF/AER

IV-D MEMORANDUM 2016-009

TO: Local Funding Unit Staff Submitting Cooperative Reimbursement Program (CRP) Billing Statements
Office of Child Support (OCS) Contract Management Staff
All Prosecuting Attorney (PA) Staff
All Friend of the Court (FOC) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: April 8, 2016

SUBJECT: Updates to Reporting the 15 Percent Medical Support Incentive As Program Income

UPDATE(S): <input type="checkbox"/> Manual <input type="checkbox"/> Form(s)
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RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum explains how OCS will report the 15 percent Medical Support Incentive as program income. It also discusses:

- The counties' use of the funds as a federal match; and
- Whether the funds should be reported on the county Schedule of Expenditures of Federal Awards (SEFA).

This memorandum updates and replaces the policy in IV-D Memorandum 2015-026, *Reporting the 15 Percent Medical Support Incentive As Program Income on Cooperative Reimbursement Program (CRP) Billing Statements (DHS-286 Forms Submitted Through EGrAMS)*. Changes since the previous publication of this policy are indicated by a change bar in the right margin.

DISCUSSION:

Background

The Michigan Child Support Enforcement System (MiCSES) disburses child support collections for the debt types Medical Support – Client (MS), Birth Expense – State (CM), and Medical Support – Medicaid (MD)⁷⁷ to the Michigan Department of Health and Human Services (MDHHS) Third Party Liability Division. In accordance with 42 Code of Federal Regulations (CFR) 433.153, the MDHHS Third Party Liability Division

⁷⁷ The MD debt type is no longer active, but payments are still going to the MD debt type. For more information, reference [Section 5.10, "Debt Types," of the Michigan IV-D Child Support Manual.](#)

can pay MDHHS OCS a 15 percent Medical Support Incentive on the amount it receives from MiCSES. Under the terms of an interagency agreement between OCS and the MDHHS Third Party Liability Division, the MDHHS Third Party Liability Division has paid and will continue to pay the 15 percent Medical Support Incentive as follows:

- 34 percent of the amount is paid directly to the counties; and
- 66 percent of the amount is paid to OCS.

The MDHHS Third Party Liability Division determines the total amount to be paid and when the payments will be made.

In addition to paying 34 percent of the 15 percent Medical Support Incentive to the counties, the MDHHS Third Party Liability Division has provided and will continue to provide OCS with a list of the payments made. OCS has posted and will continue to post the payment list to EGrAMS (under “Show Documents”) and to mi-support.⁷⁸ The payment list identifies the month that the MDHHS Third Party Liability Division paid the incentive, along with the period(s) included in the payment. It also identifies whether the payment contains any retroactive amounts.

Use of the 15 Percent Medical Support Incentive As IV-D Matching Funds, and Reporting on the County Schedule of Expenditures of Federal Awards (SEFA)

The amount received by the counties is **not** federal funding, and therefore is not reported on the county Schedule of Expenditures of Federal Awards (SEFA). The amount received can be used as federal IV-D matching funds.

OCS Reporting the 15 Percent Medical Support Incentive As Program Income

In accordance with 45 CFR 92.25, the 15 percent Medical Support Incentive must be treated and reported as program income for federal IV-D funding purposes.

OCS has and will continue to report the program income on its federal report. OCS will use the 66 percent it is paid by the MDHHS Third Party Liability Division to reimburse itself for the reduction in its federal IV-D funding.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

⁷⁸ Currently, the payment list spreadsheet is announced through an email notification and is posted to the Document Distribution Center on mi-support. In the future, the spreadsheet will be posted to the Contracts page on mi-support (Central Activities tab → Contracts).

Program Leadership Group

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CC:

All OCS offices
Office of the Attorney General, Child Support Division
State Court Administrative Office (SCAO), Friend of the Court Bureau

SUPPORTING REFERENCES:

Federal
42 CFR 433.153
45 CFR 92.25

State
None

ATTACHMENTS:

None

EPF/DN

IV-D MEMORANDUM 2016-010

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: May 16, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Updates to the *Michigan IV-D Child Support Manual* related to Child Welfare Referrals From the Michigan Statewide Automated Child Welfare Information System (MiSACWIS)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: June 17, 2016

PURPOSE:

This IV-D Memorandum announces changes in child support policy related to child welfare agency placements (“foster care”) and the Michigan Child Support Enforcement System (MiCSES)/MiSACWIS two-way interface that will be implemented on June 17, 2016. This IV-D Memorandum replaces and obsoletes IV-D Memorandum 2014-011, *Interim Policy for Child Welfare Referrals From the Michigan Statewide Automated Child Welfare Information System (MiSACWIS)*.

This memorandum announces updates to eight sections of the *Michigan IV-D Child Support Manual* that have been revised with policy related to the MiCSES/MiSACWIS interface:

- Section 2.85, “Agency Placement – Case Initiation”;
- Section 3.03, “Case Updates and Member Demographics”;
- Section 3.16, “Other Parties”;
- Section 3.85, “Agency Placement – Case Management”;
- Section 4.85, “Agency Placement – Establishment”;
- Section 5.10, “Debt Types”;
- Section 5.15, “Assignment of Support (Certification/Decertification)”;
- Section 5.85, “Agency Placement – Financial.”

Note: Section 2.05, “Referrals and Applications,” was previously updated with policy related to the MiCSES/MiSACWIS interface. These changes were introduced in IV-D Memorandum 2015-003.⁷⁹

The term “agency placement” has replaced “foster care” in the title of Sections 2.85, 3.85, 4.85 and 5.85 to reflect cases where the court places a child with MDHHS. These changes have also been made in the table of contents of the *Michigan IV-D Child Support Manual*. An updated copy of the table of contents is attached to this memorandum, along with the manual sections listed above.

References to the Department of Human Services (DHS) in the attached manual sections have been changed to MDHHS to reflect the merger of DHS and the Michigan Department of Community Health, which was effective April 10, 2015. These changes are not indicated with change bars in the right margin of the manual sections.

The merger also led to a minor change to the *Request for New Entry, Merge or Modification of Other Party Information (OTHP)* (DHS-2011) form to reflect the new email address for OCS Central Operations. The new email address is mdhhs-ocs-othp@michigan.gov.

Email address changes were also made in:

- Section 3.03 to update the Support Specialist (SS) Case Management email address; and
- Section 3.16 to update the OCS Central Operations email address.

There are significant updates throughout manual sections 2.85, 3.85, 4.85 and 5.85 since their last publication; therefore, no change bars appear in the right margin of these sections. In all other manual sections, significant changes since the previous publication of the material are indicated with a change bar in the right margin. Some of the content has been reorganized; however, the reorganized subsections are not identified with change bars.

Finally, minor updates to Sections 2.85, 4.85 and 5.85 have been made to address changes to Michigan Compiled Law (MCL) 552.605d. Effective March 17, 2015, MCL 552.605d was expanded to permit FOC staff to redirect child support to an appropriate relative or other caregiver, regardless of his/her legal responsibility for the child. This revised statute also clarifies that the assignment of support has priority over redirection, regardless of the funding source for the child’s placement. Sections 2.85, 4.85 and 5.85 include the change in language to remove the term “legally responsible” when referring to the caregiver who is providing the care of a child. The revisions related to the MCL 552.605d changes are indicated by a change bar in the right margin of these manual

⁷⁹ Section 2.05 discusses the exchange of data between OCS and the Michigan Department of Health and Human Services’ (MDHHS’s) Child Welfare Program. Ref: [IV-D Memorandum 2015-003, Proper Recording of IV-D Application Dates and IV-D Case Opening to Ensure Compliance With the Federally Mandated 20-Day Establishment Rule; Child Welfare Referral Updates](#).

sections. Policy changes to other sections of the *Michigan IV-D Child Support Manual* as a result of changes to MCL 552.605d will be addressed in future publications.

DISCUSSION:

The Social Security Act (the “Act”) provides authority to Title IV-E agencies to determine when it is appropriate to secure an assignment of support rights to the state for children receiving Title IV-E foster care maintenance payments.⁸⁰ The Office of Child Support Enforcement (OCSE) and the federal Children’s Bureau further clarify that Title IV-E agencies have the statutory authority to determine when it is appropriate to refer child welfare cases to state Title IV-D agencies.⁸¹

In Michigan, the Title IV-E agency is the MDHHS Child Welfare Program (Michigan child welfare).⁸² Michigan child welfare provides a range of services to children who are at risk of harm, who are delinquent,⁸³ or whose parents or other caretakers voluntarily seek short-term care for them. Those services range from Child Protective Services (CPS) investigations to counseling, foster care, juvenile justice, and adoption support.

Foster care covers a variety of services provided by the Child Welfare Program for children removed from their living arrangement by a court, as well as in-home services such as therapy, counseling, or parental training sessions.

Out-of-home placement occurs when a court removes a child from his/her living arrangement; however, not all out-of-home placements place a child under the care and custody of MDHHS. The court may directly appoint a new caretaker for the child.

MDHHS services, foster care, and out-of-home placement combine when a court places a child in the care and custody of MDHHS. This circumstance is termed an “agency placement.”

Through the cooperative interaction and exchange of information with the Child Welfare Program, Michigan’s child support program provides the following critical benefits in agency placement cases:

- Long-term stability for children – IV-D staff locate parents or relatives, establish paternity for children, and establish child support orders that continue after child welfare services end;

⁸⁰ Ref: 42 United States Code (USC) 671(a)(17)

⁸¹ Ref: [Informational Memorandum \(IM\) 07-06, *Appropriate Referrals, Requests for Location Services, Child Support Applications, and Electronic Interface between Child Welfare and Child Support Enforcement Agencies*](#), jointly issued by OCSE and the Administration for Children, Youth and Families (ACYF) Children’s Bureau.

⁸² The Child Welfare Program was previously referred to as the Foster Care Agency.

⁸³ Minor children are considered to be delinquent if they are juvenile offenders who have been removed from their home due to an ongoing case within the juvenile justice system.

- Information sharing – Information collected in the course of child support action assists child welfare workers in case planning, case management, and permanency planning; and
- Recoupment of state expenditures – Assignment of child support as required by law repays public expenditures and prevents inappropriate child support payments to custodial parties (CPs) who no longer care for their children.

Updates to the attached manual sections address IV-D workers' actions in response to referrals for location services or full IV-D case services due to an agency placement.

H. MiCSES/MiSACWIS Interface History

On April 30, 2014, MDHHS replaced the Services Worker Support System Foster Care, Adoption, and Juvenile Justice (SWSS/FAJ) with MiSACWIS in accordance with the [*Dwayne B. v Snyder*](#) modified settlement agreement and consent order.

During the development of MiSACWIS, OCS worked continually with the MiSACWIS technical staff to develop a two-way interface between Michigan's OCS and the Child Welfare Program. The interface was designed to allow MiSACWIS to refer a case to MiCSES for full IV-D services:

- When the state or county begins making maintenance payments on behalf of the child; or
- When MDHHS places the child with an unlicensed provider.⁸⁴

Prior to the conversion of SWSS/FAJ to MiSACWIS, the Child Welfare Program suspended testing of the interface between MiCSES and MiSACWIS. When MDHHS implemented MiSACWIS on April 30, 2014, OCS implemented the following contingency plan to substitute for the use of the full MiCSES/MiSACWIS interface:

- MiCSES project staff disabled the planned automated MiCSES processes; instead, MiCSES only stored MiSACWIS referral information on the *SACWIS Case Information (SCWS)* screen;
- OCS published interim policy and training materials to explain manual steps that IV-D staff were required to take to process MiSACWIS referrals;
- DTMB⁸⁵-MDHHS Data Warehouse staff created the Business Objects DHS Case Inquiry *MiSACWIS Child History (QN-014) Report*⁸⁶ for IV-D staff to verify agency placement and funding information directly from MiSACWIS;
- MiCSES staff created the *SACWIS Referral Report* on the *Functional Prototype Queries (FPRO)* screen in MiCSES for IV-D staff to identify new or updated referrals from MiSACWIS during the interim process; and

⁸⁴ An unlicensed provider an individual who is not currently licensed by the State of Michigan to provide for the care of a child receiving Foster Care or Juvenile Justice (FC/JJ) services, and is often a relative.

⁸⁵ DTMB is the Department of Technology, Management and Budget.

⁸⁶ The QN-014 report contains placement information populated directly from MiSACWIS. The report became available on May 1, 2014.

- IV-D staff manually created new agency placement IV-D cases and manually assigned support in MiCSES in response to the MiSACWIS referrals.

On June 17, 2016, IV-D staff must discontinue the contingency plan and proceed with policy introduced in this memorandum and the attached manual sections.

I. MiCSES/MiSACWIS Interface Updates

OCS, MiCSES and MiSACWIS staff have completed testing of the MiCSES/MiSACWIS interface and MiCSES automated processes designed to respond to agency placement referrals and referral updates. Implementation of the automated interface between MiCSES and MiSACWIS will be effective on June 17, 2016.

1. Details of the MiCSES/MiSACWIS Interface

The MiCSES/MiSACWIS interface will allow MiCSES to:

- Receive a referral file from MiSACWIS, and take automated actions including member and case matching, alerting IV-D staff, determining relevant assistance and assignment of current support and/or arrears, and updating IV-D member demographic information;
- Send a daily referral response file to MiSACWIS that provides child support order information and updates about individuals who are in common between MiCSES and MiSACWIS;
- Receive from MiSACWIS an expenditure file that identifies the amount of federal (IV-E) foster care expenses that MDHHS incurred for a child. This information will be used in MiCSES to determine how much of the child support collection should be classified as IV-E expenses; and
- Send MiSACWIS a file that identifies on agency placement IV-D cases the child support collections that have been applied to IV-E expenditures, and collections on such cases that *exceed* the IV-E expenditures. The Child Welfare program will use this file to determine how to handle incoming support payments. (The Child Welfare Program must routinely notify the IV-D program of the current unreimbursed IV-E expenditures so that MiCSES can properly issue this file.)

2. Automated MiCSES Processes

MiCSES will take the following automated actions in response to MiSACWIS referrals:

- **Match MiSACWIS persons** – MiCSES will use the existing member-matching process⁸⁷ to match referred MiSACWIS children and parents to MiCSES members;
- **Match MiSACWIS cases** – MiCSES will find agency placement IV-D cases (cases in which the CP is identified as an agency CP)⁸⁸ corresponding to the referred family;
- **Automatically start IV-D cases** – MiCSES will create new agency placement IV-D cases as needed and initiate workflow activities for IV-D staff;⁸⁹
- **Create referral⁹⁰ exceptions** – MiCSES will create member exceptions when MiCSES compares two individuals and they cannot be determined to be either a clear match or clearly different. MiCSES will create a closed case exception when the IV-D case matching the referred persons is closed;
- **Alert IV-D staff** – MiCSES will automatically alert⁹¹ IV-D staff when children enter agency placement, when their placement changes, and when foster care maintenance payments cease;
- **Automatically record foster care assistance to relevant IV-D cases** – MiCSES will automatically record assistance applicable to relevant IV-D members and cases based on a *Pay To*⁹² indicator from MiSACWIS. MiCSES will also update the agency placement IV-D case(s) and attempt to identify the pre-placement IV-D case⁹³ if a charging, or previously charging, IV-D case existed prior to removal of the child from his/her living arrangement. The *Pay To* indicator directs IV-D staff to assign support to the state or county, end the assignment of support, or redirect support to an unlicensed provider;⁹⁴ and
- **Automatically store unlicensed provider information as an Other Party (OTHP)⁹⁵** – MiCSES will allow IV-D staff to redirect child support to unlicensed foster care providers and save provider information as an OTHP record in MiCSES.

3. Synchronization of MiCSES and MiSACWIS Foster Care Cases

⁸⁷ Ref: [Section 2.05, "Referrals and Applications," of the Michigan IV-D Child Support Manual.](#)

⁸⁸ MiCSES identifies a CP as an agency when the *Member Demographics* (DEMO) screen's *Member Type* field is set to "AgP" (Agency Placement). Ref: [Section 3.03, "Case Updates and Member Demographics,"](#) and [Section 3.85, "Agency Placement – Case Management," of the Michigan IV-D Child Support Manual.](#)

⁸⁹ Ref: [Section 2.85, "Agency Placement – Case Initiation," of the Michigan IV-D Child Support Manual.](#)

⁹⁰ IV-D staff resolve member exceptions on the *Resolve Referral* (RESR) screen. Ref: Section 2.05 for more information about resolving referrals.

⁹¹ Ref: Section 3.85 of the *Michigan IV-D Child Support Manual.*

⁹² The MiSACWIS *Pay To* indicator provides the name/entity to whom support will be directed. It replaced the need for IV-D staff to interpret assignment based upon an array of living arrangements, legal statuses, and funding sources. Historically, MiCSES updated assistance history on all IV-D cases where the child was a member. The *Pay To* indicator is found on the SCWS screen in MiCSES.

⁹³ Ref: Section 3.85 and [Section 5.85, "Agency Placement – Financial," of the Michigan IV-D Child Support Manual](#) for information regarding pre-placement relevance.

⁹⁴ Ref: Section 5.85 of the *Michigan IV-D Child Support Manual.*

⁹⁵ Ref: [Section 3.16, "Other Parties," of the Michigan IV-D Child Support Manual.](#)

On June 17, 2016, MiCSES will process a MiSACWIS synchronization (synch) file. This file will include active MiSACWIS foster care assistance cases for which the Child Welfare Program seeks Title IV-D child support services. MiCSES will automatically take the following actions based upon MiSACWIS case information included in the synch file:

- Perform case and member matching and create agency placement IV-D cases in MiCSES, if appropriate;
- Update foster care assistance records for existing agency placement IV-D cases open in MiCSES; and
- Automatically end-date existing foster care assistance records for previously referred children on open IV-D cases not included in the synch file.

Note: MiCSES will not generate agency placement alerts for FOC staff as part of the automated actions for processing the synch file; however, it will generate the new *Evaluate Michigan Child Welfare* (EVMCW) alert for support specialists (SSs) when new IV-D cases are created.⁹⁶

In order to view all active MiSACWIS cases included in the synch file, IV-D staff must generate the *SACWIS Referral Report* on the FPRO screen⁹⁷ in MiCSES.

a. “Line in the Sand”

MiCSES will use a “line in the sand”⁹⁸ approach to separate existing foster care records from assistance records in the synch file and in the referral files received after June 17, 2016. As part of the synchronization process, MiCSES will perform the following automated actions⁹⁹ to update assistance records on the *Member Address History* (MAHI) screen:

- End-date historical foster care records on the *FC Legacy* tab on the MAHI screen as of June 30, 2016 for members with foster care records that are active in MiCSES but not active in MiSACWIS;¹⁰⁰
- End-date historical foster care records for members who have an active assistance record on a MiCSES IV-D case and an ongoing agency placement in the MiSACWIS synch file. MiCSES will end-date the

⁹⁶ Ref: Section 3.85 of the *Michigan IV-D Child Support Manual* for more information regarding alerts.

⁹⁷ Ref: Subsection B(4) of this IV-D Memorandum for information regarding the *SACWIS Referral Report*.

⁹⁸ “Line in the sand” refers to a specific date in which MiCSES will discontinue recording foster care assistance records on the *FC Legacy* tab and will begin creating new assistance records on the *AGP Details* tab on the MAHI screen.

⁹⁹ MiCSES will not un-assign or assign support retroactively via the synch file processing – it will not cross the “line in the sand.”

¹⁰⁰ The Technical Communications Team (TCT) will provide FOC staff a query of all cases that were end-dated in MiCSES as of May 31, 2016. FOC staff may use this query as an optional resource to verify that agency placement cases were end-dated appropriately and to ensure the monthly support obligation is charging on the appropriate IV-D case for the child(ren). TCT will send an email notification to FOC-designated confidential contacts when this query is available.

historical assistance record on the *FC Legacy* tab on the MiCSES MAHI screen with a date of May 31, 2016. To continue a record of the member's ongoing agency placement, MiCSES will also create a new assistance record on the *AGP Details* tab on the MAHI screen with a begin date of June 1, 2016; and

- Create a new assistance record on the *AGP Details* tab on the MAHI screen with the begin date of June 1, 2016 as the *Pay To* effective date¹⁰¹ for foster care assistance records that did not exist in MiCSES prior to the synchronization.

The “line in the sand” approach will allow IV-D staff to manually add assistance records on the MiCSES *FC Legacy* tab on the MAHI screen with a begin or end date that precedes May 31, 2016. In addition, MiCSES will not add or allow IV-D staff to add assistance records on the *AGP Details* tab on the MAHI screen with a begin date prior to June 1, 2016.¹⁰²

b. Post-Synch File Actions

1) SS Agency Placement Team

MiCSES will create agency placement IV-D cases and will notify the SS using the EVMCW action alert. The SS Agency Placement team must run the EVMCW alert query to begin working the cases created following the processing of the synch file in MiCSES. SS action on this alert is due in 20 days.

2) FOC Staff

a) Agency Placement Cases with MAHI Records End-Dated

After the synch file is processed, FOC staff will receive a query that includes all MiCSES cases that had MAHI records end-dated. Additional information will be provided in an upcoming notification.

b) Agency Placement Cases With New or Updated MAHI Records

OCS recommends that FOC staff run the *SACWIS Referral Report* on the FPRO screen in MiCSES on June 17, 2016, using June 17, 2016 as the *As of Date*, to identify active referrals in the synch file by docket or agency-placed county. FOC staff should run this report to review

¹⁰¹ If the *Pay To* effective date is a date after June 1, 2016, but before June 17, 2016, the assistance record will reflect the actual *Pay To* effective date. For example, if the *Pay To* effective date is June 8, the assistance record will reflect June 8.

¹⁰² MiCSES will not update or make corrections to agency placement MAHI records prior to the “line in the sand” date. IV-D staff may manually correct MAHI records on the *FC Legacy* tab.

their county's cases and ensure the monthly support obligation is charging on the appropriate IV-D case(s) for the child in placement.

c) Other Party Bad Address (SOBA) Hold¹⁰³

MiCSES will place disbursements on SOBA hold when foster care assignment has ended and the CP on the case is identified as an agency placement CP. Therefore, immediately following the MiSACWIS synchronization, FOC staff must ensure that child support payments on end-dated agency placement IV-D cases disburse properly by:

- Reviewing IV-D cases with receipts on SOBA hold;¹⁰⁴
- Taking the appropriate actions to move the monthly support obligations to the appropriate IV-D case or to correct assignment records in MiCSES; and
- Making any necessary manual adjustments to the arrears.

4. Supplemental Reports Available for MiSACWIS Case and Referral Information

a. Business Objects *DHS Case Inquiry, QN-014 MiSACWIS Child History Report*¹⁰⁵

The QN-014 report includes agency placement and funding information reported directly from MiSACWIS.¹⁰⁶ DTMB Data Warehouse staff made this report available for IV-D staff to confirm placement information as part of the interim processing of MiSACWIS referrals.

With the implementation of the MiCSES/MiSACWIS interface, IV-D staff may continue to use the QN-014 report as a secondary resource for a child's funding and placement information.

IV-D staff may search the QN-014 report using the child's:

- Bridges ID (AI-ID);
- MiSACWIS Person ID; or
- Social Security number.

¹⁰³ Ref: [MiCSES Customer Information Guide: Suspense Management Reference](#).

¹⁰⁴ IV-D staff can review receipts on hold by generating a report in MiCSES. Ref: [MiCSES Quick Reference Guide: SURE – Generate a Suspense Management Detail Report \(DETL\)](#) for more information.

¹⁰⁵ Ref: [Business Objects Report Description: DHS Case Inquiry](#) and [Foster Care Criteria in Business Objects – DHS Case Inquiry \(QN-014/QN-004\)](#).

¹⁰⁶ This report may include placement information for children not referred to OCS by the Child Welfare Program.

b. The *SACWIS Referral Report*¹⁰⁷

MiCSES project staff made the *SACWIS Referral Report* available on the MiCSES FPRO screen for IV-D staff to identify new referrals or referral updates from MiSACWIS during the interim process. The information in this report is the same as the MiSACWIS referral information stored in MiCSES on the SCWS screen.

MiCSES will begin generating alerts on June 20, 2016, to notify IV-D staff of new or updated MiSACWIS daily referrals. Therefore, IV-D staff may discontinue generating this report following the date of the synch file processing in MiCSES.¹⁰⁸

J. Policy Manual Updates

Sections 3.03, 3.16, 5.10 and 5.15 only have minor changes related to the MiCSES/MiSACWIS interface; however, there are significant updates to Sections 2.85, 3.85, 4.85 and 5.85. Changes for each section are discussed below. OCS strongly encourages IV-D staff to read the sections in their entirety to fully understand policy regarding agency placements and child support.

1. Section 2.85, “Agency Placement – Case Initiation”

This section was updated to discuss the following:

- Referrals from the Title IV-E agency for Title IV-D services to secure an assignment of rights to support on behalf of a child receiving foster care maintenance payments;
- A new process for MiCSES to receive referrals and redirect support when MDHHS is not making a maintenance payment on behalf of a child, but places a child under its care with an unlicensed provider (typically a relative);
- Information related to the data elements of a MiSACWIS referral;
- The county jurisdiction of agency placements;
- Automatic creation of agency placement IV-D cases in MiCSES, including all dependents who have the same parent on one IV-D case;¹⁰⁹
- Details about which partner office will receive MiSACWIS referral information; and
- IV-D case initiation actions when a MiSACWIS referral is received for a child who has already turned 18.

¹⁰⁷ Ref: [MiCSES Report Description: SACWIS Referral Report \(SCWSREFERRAL\)](#).

¹⁰⁸ The *SACWIS Referral Report* will remain available on the FPRO screen for IV-D staff only as a secondary resource for counties that wish to generate a list of MiSACWIS referrals received by date for their county. Ref: Section 3.85 of the *Michigan IV-D Child Support Manual* for more information regarding alerts.

¹⁰⁹ This replaces prior foster care policy mandating that each parent/child combination be a distinct IV-D case.

Lastly, Exhibit 2.85E1, MDHHS County Foster Care Offices, has been removed as an exhibit since the information has become obsolete. MiCSES discontinued creating new agency CP members with county-specific names as of July 29, 2013.

2. Section 3.03, "Case Updates and Member Demographics"

Section 3.03 has been updated to clarify the following:

- That MiSACWIS will transmit updated assistance program information and updates to both demographic and location information through the interface;
- When it is appropriate for IV-D staff (Assistance Adjusters) to make manual adjustments to assistance records in MiCSES;
- That IV-D staff designated as RESR Resolvers and Referral Matchmakers will be allowed to process MiSACWIS-related member and closed case exceptions;
- That in agency placement cases, MiCSES will not send the *Notice of Continuing Eligibility* (OCS-4636) since MDHHS is the CP on the case; and
- When a dependent of a IV-D case has left the home, it is appropriate to set the *In CP Home* field on the *Case Member Details* (CASE) screen to "N" (not in the home).

Also, the SS Case Management email address in Section 3.03 was updated to mdhhs-ocs-casemanagement-inquiries@michigan.gov.

Finally, information on designating a CP as an agency has been removed from Section 3.03 and placed in Section 2.85.

3. Section 3.16, "Other Parties"

MiSACWIS will notify MiCSES when a child is placed with an unlicensed provider. IV-D staff are advised to review Section 3.16 to understand how OTHP records are used to redirect support to unlicensed providers. Section 3.16 includes updates regarding:

- The automatic creation of OTHP records in MiCSES when a child is first placed with an unlicensed provider; and
- Updating existing OTHP records for an agency placement unlicensed provider.

Exhibits 3.16E1 and 3.16E2 were updated to reflect the updated email address for OCS Central Operations to request a new entry, merge or modification to an OTHP ID. The new email address is mdhhs-ocs-othp@michigan.gov.

4. Section 3.85, “Agency Placement – Case Management”

Section 3.85 now contains revised information explaining:

- Agency placement case management-related activities for establishment and enforcement of a child support order;
- That IV-D workers should be familiar with identifying agency placement IV-D cases with placement or pre-placement relevance, and the effects of applying assistance records to these cases;
- *Pay To* indicators from MiSACWIS that are used to determine next steps and the assignment or redirection of child support in MiCSES;
- The new agency placement case alerts AGP_ON, EVMCW, AGP_CHANGE, and AGP_OFF;
- Actions IV-D staff must take upon receipt of an agency placement referral;
- IV-D case closure actions related to referrals when the parent is deceased; and
- IV-D case closure actions for agency placement cases.

5. Section 4.85, “Agency Placement – Case Establishment”

Section 4.85 explains the following:

- Court action referrals for agency placement cases if there is no existing order for a child referred by child welfare;
- Court action referrals for agency placement cases if there is an existing order for a child referred by child welfare;
- Transferring agency placement cases to another county and/or agency;
- Filing an agency complaint with the circuit court for IV-D agency placement cases;
- Changing the plaintiff’s name from AGENCY PLACED FOSTER CARE to MDHHS on legal documents for agency placement IV-D cases; and
- The differences between child support orders and reimbursement orders.

6. Section 5.10, “Debt Types”

Section 5.10 discusses revisions to the “WF” debt type and explains the following:

- The interface between MiCSES and MiSACWIS will allow for referrals when MDHHS places a child with an unlicensed provider. FOC staff must use the WF debt type in MiCSES when paying support to an unlicensed provider;
- IV-D staff will now use the WF debt type for both county-funded agency placements and placements with an unlicensed provider;
- The WF debt type has been renamed “County or Provider Placement”;

- For county-funded agency placements, the WF debt type is always payable to the county and is not subject to assignment; and
- For an unlicensed provider placement, a provider's monthly support is subject to assignment when the provider receives Family Independence Program (FIP) assistance.

Exhibit 5.10E1 was revised to reflect the change in the name of the WF debt type. Exhibits 5.10E2 and 5.10E3 have been updated to clarify that the WF debt type is not assignable; however, support redirected to an unlicensed provider is assignable when the provider is receiving FIP assistance.

7. Section 5.15, "Assignment of Support (Certification/Decertification)"

Section 5.15 was revised to provide a brief overview of assignment of support for child welfare agency placements.

Section 5.15 also explains that when a child is placed with an unlicensed provider who receives FIP assistance, and support is redirected to that provider, FIP assignment will take priority over the redirection of support.

In addition, Section 5.15 was revised to clarify that Child Development and Care (CDC) is a referral program from IV-A that does not require the assignment of support. The Michigan Department of Education is the agency that issues CDC payments and is responsible for making the payments through the correct funding source. The Michigan Department of Education has determined that the funding used to issue CDC payments does not meet the federal criteria for assignment.

8. Section 5.85, "Agency Placement – Financial"

Section 5.85 was updated to include the following:

- Details on securing an assignment of support when MDHHS is making foster care maintenance payments on behalf of a child;
- Financial actions that IV-D staff must take to redirect support when MDHHS has legal placement and responsibility for a child, but the child is not IV-E eligible and MDHHS places the child with an unlicensed provider;
- Information about *Pay To*, which is the name/entity to whom support will be directed for the agency placement;
- The difference between administrative and judicial redirection of support;
- Manual actions required for IV-D staff to manually move the support obligation on pre-placement cases to the agency placement IV-D case;¹¹⁰
- The new concept of pre-placement relevance;

¹¹⁰ If support is being redirected to an unlicensed provider, the redirection must occur either administratively or judicially.

- Recording assignment and unassignment of support in MiCSES, including assignment of support beyond age 18 if the child remains in an extended foster care program (e.g., Young Adult Voluntary Foster Care);
- Actions IV-D staff must take when MDHHS places a child with an unlicensed provider and that provider receives FIP assistance;
- Actions IV-D staff must take when a child becomes a permanent ward of the state;
- Revised rules for assigning medical support; and
- Updated steps to recover agency placement collections erroneously sent to the state or county.

NECESSARY ACTION:

Review the updated policy information in Sections 2.85, 3.03, 3.16, 3.85, 4.85, 5.10, 5.15, and 5.85 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print these sections, Exhibits 3.16E1, 3.16E2, 5.10E1, 5.10E2, and 5.10E3, and the updated table of contents, and add them to the manual. Discard the previously published versions of these materials.

Sections 2.85, 3.85, 4.85, and 5.85 obsolete Michigan IV-D Memorandum 2014-011, *Interim Policy for Child Welfare Referrals From the Michigan Statewide Automated Child Welfare Information System (MiSACWIS)*.

Section 2.85 obsoletes Exhibit 2.85E1, MDHHS County Foster Care Offices.

REVIEW PARTICIPANTS:

Case Management Work Improvement Team
 Establishment Work Improvement Team
 Financial Work Improvement Team
 Program Leadership Group

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Sections 2.85, 3.03, 3.16, 3.85 and 4.85

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Sections 5.10, 5.15, and 5.85

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None

SUPPORTING REFERENCES:

Federal

Section 471(a)(17) of the Social Security Act
45 CFR 302.52
42 USC 671(a)(17)

OCSE IM 07-06

State

MCL 400.115b
MCL 552.605d

ATTACHMENTS:

- Section 2.85: Agency Placement – Case Initiation
- Section 3.03: Case Updates and Member Demographics
- Section 3.16: Other Parties
- Exhibit 3.16E1: Procedures for Submitting the *Request for New Entry, Merge or Modification of Other Party Information (OTHP)*
- Exhibit 3.16E2: Other Party Information (OTHP) Frequently Asked Questions (FAQs) to Assist With Processing of the *Request for New Entry, Merge or Modification of Other Party Information (OTHP)* (DHS-2011)
- Section 3.85: Agency Placement – Case Management
- Section 4.85: Agency Placement – Establishment
- Section 5.10: Debt Types
- Exhibit 5.10E1: Court Case Types: Service Fees (SF) and Processing Fees (PF)
- Exhibit 5.10E2: MiCSES Debt Types and CSES Account Types Conversion Table
- Exhibit 5.10E3: MiCSES Debt Types and Activities Table
- Section 5.15: Assignment of Support (Certification/Decertification)

Section 5.85: Agency Placement – Financial

Michigan IV-D Child Support Manual – Introduction and Table of Contents

DHS-2011: *Request for New Entry, Merge or Modification of Other Party Information (OTHP)*

EPF/SR

IV-D MEMORANDUM 2016-011

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: May 27, 2016

SUBJECT: Updates to Section 4.20, "Support Recommendations and Order Entry," of the *Michigan IV-D Child Support Manual*, and Changes to the MiChildSupport Calculator and the *Calculation Results* (CALCRSLT) Template

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum introduces updates to policy in Section 4.20, "Support Recommendations and Order Entry," of the *Michigan IV-D Child Support Manual*. It also announces changes to the MiChildSupport Calculator¹¹¹ and the *Calculation Results* (CALCRSLT) template, which were introduced to Michigan Child Support Enforcement System (MiCSES) users in November 2015. These changes will be effective with the MiCSES 9.1 Release (June 3, 2016).

Content that has been updated since the last publication of Section 4.20 is indicated by a change bar in the right margin of the manual section.

DISCUSSION:

Updates to Section 4.20 and the MiChildSupport Calculator

With the MiCSES 9.1 Release, there will be changes to the calculation of the reasonable cost of health care within the child support calculation. Section 4.20 explains these changes, and the Calculator will be modified to incorporate these changes.

After the MiCSES 9.1 Release, the Calculator will allow the IV-D worker to show the reasonable cost of health care as either a percentage or a dollar amount, and will import whichever one the worker selects to the *Order Preparation and Entry* (OPRE) screen.

¹¹¹ Throughout this memorandum, the MiChildSupport Calculator will also be referred to as the "Calculator."

Section 4.20 has been updated to explain how the Calculator determines the reasonable cost of health care. The Calculator determines reasonable cost as a percentage of a parent's income (either 5% by default, or 0% when the IV-D worker deems it appropriate per the Michigan Child Support Formula [MCSF]). The IV-D worker has the ability to show the reasonable cost of health care in the Calculator as either a percentage or a dollar amount. If the IV-D worker prefers that the Calculator show the reasonable cost of health care as a dollar amount rather than as a percentage, the Calculator will determine it as a percentage of the **parent's total actual income plus the parent's total potential income**.

The MCSF allows for multiple interpretations in the calculation of reasonable cost when calculating the dollar amount stated in a support recommendation or in a proposed order. If the IV-D worker interprets the reasonable cost of health care to be based on the parent's **actual income only**, the IV-D worker should opt to show the reasonable cost of health care as a percentage, rather than as a dollar amount, within the Calculator.¹¹²

The IV-D worker may update the dollar amount after it is imported to the OPRE screen. This update may be done per the MCSF (e.g., calculate a dollar amount at 5%, using a parent's actual income only), or as a deviation when the amount calculated per the MCSF is unjust or inappropriate (e.g., indicate a dollar amount representing a 10% reasonable cost of health care for a custodial party or a non-custodial parent).

To indicate a reasonable cost of health care percentage other than 0% or 5% on the OPRE screen, the IV-D worker must include that information in the *Other Provisions* field on the OPRE screen's *Order Details* tab. The IV-D worker will then later manually update the percentage on the *Medical Order Provisions* (MORP) screen.

Section 4.20 has also been updated to reflect the addition of the reasonable cost of health care percentage to the *Member Employment History* (EHIS) screen. Additional policy references have also been added, and minor changes in language have been made for clarity.

Changes to the *Calculation Results* (CALCRSLT) Template

An issue with the display of the docket (court case) type for PA users was identified after the CALCRSLT template was released in November 2015. The short-term solution, announced in a [MiCSES Help Desk notification dated November 19, 2015](#), was to remove the docket type from the template. With the MiCSES 9.1 Release, the docket type will appear correctly on the CALCRSLT template for all FOC and PA users.¹¹³

¹¹² According to the State Court Administrative Office, this is not considered a deviation since both interpretations in the calculation of reasonable cost (based on the parent's actual income or the parent's actual income plus potential income) follow the MCSF.

¹¹³ Logic has been added to the CALCRSLT template to display the most recently updated docket type from the *Legal Case* (LCSE) screen or the *Support Order Entry* (SORD) screen, and this docket type will

Along with this correction, several elements will be added to the CALCRSLT template to ensure that it includes all the factual assumptions used to create a support calculation.¹¹⁴ With the MiCSES 9.1 Release, the CALCRSLT template will include the following additional information:

- Party Recommended to Provide Health Insurance;
- Reasonable Cost of Health Care dollar amount or percentage, whichever one the IV-D worker selects when creating the calculation;
- Additional Child Adjustment multiplier;
- The date that a child's childcare expense will no longer be eligible for reimbursement;
- The Additional Ordinary Medical Expense (OME) amount for the payer; and
- When the payer has an additional OME amount displayed, language indicating that the additional OME amount will not be used in the support calculation.

OCS is aware that some IV-D workers have expressed concerns that the CALCRSLT template displays a MiCSES member's employer name when there is family violence associated to the member. OCS is reviewing family violence policy and standards to determine whether or not the employer name is a suppressable data element.

IV-D workers who do not want an employer name printed on the CALCRSLT template should not enter an employer name in the MiChildSupport Calculator.

Public Version of the MiChildSupport Calculator

Currently, the MiChildSupport Calculator is available only to IV-D workers. OCS expects to make a non-MiCSES version of the Calculator available to private attorneys and to members of the public in August of this year.¹¹⁵

NECESSARY ACTION:

Review Section 4.20 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual section and add it to the manual. Discard the previously published version of Section 4.20 (published November 9, 2015).

REVIEW PARTICIPANTS:

almost always be correct. For the few instances where it is not, the IV-D worker will be able to manually update the docket type prior to printing the CALCRSLT template.

¹¹⁴ Michigan Compiled Law (MCL) 552.505(h) requires that the written report (i.e., the CALCRSLT template) include all factual assumptions upon which the recommended support amount is based.

¹¹⁵ Ref: the [MiCSES Help Desk notification dated March 11, 2016](#) for more information on plans for the public version of the Calculator.

Enforcement Work Improvement Team (WIT)
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State Court Administrative Office

SUPPORTING REFERENCES:

Federal
45 Code of Federal Regulations (CFR) 303.21(a)

State
MCL 552.505(h)

ATTACHMENTS:

Section 4.20: Support Recommendations and Order Entry

CALCRSLT: *Calculation Results* Template

EPF/JJV

IV-D MEMORANDUM 2016-012

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: May 26, 2016

SUBJECT: The Genetic Parentage Act – Interim Procedures for
Processing Requests for Voluntary Genetic Testing

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

The Genetic Parentage Act (GPA) took effect in March 2015.¹¹⁶ It permits parents on a IV-D case to voluntarily obtain genetic testing (GT) and, if those tests indicate paternity, to establish paternity for a child by IV-D staff filing documents with the Division of Vital Records and Health Statistics. However, voluntary GT cannot be used if paternity has been previously established or if adoption proceedings are ongoing. If paternity has been previously established, the GPA cannot be used to disestablish paternity or to establish new paternity.

OCS and program partners have yet to define final business, system and logistical decisions to implement the GPA, including the procedures for processing requests for voluntary GT. However, OCS has received inquiries from IV-D case members and IV-D staff about the implementation and availability of the GPA procedures. Until the implementation of the final GPA procedures, IV-D staff will reference the GPA information in this memorandum. OCS will publish further information about the GPA procedures in the future.

DISCUSSION:

A. The Genetic Parentage Act (GPA)

The GPA provides a voluntary, non-adversarial IV-D process to establish paternity through GT for children born to unmarried mothers. Although GT is not available for all IV-D cases, it is available for a child for whom:

¹¹⁶ Michigan Compiled Law (MCL) 722.1461 – 722.1475

- Paternity has not yet been established; and
- There are no ongoing adoption proceedings.

In providing voluntary rather than court-ordered GT, and the resulting paternity establishment documents, the child support program expects to:

- Reduce the timeframe in which parents establish paternity using an authorized GT procedure.¹¹⁷ In addition, the child support program expects to more quickly exclude men who are not the father of a child;
- Provide a lower-cost process for families who opt for voluntary GT. OCS intends to absorb the cost of voluntary GT, making the process free to parents;¹¹⁸
- Provide another means to legally establish paternity through scientific testing. GT provides children the same legal rights and relationships as those children born from a marriage and those children who have had legal paternity otherwise established. The process also provides a future opportunity to obtain genetic and medical history for the child; and
- Allow for the entry of a child support order for the benefit of the child (against the established parents). GT also could reduce the need for later paternity revocations.

B. GPA Workgroup Recommendations for Implementing the GPA

To better analyze the impact of the GPA upon IV-D operations, the Program Leadership Group (PLG) approved a [Genetic Parentage Act \(GPA\) Workgroup Charter](#) and assigned PA, FOC, and OCS staff to the workgroup. Additionally, staff from the Division of Vital Records and Health Statistics and employees from the DDC participated in the workgroup. The GPA Workgroup members discussed various aspects of the GPA, its legal and logistical concerns, and its impacts to the Michigan Child Support Enforcement System (MiCSES). The GPA Workgroup discussed five options for implementing the GPA. These options are further discussed in the [Genetic Parentage Act \(GPA\) Report](#). Some of the options were interim solutions and some were long-term solutions. Long-term solutions included MiCSES modifications. The PLG approved the long-term solution that was recommended by the GPA Workgroup.

Based on the approved recommendation, OCS will implement GPA in MiCSES by providing support specialists and FOC staff the ability to schedule GT and process GT results. Currently, only PA staff have GT scheduling and processing abilities in MiCSES. While MiCSES will be modified to allow GT tasks for many IV-D staff roles, the approved recommendation envisions that support specialists will be the primary

¹¹⁷ OCS currently contracts authorized statewide GT services with the DNA Diagnostics Center (DDC). DDC has trained IV-D staff in some offices to collect genetic samples. However, DDC tests the samples and provides the IV-D program with the GT results.

¹¹⁸ However, if volumes are higher than expected, OCS may reconsider the cost of GT and ask parents to provide all or a portion of the cost of GT.

IV-D staff to perform the paternity establishment tasks under the GPA. This means that PAs, FOC staff with PA establishment functions, and support specialists will have additional tasks, such as:¹¹⁹

- Applying GPA eligibility criteria to the case to ensure that the case qualifies for paternity establishment under the GPA;
- Scheduling voluntary GT for eligible parents;
- Printing appropriate letters and voluntary GT agreements;
- Recording GT results; and
- Providing non-exclusion results to the Division for Vital Records and Health Statistics to formally establish paternity.

MiCSES will need complex, large-scale modifications to implement GPA procedures. OCS is planning Joint Application Design (JAD) business and functional meetings to begin in 2016, with a goal of operationalizing GPA in the field with a MiCSES release in 2017. The invitation to the GPA JAD will be announced through a MiCSES Help Desk notification.

C. Interim Procedures for Processing Voluntary GT Requests

Because the GPA *authorizes* rather than mandates the offering of paternity establishment under the GPA, OCS will implement GPA provisions when all policy, business processes, and procedures are fully defined, and MiCSES is able to support these business practices.

Until then, IV-D workers should refrain from discussing or offering voluntary GT and other GPA services to parents. OCS expects that PA staff may be the primary IV-D workers to receive questions about voluntary GT. If parents ask about the GPA or indicate an interest in voluntarily participating in GT to determine parentage, PA staff (and any other IV-D staff) will inform parents that:

1. Until OCS provides business and process directives for implementing the GPA, voluntary GT is not being offered at this time; and
2. If parents want to establish parentage through GT, they may do so using the court-order process that is currently in place.

As decisions are made with IV-D partners, OCS will issue further instructions and final GPA policy.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

¹¹⁹ OCS expects support specialists may perform most of these tasks upon the initial opening of a IV-D case.

REVIEW PARTICIPANTS:

GPA Workgroup
Establishment Work Improvement Team
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None

SUPPORTING REFERENCES:

Federal
None

State
MCL 772.1461 – 772.1475

ATTACHMENTS:

None

EPF/JEM

IV-D MEMORANDUM 2016-013

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: May 31, 2016

SUBJECT: Remote Access for County IV-D Offices

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

In 2015, OCS and the Department of Technology, Management & Budget (DTMB) held a remote access pilot program for designated county IV-D offices. With the pilot successfully completed, OCS is making remote access to the Michigan Child Support Enforcement System (MiCSES) and other IV-D information systems available to all county IV-D offices. This IV-D Memorandum provides the following information related to remote access for county IV-D offices:

- Acceptable use of remote access;
- Procedures for county IV-D offices to participate in remote access;
- The process for obtaining mobile devices;
- Procedures for IV-D staff to request, renew, cancel or transfer remote access;
- Monitoring of remote access; and
- Physical and technical safeguards specific to remote access.

This memorandum also introduces the following forms that county IV-D offices and IV-D staff will use to request remote access:

- *County IV-D User Remote Access Request* (MDHHS-5454); and
- *County IV-D Office Remote Access Agreement* (MDHHS-5455).

Finally, this memorandum obsoletes:

- Michigan IV-D Action Transmittal (AT) 2004-021, *Emergency Remote Access to the Michigan Child Support Enforcement System (MiCSES)* and its attachment, the *MiCSES Request for Remote Access* (FIA-394);

UPDATE(S):

Manual

Form(s)

- IV-D Memorandum 2015-018, *Remote Access Pilot Program for Designated County IV-D Offices*, its exhibits, 2015-018E1 and 2015-018E2, and the *Remote Access Service Request* (DTMB-0051); and
- The *IRS Pub. 1075 Physical Security Requirements Survey* (DHS-603).

DISCUSSION:

A. Background

“Remote access” allows IV-D staff to access nonpublic child support applications (e.g., MiCSES, Business Objects) from locations other than their primary office location(s). Remote access advances the [Michigan Child Support Program’s Strategic Plan](#) goals by helping IV-D staff deliver services to the public in an engaging, effective, and accessible manner, and by using innovative technology to enhance customer service and improve business practices.

Throughout 2015, OCS and DTMB worked together to implement a remote access solution for county IV-D offices. In the summer of 2015, OCS and DTMB began a remote access pilot with two county offices.¹²⁰ The pilot allowed OCS and DTMB staff to test processes related to remote access such as access control and equipment deployment. That testing, along with feedback from pilot participants, helped to identify and resolve issues that could negatively impact statewide remote access implementation. With the pilot complete, OCS and DTMB are making remote access available to all county IV-D offices, as described below.

B. Acceptable Use of Remote Access Service

County IV-D staff may use remote access service only if their IV-D office director has elected to participate in remote access and they have obtained the approval of their office management.¹²¹ IV-D staff will use remote access service only to perform IV-D child support program functions, in contexts including, but not limited to:

- Courtrooms (for hearings);
- Community outreach events; and/or
- Performing IV-D work on a mobile device at a primary office location(s) or at a satellite office.

Regular telecommuting¹²² for county IV-D staff is not yet possible. This will be considered in the future and will involve discussions with DTMB, the Program

¹²⁰ The remote access pilot was introduced in IV-D Memorandum 2015-018.

¹²¹ Ref: Sections C and E of this memorandum for instructions on requesting remote access for county IV-D offices and individuals.

¹²² “Regular telecommuting” means working from a site other than the primary office location(s) on a regular, continual basis.

Leadership Group (PLG), and other partners. If telecommuting becomes available, OCS will issue additional policy direction at that time.

Note: This memorandum authorizes county IV-D staff to use remote access service. It does not expand or change the scope of individuals who may access IV-D child support applications.

C. County IV-D Office Participation in Remote Access Service

County IV-D office directors may elect to have their office participate in remote access by completing an MDHHS-5455, which documents office-level responsibilities regarding remote access. A county IV-D office director will read and agree to the requirements on the MDHHS-5455, sign the form, and fax or email it to:

MiCSES Help Desk
Fax: (517) 241-9703
DIT-MiCSES-Helpdesk@michigan.gov

OCS remote access coordinators and MiCSES Help Desk staff will process remote access service requests **only** for offices that have an MDHHS-5455 on file with the MiCSES Help Desk.

Note: For a county-managed office,¹²³ the head of its information technology (IT) department must also sign the MDHHS-5455 to ensure his/her awareness of technical security requirements.

D. Obtaining Mobile Devices

IV-D office directors will use existing IT equipment procurement policies and procedures to obtain mobile devices (e.g., laptops or tablets) needed to facilitate remote access.¹²⁴

1. State-Managed Offices

Upon request, OCS will provide DTMB-owned and maintained laptops to state-managed offices that have elected to participate in remote access. The IV-D office director or designee of a state-managed office will request laptops by contacting his/her office's OCS contract manager. After DTMB deploys the laptops, state-managed offices must return a DTMB-owned desktop computer for each laptop computer they have received. Deployment of a laptop will not

¹²³ Ref: [Definition of State and County Managed Sites](#).

¹²⁴ For more information, reference [IV-D Memorandum 2012-004, Michigan Child Support Enforcement System \(MiCSES\) Technical Support Guidelines, Personal Computer \(PC\) Allocation Guidelines, Data Processing \(DP\) Costs and Reimbursement Through the Cooperative Reimbursement Program \(CRP\), and IV-D-Funded Computer Equipment Requests](#). OCS will revise this policy in an upcoming IV-D Memorandum.

increase the number of devices approved for an office. The IV-D office director or designee will schedule the return of desktop computers using DTMB's equipment return process.¹²⁵

Note: IV-D office directors or their designee should allow six to eight weeks for the deployment of laptops.

2. County-Managed Offices

Under the IT support model transition introduced last year, county-managed offices must purchase and maintain their own devices.¹²⁶ If a county-managed office plans to purchase mobile devices to facilitate remote access, its IV-D office director or designee must use the approval process found in IV-D Memorandum 2012-004 or its successor.

As part of the IT support model transition, county-managed offices are required to obtain approval from OCS Financial Management to purchase devices. IV-D offices may include mobile devices in that request. If a IV-D office has already submitted a request for other equipment but now needs mobile devices, the office may amend the original request or submit a new request, depending on the situation:

- If the new equipment has not been purchased yet or billed to OCS, the office may amend their original request to include the mobile devices and submit it to OCS Financial Management.
- If the equipment has already been purchased and billed to OCS, and the office wants to purchase a number of mobile devices that would exceed its 110% average Full-Time Equivalent (FTE) allocation, the office must obtain OCS Financial Management approval of the purchase.
- If the equipment has already been purchased and billed to OCS, but the office wants to replace that equipment with mobile devices, the office may submit a request for the mobile devices to OCS Financial Management that indicates:
 - The device(s) that is being replaced; and
 - The credit that will appear on the billings to OCS for the value of the device(s) that is being replaced.

E. IV-D Staff SecurID Tokens and Remote Access Service Requests

1. SecurID Tokens

¹²⁵ Ref: [IV-D Equipment Return List](#).

¹²⁶ For more information on the IT support model changes, refer to the email notification dated April 6, 2015, [Action Required – Due Date 6/30/15 – IT Support Model Changes](#).

A SecurID token is a small device that helps a user prove his/her identity electronically when a second factor of authentication is needed to remotely access an information system. A IV-D worker who needs remote access **must** have his/her own SecurID token and may not share his/her token or account credentials with any other person. DTMB will bill the costs of leasing and providing SecurID tokens to OCS. OCS will not pass along those costs to county IV-D offices.

2. Remote Access Service Requests

a. Individual IV-D Worker Requests

County IV-D staff will use the MDHHS-5454 to agree to remote access safeguarding requirements and submit the following SecurID requests:

- 1) **New Token.** To request a new SecurID token, a county IV-D worker will:
 - a) Complete the top part of the MDHHS-5454, which includes his/her name, email address, phone number, etc.;
 - b) Read and agree to the security requirements by signing his/her name near the bottom of Section I;
 - c) Select “New Token” in Section II. (S)he will then provide two four-digit authentication numbers that **(s)he will remember**.¹²⁷ If a worker calls the DTMB Client Service Center (CSC) for SecurID token support, CSC staff will use the numbers to authenticate the worker’s identity. If CSC staff cannot authenticate the worker, they **cannot provide support**.
 - d) Make note of the information regarding SecurID tokens and accounts found in Section III;
 - e) Obtain the approval and signature of his/her supervisor and an Authorized Requester in Sections IV and V of the form;¹²⁸ and
 - f) Send the completed MDHHS-5454 to the MiCSES Help Desk using either the fax number or email address on the form.¹²⁹

Once OCS remote access coordinators receive a SecurID token, they will deliver it to the requester’s office with user instructions and a phone number to call with problems.

- 2) **Cancel Token.** A IV-D office’s Authorized Requester must cancel a IV-D worker’s SecurID token when the worker no longer requires remote

¹²⁷ The user will create these two unique four-digit numbers. OCS recommends that users not include personal identifying information (e.g., Social Security numbers, dates of birth, etc.).

¹²⁸ An Authorized Requester is a person within a IV-D office who has the authority to approve IV-D system access and sign related security forms. Ref: [Section 1.10, “Confidentiality/Security,” of the Michigan IV-D Child Support Manual](#) for more information.

¹²⁹ Emailed forms are preferred; however, offices without scanning capability may fax their forms.

access (e.g., the worker gets a new job assignment or leaves employment) or if the token is lost or stolen. Failure to discontinue unneeded remote access service is a security risk and will result in unnecessary costs billed to the IV-D program. To cancel a token, an office's Authorized Requester will:

- a) Complete the top part of the MDHHS-5454, which includes the worker's name, email address, phone number, etc.;
- b) Select "Cancel Token" in Section II. Provide the SecurID token's serial number¹³⁰ and one of the following reasons for cancellation:
 - Expired;
 - Lost;
 - Stolen;
 - Defective/Damaged; or
 - No longer needed;
- c) Complete and sign Section V. The Authorized Requester does not need to obtain the employee's or supervisor's signature to cancel a token; and
- d) Send the completed MDHHS-5454 to the MiCSES Help Desk using either the fax number or email address on the form.

After sending the MDHHS-5454, the Authorized Requester will return the token to OCS remote access coordinators as soon as possible by mailing it to:

Office of Child Support
P.O. Box 30478
Lansing, MI 48909

Authorized Requesters must immediately return canceled tokens to OCS to avoid OCS being charged a non-refundable fee of \$70.

- 3) **Renew Token.** PA and FOC SecurID accounts expire 12 months after they are created, at the end of the twelfth month.¹³¹ PA and FOC staff are responsible for renewing their SecurID accounts. OCS recommends that PA and FOC staff submit their renewal requests at least one month prior to their account's expiration date.¹³² **Failing to renew the account will result in the termination of remote access.**

To renew his/her SecurID account, a county IV-D worker will:

¹³⁰ The serial number is found on the underside of the SecurID token.

¹³¹ For example, a SecurID account that was requested in April 2015 will expire on April 30, 2016.

¹³² The account expiration date is found in the instructions that the worker will receive with his/her token.

- a) Complete the top part of the MDHHS-5454, which includes his/her name, email address, phone number, etc.;
 - b) Select “Renew Token” in Section II, and provide the serial number of his/her SecurID token;
 - c) Obtain the approval and signature of an Authorized Requester in Section V of the form; and
 - d) Send the completed MDHHS-5454 to the MiCSES Help Desk using either the fax number or email address on the form.
- 4) **Replace Token.** If a county IV-D worker needs to replace his/her SecurID token because it is lost/stolen or defective/damaged, (s)he will:
- a) Complete the top part of the MDHHS-5454, which includes his/her name, email address, phone number, etc.;
 - b) Select “Replace Token” in Section II and provide a reason for the replacement (e.g., token is lost);
 - c) Obtain the approval of an Authorized Requester in Section V of the form; and
 - d) Send the completed MDHHS-5454 to the MiCSES Help Desk using either the fax number or email address on the form.

Authorized Requesters must immediately return defective or damaged tokens to OCS to avoid OCS being charged a non-refundable fee of \$70. A lost or stolen token will result in a \$70 charge to OCS.

- 5) **Transfer Previous User’s Token to Me.** If a county IV-D worker no longer requires remote access, county IV-D offices may transfer the token to another user instead of returning it. To transfer a new SecurID token, the county IV-D worker who will receive the token will:
- a) Complete the top part of the MDHHS-5454, which includes his/her name, email address, phone number, etc.;
 - b) Read and agree to the security requirements by signing his/her name near the bottom of Section I of the form;
 - c) Select “Transfer Previous User’s Token to Me” in Section II and provide:
 - The name of the previous user of the token;
 - The serial number of the SecurID token;
 - The email address of the previous user of the token; and
 - The worker’s two four-digit authentication numbers that CSC staff will use to authenticate the worker’s identity. If CSC staff cannot authenticate the worker, they **cannot provide support** for the SecurID token.

- d) Make note of the information regarding SecurID tokens and accounts found in Section III;
- e) Obtain the approval and signature of a supervisor and an Authorized Requester in Sections IV and V of the form; and
- f) Send the completed MDHHS-5454 to the MiCSES Help Desk using either the fax number or email address on the form.

Once the transfer request is processed, OCS remote access coordinators will send instructions for activating the token to the new user.

- 6) **Update User Information.** To update his/her SecurID account information, a county IV-D worker will:
 - a) Complete the top part of the form, which includes his/her name, email address, phone number, etc.;
 - b) Select "Update User Information" in Section II and enter the information (s)he would like to update (e.g, name change or new email address);
 - c) Obtain the approval and signature of an Authorized Requester in Section V of the form; and
 - d) Send the completed MDHHS-5454 to the MiCSES Help Desk using either the fax number or email address on the form.

b. Mass Renewals and Cancellations

Instead of sending an MDHHS-5454 for each individual worker, an Authorized Requester may send mass renewal or cancellation requests by submitting one MDHHS-5454 and a spreadsheet that includes the following information for each individual:

- First name;
 - Last name;
 - Email address;
 - Token serial number;
 - Current account expiration date; and
- For renewals, include the following:
 - Virtual Private Network (VPN) group name (enter "FOCPAforMiCSES"); and
 - The new requested account expiration date (enter "one year").
 - For cancellations, include the reason for cancellation.

The MDHHS-5454 must include all the information found in a normal request,¹³³ except for the information that is included on the spreadsheet. The Authorized Requester will enter “Mass Request” in one or both of the name fields on the MDHHS-5454.

The Authorized Requester will send the MDHHS-5454 and the spreadsheet to the MiCSES Help Desk using either the fax number or the email address on the form.

c. Processing of Requests

MiCSES Help Desk staff will review MDHHS-5454 forms for completeness. They will forward complete requests to OCS remote access coordinators, who will then send a *Remote Access Service Request* (DTMB-0051) to a Michigan Department of Health and Human Services (MDHHS) Authorized Requester for approval.

Note: **The MiCSES Help Desk and OCS cannot support SecurID tokens or troubleshoot remote access issues.** IV-D staff having issues with their SecurID token must contact the DTMB Client Service Center for assistance at (517) 241-9700 or toll-free at 1-800-968-2644.¹³⁴

F. Monitoring of SecurID Tokens

Each IV-D office is required to have a designated security person responsible for monitoring system access.¹³⁵ Each designated security person will maintain a list of SecurID tokens issued to that office’s staff. The list will include, at a minimum:

- Each SecurID token’s serial number;
- The name of the user to whom the token is assigned; and
- The expiration date of the user’s SecurID account, to help the office track and manage renewals.

As part of his/her quarterly security responsibilities, the designated security person will review the list and verify that each individual listed still requires remote access service. If an individual no longer needs remote access service, the designated security person will work with his/her office’s Authorized Requester to cancel and return the individual’s SecurID token.¹³⁶

G. Remote Access Safeguarding

¹³³ Ref: Section E(2)(a)(3), “Renew Token,” in this memorandum.

¹³⁴ After the HRMN ID prompt, choose option 1 (new problem), then option 2.

¹³⁵ For more information on the responsibilities of the designated security person, reference Section 1.10 of the *Michigan IV-D Child Support Manual*.

¹³⁶ Ref: Section E(2)(a)(2), “Cancel Token,” in this memorandum.

Mobile devices are very useful because they are portable; however, their portability creates an increased risk of theft or loss. A lost or stolen mobile device risks the exposure of information stored on the device, as well as additional information that can be accessed through the device. Therefore, county IV-D office directors will allow their staff to use remote access **only** in environments where they believe their staff can safeguard the confidentiality of IV-D member information **and** ensure the security of their mobile devices. Remote staff will use the following safeguards to protect confidential information and their mobile devices.

1. Physical Safeguards

Remote staff are responsible for the physical security of IV-D information and devices. They must:

- a) **Be aware of their surroundings.** Remote staff must use their devices in the most physically secure spaces possible, and must avoid using their devices in publicly accessible areas. If IV-D workers must use their device in a public area, they must pay attention to people around them and ensure others cannot view confidential information on the screen or on paper documents.
- b) **Maintain control over their devices and confidential papers.** Remote staff must not leave devices or confidential papers unattended unless they:
 - Lock the device or papers in a secure room or container that prevents unauthorized access; or
 - Leave the device or papers under the immediate control of another IV-D worker(s).

Remote staff must also lock devices using screen-locking functionality or log out of devices at any time they leave them unattended.

- c) **Use appropriate safeguarding tools.** County IV-D office directors must provide, and remote staff **must** use, appropriate tools to help secure devices and confidential information. These tools include, but are not limited to:
 - Laptop tethers;
 - Screen filters;
 - Privacy partitions; and
 - Locking cabinets/containers.

The environment in which remote access takes place will dictate what tools are appropriate. For example, a physical tether may be advisable when using a device in a heavily populated public area, but it may be unnecessary when using a device in a courtroom that has restricted access and security staff. A IV-D office director will assess risk on a case-by-case basis. (S)he will

determine which tools are necessary to mitigate those risks. (S)he will also ensure the tools are provided to staff and that staff are instructed on their use.

- d) **Immediately report security issues.** Remote staff must have a way to immediately report security issues to supervisors and OCS. Remote staff must report to OCS any possible or confirmed compromise of confidential information, including lost or stolen devices, using the incident reporting procedures found in Section 1.10 of the *Michigan IV-D Child Support Manual*.

OCS encourages all IV-D staff with questions about remote access physical security to contact OCS at mdhhs-ocs-security@michigan.gov.¹³⁷

Remote staff will comply with Section 1.10 of the *Michigan IV-D Child Support Manual* and the terms of other IV-D security agreements they have signed. OCS and DTMB may suspend or terminate a user's remote access service for failure to comply with safeguarding or acceptable use requirements.

Note: All remote access sites are subject to inspection for safeguarding purposes by OCS, DTMB, the Internal Revenue Service (IRS), and the federal Office of Child Support Enforcement (OCSE).

2. Technical Safeguards

Maintaining the technical security of devices used for remote access is critical to safeguarding IV-D systems and confidential information. Responsibility for ensuring the technical security of those devices depends upon whether an office is state-managed or county-managed:

- a. In state-managed offices, DTMB is responsible for ensuring the technical security of devices used by remote staff of those offices; and
- b. County-managed offices are responsible for ensuring the technical security of devices used by their remote staff. At a minimum, devices must meet the following requirements:

- 1) **Encryption.** All devices used to store, process, or transmit confidential information must be encrypted at the disk level using a Federal Information Processing Standard (FIPS) 140-2-compliant encryption product.¹³⁸

Note: Devices that DTMB will provide to state-managed offices will not yet have full-disk encryption. DTMB will implement full-disk encryption for state-managed offices at a later date. If full-disk encryption is not

¹³⁷ The merger between the Department of Human Services and the Michigan Department of Community Health in 2015 led to a minor change to the OCS security email address: "dhs" was changed to "mdhhs." Section 1.10 will be updated in the future.

¹³⁸ [FIPS 140-2](#) is a publication that contains U.S. government computer security standards for encryption.

yet available to an office, its staff must use encryption software and a strong, complex password to encrypt files containing confidential information that are saved to those devices.

- 2) **Up-to-date software.** All devices used for remote access must have appropriate software with the latest updates to protect against cyberattacks, including current antivirus software and up-to-date operating system security patches and other software patches, unless otherwise required by DTMB.
- 3) **Encrypted transmission/two-factor authentication.**¹³⁹ Remote access must take place using the DTMB-provided SecurID token discussed in this memorandum. SecurID tokens establish a secure transmission link that uses FIPS 140-2-compliant encryption and two-factor authentication.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. With the publication of this IV-D Memorandum, the following are obsolete:

- AT 2004-021 and its attachment, the FIA-394;
- IV-D Memorandum 2015-018, Exhibits 2015-018E1 and 2015-018E2, and the DTMB-0051; and
- The *IRS Pub. 1075 Physical Security Requirements Survey* (DHS-603).

REVIEW PARTICIPANTS:

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CC:

None

¹³⁹ Two-factor authentication identifies a user by a combination of two different factors, such as something the user knows, something the user possesses, or some component of the user (e.g., fingerprint). To meet OCSE security requirements, one of the factors must be provided by a device separate from the device used for remote access.

ATTACHMENTS:

MDHHS-5454: *County IV-D User Remote Access Request*

MDHHS-5455: *County IV-D Office Remote Access Agreement*

EPF/KZM

IV-D MEMORANDUM 2016-014

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff
State Court Administrative Office (SCAO) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: May 31, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Credit Reporting Pilot Project

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces an OCS Central Operations Credit Reporting pilot project with Wayne County and Muskegon County FOC offices. The pilot will begin on June 6, 2016 and go through September 6, 2016. The purpose of the pilot is to evaluate the effectiveness of centralizing certain credit reporting activities and to determine whether OCS should offer this centralization option statewide. One of the primary purposes of centralizing certain aspects of enforcement activity such as credit reporting is to allow FOCs more time to focus on more complex tasks. Removing some of the routine tasks allows the FOCs time for enforcement tasks that require additional research or interaction with non-custodial parents (NCPs).

DISCUSSION:

Federal law requires that IV-D programs have procedures to report periodically to consumer reporting agencies (CRAs)¹⁴⁰ the names of NCPs with past-due support (arrears) and the amount of the arrears.¹⁴¹ Consumers¹⁴² who are reported to CRAs have a right to dispute the accuracy of the information in the consumer report. The entity that reported the information to the CRAs must investigate the disputes.¹⁴³

In Michigan, the IV-D agency is responsible for reporting NCP child support arrearages to the CRAs. When an NCP has a dispute about the accuracy of the information submitted, (s)he may contact either the FOC or the CRA. When the NCP files a dispute

¹⁴⁰ A CRA is an organization that collects, stores, maintains and distributes consumer credit information. Michigan reports NCPs to two CRAs: Experian and Innovis.

¹⁴¹ 42 United States Code (USC) 466(a)(7); 45 Code of Federal Regulations (CFR) 302.70(a)(7)

¹⁴² For child support purposes, consumers are NCPs.

¹⁴³ Ref: 15 USC 1681i(a).

with the CRA, the CRA processes it through the Online Solution for Complete and Accurate Reporting (e-OSCAR). e-OSCAR then communicates the dispute information to FOCs via Automated Consumer Dispute Verifications (ACDVs).¹⁴⁴ FOCs must respond to the ACDVs by the response due date included on the ACDV. Failure to submit a timely response may permanently prohibit the IV-D agency from reporting the disputed account.¹⁴⁵

A. The Pilot Project

Both the Program Leadership Group (PLG) and the Friend of the Court Association (FOCA) support the centralization of more enforcement activities. Currently, several enforcement remedies include some centralized activities¹⁴⁶ (e.g., Passport Denial and *National Medical Support Notices*).¹⁴⁷ The PLG approved OCS Central Operations' recommendation to conduct a pilot project to centralize certain credit reporting activities. OCS Central Operations will pilot the following:

- Processing of NCP ACDVs received through e-OSCAR;¹⁴⁸
- Generating the Dispute Response (DR) notifications¹⁴⁹ report and the Notification Statistics Report;
- Responding to DR notifications; and
- Referring to the appropriate pilot county any ACDVs the FOC needs to resolve.

OCS Central Operations will not participate in any other credit reporting activity.

There are federal timeframes that the CRA and the IV-D program must meet when processing ACDVs for NCPs. Failing to respond within these timeframes could result in the IV-D program forfeiting the ability to report the NCP/docket combination associated with the ACDV in the future.

The CRA must respond to a dispute regarding the completeness or accuracy of data included in a consumer report within 30 days of receiving the dispute.¹⁵⁰ The CRA may extend that deadline for not more than 15 days.¹⁵¹ The IV-D program must also respond to the ACDVs forwarded by e-OSCAR from the CRAs within this timeframe. If the IV-D worker responds to a dispute on or before the response due date provided by e-OSCAR, the federal timeframes are met.

¹⁴⁴ For more information on the e-OSCAR process, reference [Action Transmittal 2008-042, e-OSCAR: The Online Credit Reporting Dispute System](#).

¹⁴⁵ An account consists of a unique member ID and docket combination.

¹⁴⁶ Michigan Compiled Law (MCL) 400.240 authorizes OCS to centralize administrative enforcement procedures and activities.

¹⁴⁷ Ref: [Section 6.24, "Passport Denial/Restriction,"](#) and [Section 6.06, "Medical Support,"](#) of the *Michigan IV-D Child Support Manual* for information on centralized processing of Passport Denial and the NMSN.

¹⁴⁸ Ref: the job aid [e-OSCAR: Responding to an ACDV for Michigan Child Support Accounts](#).

¹⁴⁹ CRAs will add a DR notification to e-OSCAR any time they delete or modify information associated to an account number.

¹⁵⁰ Ref: 15 USC 1681i(a)(1)(B) for more information about the required timeframes.

¹⁵¹ Ref: 15 USC 1681i(a)(1)(B).

Although e-OSCAR communicates with the FOCs, it does not communicate directly with the Michigan Child Support Enforcement System (MiCSES). When a dispute is valid and the IV-D program should stop reporting the NCP, a IV-D worker must manually update the *Credit Reporting* (CRAR) activity chain in MiCSES to inform the CRAs of the result. OCS Central Operations will not update CRAR chains during the pilot.

B. OCS Central Operations Pilot Responsibilities

The OCS Central Operations Central Enforcement Manager will be the pilot project manager and will oversee pilot project activities. The pilot project manager will report the outcomes and recommendations to the PLG. At least once a week, the pilot project manager will monitor the FOCs' e-OSCAR queue to ensure that OCS Central Operations staff are responding appropriately and within the proper timeframes.

1. Pilot Activities

For the FOC pilot counties of Wayne and Muskegon, OCS Central Operations staff will do all of the following:

- Research and respond to the ACDVs on or before the response due date that appears on the ACDV;¹⁵²
- Respond only to ACDVs in the pilot counties' ACDV queues;¹⁵³
- Process ACDVs only for the member/docket combination that is identified in the ACDV;
- Create a docket-level note on the *Notes Processor* (NOTE) screen in MiCSES documenting the dispute and its resolution;
- Refer ACDVs that require resolving payment discrepancies or inaccuracies in MiCSES¹⁵⁴ to the appropriate FOC;
- Refer any ACDV that indicates credit reporting should be terminated to the appropriate FOC;
- Submit the appropriate codes through e-OSCAR to respond to the ACDVs not referred to the FOC;
- Refer any disputes that require CRAR activity chain updates and all Block notifications¹⁵⁵ to the appropriate FOC;
- Send the same or similar letter that the pilot county sends to the NCP, providing notice of the ACDV's resolution;
- Generate the DR notifications report each week and respond to DR notifications that are not referred to the FOC; and

¹⁵² Ref: the job aid *e-OSCAR: Responding to an ACDV for Michigan Child Support Accounts*.

¹⁵³ Queues refer to how e-OSCAR categorizes the ACDVs. Each county has a unique queue.

¹⁵⁴ The majority of ACDVs do not involve these issues; they involve changes to demographic data or are not valid and require no changes.

¹⁵⁵ Block notifications from e-OSCAR inform the FOC that a CRA has blocked an account for identity theft.

- Track data on the pilot activities (see details below).

2. Pilot Project Report

OCS Central Operations will create a pilot project report to the PLG that will include:

- The number of ACDVs fully completed solely by OCS Central Operations;
- The number of DR notification responses handled solely by OCS Central Operations;
- The amount of time used to process the ACDVs;
- The amount of time used to generate the DR notifications report and to respond to the DR notifications;
- The number of ACDVs and DR notifications referred to the FOC;
- The types of ACDV responses;
- Issues encountered during the pilot;
- Recommendations, if any, for improving the ACDV response process;
- The number of ACDVs that required FOC involvement due to the nature or complexity of the ACDV, or to the need for MiCSES work beyond creating a note; and
- Other data that OCS Central Operations staff consider useful for evaluating the success of the pilot.

C. Pilot County FOC Staff Responsibilities

Each pilot county will designate a staff person(s) to do all of the following for the duration of the pilot:

- Provide OCS Central Operations with the template the county uses to notify the NCP of the dispute resolution;
- Report any issues with OCS Central Operations' handling of ACDVs to the pilot project manager;
- Be the primary contact for OCS Central Operations staff to refer ACDVs that involve payment discrepancies or inaccuracies in MiCSES;
- Ensure local staff attend to all actions pertaining to the initial submission of an NCP for credit reporting, responding to NCP objections before credit reporting begins, and responding to NCP disputes submitted directly to the FOC after credit reporting begins;
- Ensure local staff respond to ACDVs, Block notifications, and any DR notifications referred by OCS Central Operations in the same manner that these activities are currently performed; and
- Collaborate with OCS Central Operations to evaluate the success of the pilot.

D. Pilot Evaluation

When the pilot ends on September 6, 2016, OCS Central Operations and the pilot counties will evaluate the success of the pilot. OCS Central Operations will report the evaluation results and the data used to support the results to the PLG. If the pilot is successful, OCS Central Operations will propose a plan to offer all FOCs statewide the opportunity to centralize the e-OSCAR dispute process. OCS Central Operations has identified the following as three indicators of a successful pilot:

- OCS Central Operations was able to process ACDVs, Block notifications, and DR notifications accurately and within the required timeframes;
- OCS Central Operations' work on the ACDVs significantly reduced the amount of time and work required by one or both of the pilot counties to manage ACDVs. This will be determined by anecdotal information from the counties and the number of ACDVs, Block notifications, and DR notifications that OCS Central Operations could process without FOC intervention; and
- The pilot counties support centralizing the e-OSCAR dispute process statewide on a voluntary basis.

OCS Central Operations will include in the PLG report all of the indicators listed above as well as any others identified by OCS Central Operations or the pilot counties.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Program Leadership Group
Enforcement WIT
OCS Central Operations
Wayne County Friend of the Court
Muskegon County Friend of the Court

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CC:

All Prosecuting Attorney Staff

SUPPORTING REFERENCES:

Federal

15 USC 1681i(a)
15 USC 1681i(a)(1)(B)
42 USC 466(a)(7)

45 CFR 302.70(a)(7)

State

MCL 400.240

ATTACHMENTS:

None

EPF/VW

IV-D MEMORANDUM 2016-015

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: May 27, 2016

SUBJECT: Member Address Verification, Department of Natural Resources (DNR) Information Matching, and Agency Placement/Unlicensed Provider Addresses

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum explains updates to Section 3.15, "Addresses," of the *Michigan IV-D Child Support Manual* and discusses:

- Enhancements to the transmission of custodial party (CP) and non-custodial parent (NCP) addresses from the Michigan Child Support Enforcement System (MiCSES) to the Federal Case Registry (FCR) for verifications through the National Change of Address (NCOA) repository;
- Changes to policy and procedures regarding the submission of manual postal verifications to the United States Postal Service (USPS); and
- Changes to policy and procedures for the matching of MiCSES case members to address and license information received from the DNR.

These changes will be implemented with the MiCSES 9.1 Release on June 3, 2016.

OCS has updated Exhibit 2.05E1, Member Match Matrix, to reflect changes in the member-matching process.

In addition, this IV-D Memorandum describes policy and procedural changes to Section 3.15 regarding addresses from the Michigan Statewide Automated Child Welfare Information System (MiSACWIS). These updates will be implemented in MiCSES on June 17, 2016.¹⁵⁶

¹⁵⁶ Ref: [IV-D Memorandum 2016-010, Updates to the Michigan IV-D Child Support Manual Related to Child Welfare Referrals From the Michigan Statewide Automated Child Welfare Information System \(MiSACWIS\)](#), for information about the MiSACWIS/MiCSES interface.

Change bars in the right margin of Section 3.15 indicate significant policy changes since its last publication. Content that has been reorganized or reformatted since the last publication of Section 3.15 is not identified with a change bar.

DISCUSSION:

A. Submission of CP and NCP Addresses to the Federal Case Registry (FCR) for Verification Through the National Change of Address (NCOA) Repository

MiCSES automatically submits eligible¹⁵⁷ addresses to the FCR for certain case members at least once every 90 days in order to:

- Comply with ongoing location requirements specified in 45 Code of Federal Regulations (CFR) 303.3(b)(5);
- Maximize the likelihood of timely updates through the NCOA; and
- Comply with USPS bulk mailing standards to minimize mailing costs.¹⁵⁸

MiCSES submits the identified eligible addresses to the FCR on a daily basis. However, if there are multiple addresses of the same type with the same verification status (e.g., more than two with the status “V – Verification Sent”), then the automated process might never send some of the older addresses to the FCR since MiCSES sends only the newer addresses.

After the MiCSES 9.1 Release, IV-D staff will be able to select the addresses they want to submit to the FCR. IV-D staff will click the new *Electronic Postal (NCOA)* button on the *Member Address History (AHIS)* screen to open the *NCOA* pop-up window. From this window, IV-D staff may select any number of valid mailing, residential or legal mailing addresses to send to the FCR. However, the button will be disabled when the member:¹⁵⁹

- Is only associated to a non-IV-D case;
- Has only international addresses; or
- Is a victim of family violence and his/her address has been suppressed.

IV-D staff may select one or more addresses from the *NCOA* pop-up window to submit to the NCOA. However, MiCSES sends only a maximum of two addresses per member each night to the FCR. MiCSES will first submit the first two addresses selected, and at the next submission, it will submit the next two selected (and so on, if any more are selected for submission but pending). This restriction is imposed by the federal Office of Child Support Enforcement (OCSE) to limit the number of daily transactions that they process.

¹⁵⁷ Addresses in MiCSES must meet certain criteria to be submitted to the FCR. Ref: Subsection 3.2.2 in Section 3.15 for more information.

¹⁵⁸ Ref: [USPS's Move Update standard](#) for details.

¹⁵⁹ The NCOA can process U.S. addresses only for IV-D members who do not have an active family violence indicator (FVI).

Section 3.15 provides more information about the selection of addresses for NCOA verification. Section 3.15 was also updated with additional references to statutes, rules, and other supporting material regarding:

- Requirements for parties to provide their address;
- Authority for IV-D staff to change addresses;
- Proposed court rule changes.

B. Manual Postal Verifications

1. Changes in Sending Paper Postal Verifications

Prior to the MiCSES 9.1 Release, IV-D workers were able to submit manual paper postal verifications through the *Document Generation* (DOGN) screen in MiCSES. However, this functionality did not allow for the documentation tracking required by federal guidelines. The new functionality described below will meet these guidelines.

After the MiCSES 9.1 Release, IV-D staff will select addresses for postal verification from the AHIS screen by clicking the new *Paper Postal* button and completing the *Postal* pop-up window that displays.

Because MiCSES automatically verifies most addresses through the NCOA, IV-D staff will only need to send paper postal verifications on a limited basis (e.g., when family violence is indicated). Therefore, the *Paper Postal* button will be available only when there are mailing, residential or legal mailing addresses for the member that have already been submitted to the NCOA for verification (e.g., the *NCOA Resp date* field is populated).¹⁶⁰

Section 3.15 provides more information about this process, including situations when IV-D staff may submit an address for a paper postal verification without submitting it through the NCOA first.

2. Obsoleting the “P – Postmaster Letter Sent” Address *Action Code*

With the changes in the new paper postal process in the 9.1 release, the “P – Postmaster Letter Sent” address *Action Code* will be obsolete. When an address is sent for postal verification, MiCSES will use the *Postal Sent Date* field as the indicator that it was sent for verification instead of the *Action Code*.

MiCSES will continue to process old mailing, residential, or legal mailing addresses with an *Action Code* of “P,” but future addresses will no longer receive this *Action Code*.

¹⁶⁰ Program partners participating in the NCOA Joint Application Design (JAD) process wanted NCOA to attempt to validate the address first before IV-D staff send it to a local post office.

Similarly, when MiCSES automatically submits addresses to the NCOA, it will still consider addresses with an *Action Code* of “P.”

C. Use of the *Member Address List (ALST)* Screen to View All of a Member’s Addresses

If IV-D staff want to view all current and previous addresses for a member, OCS recommends that they use the ALST screen. The *Electronic Postal* and *Postal* pop-up windows on the AHIS screen will only display addresses that are or may be valid for submittal to the NCOA. The AHIS screen will continue to display addresses that have been confirmed as not verified (N) through the NCOA process.

Note: The ALST screen will display an address even if its *Confidential* field on the AHIS screen is marked “Yes” or if the member’s *Family Violence* field is marked “Yes” on the *Member Demographics (DEMO)* screen. IV-D staff should use caution when accessing this screen if a case member is present in the office and could potentially see confidential information on the screen.

Section 3.15 was updated to include this policy recommendation.

D. Address and License Information From the DNR

1. Member-Matching Improvements

Federal regulations require the IV-D program to obtain location information “concerning the physical whereabouts of the non-custodial parent...which is sufficient and necessary to take the next appropriate action in a IV-D case” and to “use appropriate location sources such as...state agencies and departments as authorized by State law.”¹⁶¹ Michigan law requires state agencies to provide the state IV-D program with state government records.¹⁶² Michigan law also authorizes sporting and recreational license suspension as a method of enforcing support orders.¹⁶³

For the primary purpose of case member location (which impacts all IV-D staff) and, to a lesser extent, enforcing support through license suspension (which impacts FOC staff), the MiCSES 9.1 Release will improve the availability of DNR address and license information by changing the process that matches DNR records to MiCSES members.

Before the MiCSES 9.1 Release, the member-match process for DNR records:

¹⁶¹ 45 CFR 303.3

¹⁶² Michigan Compiled Law (MCL) 400.234

¹⁶³ MCL 552.628 and MCL 324.43559

- Did not use an individual identifier for matching – it only used the name, Social Security number, and date of birth;
- Only made “Use Existing” match results (i.e., matches with a high level of confidence)¹⁶⁴ available to IV-D staff via the *SPLS*¹⁶⁵ button of the *AHIS* and *Member Employment History* (EHIS) screens; and
- Did not automatically update any address or member information contained in MiCSES.

After the MiCSES 9.1 Release, the MiCSES member-match process will:

- Use the DNR record’s driver’s license number as the individual identifier to match with the MiCSES member’s driver’s license number on the *Member Licenses* (MLIC) screen;
- Make “Worker Review” match results (i.e., potential matches that require worker review) and “Use Existing” match results available to IV-D staff via the *SPLS* button;
- Ignore “Create New” match results and will not create new MiCSES members;¹⁶⁶ and
- Continue to not automatically update any address or member information contained in MiCSES.

OCS has updated Exhibit 2.05E1, Member Match Matrix, to reflect the matching process changes.

2. Increased Match Rate and Larger Volume of Matches

Prior to the MiCSES 9.1 Release, the match rate for MiCSES/DNR matches was around 45,000 MiCSES members out of the approximate 5 million total historical DNR license records (0.9 percent statewide rate). That is because the criteria needed for a “match” between the DNR and MiCSES was too restrictive. After the MiCSES 9.1 Release, MiCSES will match against many more records.

A pre-release test analysis with the new match criteria on the approximately 5 million historical records received from the DNR had the following results:

- The total statewide match rate was 58 percent;
- There were 900,000 “Use Existing” match results (18 percent statewide rate);
- There were 2 million “Worker Review” results (40 percent statewide rate); and

¹⁶⁴ Ref: [Section 2.05, “Referrals and Applications,” of the Michigan IV-D Child Support Manual](#) for details about the automatic member-match process and the different types of match results (“Use Existing,” “Worker Review,” “Create New,” and “Ignore”).

¹⁶⁵ “SPLS” stands for “State Parent Locator Service.”

¹⁶⁶ The IV-D program will retain all records received from the DNR and will update them as updates are received from the DNR. MiCSES will also attempt to match any newly entered IV-D members and previously unmatched members to these DNR records each time the match process is performed.

- 99.5 percent of the MiCSES members who matched to multiple DNR records (e.g., several different sporting/recreational licenses with slightly different information) with “Worker Review” results had three or fewer matches.¹⁶⁷

The first run of the match process after the MiCSES 9.1 Release will match against all of the approximately 5 million DNR license records. OCS does not expect IV-D staff to check their entire caseload via the *SPLS* button on the AHIS or EHIS screens for addresses newly matched by this initial run. However, IV-D staff should check for newly matched addresses while working on individual cases. This includes situations involving the location of an individual; for example, order establishment, service of process, or case closure.¹⁶⁸ OCS plans to provide each county a list of DNR match results from the first run of the updated member-match process to use as a cross-reference while performing case work. The list will be provided through a Help Desk notification and the Document Distribution Center on mi-support.

After the initial run following the MiCSES 9.1 Release, OCS expects a similar statewide match rate (58 percent) for new information received from the DNR.

3. Policy and Procedure Recommendations¹⁶⁹

The member-match process changes should not have any significant procedural impacts for member location or enforcement. However, to ensure the effectiveness of the automated match process, member location, and enforcement, OCS recommends that IV-D staff:

- Carefully format driver’s license numbers when manually entering them on the MLIC screen;¹⁷⁰
- Review and confirm addresses sourced and matched from DNR license data before clicking the *SPLS* button on the AHIS or EHIS screen to manually download them and view them in the *SPLS Information* pop-up window; and
- Review and confirm matched DNR licenses before proceeding with enforcement action (i.e., license suspension).

¹⁶⁷ DNR member-matching JAD members expressed concern that including “Worker Review” results via the AHIS and EHIS screens’ *SPLS* button might be ineffective or impractical if a high volume of MiCSES members would have a high volume of “Worker Review” results. However, JAD members found this statistic to be acceptable.

¹⁶⁸ Ref: [IV-D Memorandum 2015-021, Self-Assessment \(SASS\) Audit – Establishment of Paternity and Support Order \(Establishment\) Program Compliance Criterion Corrective Action Plan \(CAP\)](#).

¹⁶⁹ OCS also recommends IV-D staff apply this policy to information from all sources that are available for manual download but are not considered verified via the *SPLS* and *FPLS* buttons on the AHIS and EHIS screens. “FPLS” stands for “Federal Parent Locator Service.”

¹⁷⁰ Ref: the [MiCSES Quick Reference Guide: MLIC – Add a Member’s License](#) for more information about driver’s license formatting.

Manual section 3.15 has been updated with an explanation and further details about these recommendations. OCS intends to incorporate them into Section 3.05, "Locate," when it is published at a later date.

E. Addresses From MiSACWIS and Other Updates to Section 3.15

Section 3.15 was updated to:

- Include information about agency placement addresses for unlicensed providers from MiSACWIS;
- Refer IV-D staff to *Michigan IV-D Child Support Manual* Section 3.16, "Other Parties," for more information on requesting an update to the unlicensed provider's address in his/her OTHP record;
- Reflect that information from SPLS and FPLS sources is received directly into MiCSES rather than through the Data Warehouse;¹⁷¹
- Change references to the Department of Human Services (DHS) to the Michigan Department of Health and Human Services (MDHHS);¹⁷²
- Clarify the use of the EHIS screen for a member's source of income (SOI) and for updating SOI addresses; and
- Remove a footnote that erroneously suggested that the NCOA process submits non-IV-D case member addresses to the FCR for address verification.

NECESSARY ACTION:

Read the updated policy information in Section 3.15 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print Section 3.15 and Exhibit 2.05E1 and add them to the manual. Discard the previously published version of Section 3.15 (published August 29, 2014) and Exhibit 2.05E1 (published March 2, 2015).

REVIEW PARTICIPANTS:

Case Management Work Improvement Team
Enforcement Work Improvement Team
Program Leadership Group

CONTACT PERSON:

Chris Townsend
OCS Policy Analyst
townsendc2@michigan.gov

¹⁷¹ Ref: [MiCSES 8.10 Release Notes](#).

¹⁷² This department name change was effective April 10, 2015 with the merger of DHS and the Michigan Department of Community Health. Changes in the department name in Section 3.15 are not identified with a change bar.

(517) 241-5053

CC:

None

SUPPORTING REFERENCES:

Federal
45 CFR 303.3

State
MCL 324.43559
MCL 400.234
MCL 552.628

ATTACHMENTS:

Section 3.15: Addresses

Exhibit 2.05E1: Member Match Matrix

EPF/CPT

IV-D MEMORANDUM 2016-016

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: June 10, 2016

SUBJECT: Michigan Child Support Enforcement System (MiCSES)/
Bridges Data-Match Issues

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum discusses data-match issues that IV-D staff and Bridges users have identified with the MiCSES/Bridges interface.¹⁷³ These issues have caused incorrect assignment records on the MiCSES *Member Assistance History* (MAHI) screen¹⁷⁴ for IV-D case members.¹⁷⁵

As a result, staff have entered several MiCSES Help Desk tickets and Bridges work requests¹⁷⁶ to resolve the issues. This memorandum discusses the planned MiCSES fixes for the MiCSES 9.1.1 Release (June 24, 2016) as well as corrective actions that FOC staff may take prior to the release.

This memorandum also discusses planning for future MiCSES and Bridges releases to fix other data mismatches.

DISCUSSION:

Title IV-D of the Social Security Act requires that referrals to “provide services relating to the establishment of paternity or the establishment, modification, or enforcement of child support obligations” be made to the Title IV-D program as appropriate for children receiving assistance from:

¹⁷³ Bridges is the service delivery system that supports eligibility and benefit determinations for Michigan's assistance programs, which provide cash, medical, food, and child care assistance. Ref: [Section 2.05, “Referrals and Applications,” of the Michigan IV-D Child Support Manual](#) for more information regarding the MiCSES/Bridges interface.

¹⁷⁴ Ref: [MiCSES Screen Description: MAHI – Member Assistance History](#) for information about the MAHI screen.

¹⁷⁵ An [email notification](#) first announced these issues on March 23, 2016.

¹⁷⁶ A Bridges work request is the method used to request a Bridges system change; it is equivalent to a MiCSES Help Desk ticket.

- Family Independence Program (FIP);
- Medicaid;
- Child Development and Care (CDC); and
- Food Assistance Program (FAP).

Referrals for IV-D services are made through the MiCSES/Bridges interface. Referrals include:

- Case and member information about the assistance household participants;
- Information concerning any parents not in the home;
- Assistance eligibility information; and
- Demographic information for all referred individuals.

Assistance eligibility information for children (e.g., begin and end dates of assistance) must be accurate in MiCSES so that current and past-due child support is properly assigned or unassigned to the state.¹⁷⁷ If it is inaccurate, child support payments will be misdirected – that is, either the parent or the state will become underpaid or overpaid.

In the fall of 2015, IV-D staff began reporting issues with missing assistance end dates on the MAHI screen. After extensive research, MiCSES staff confirmed that some of the assistance end dates did not come through the MiCSES/Bridges interface as expected.¹⁷⁸

In November 2015, a workgroup was assembled to discuss, research, and propose solutions to the MiCSES/Bridges interface issue. The workgroup, which included OCS, MiCSES, Data Warehouse, and Bridges staff, began meeting frequently. During these meetings, the workgroup identified several data mismatch issues which include:¹⁷⁹

- Missing or incorrect assistance begin dates;
- Missing or incorrect assistance end dates; and
- Erroneous certifications of assignment.

Workgroup members continue to research these issues with their respective systems.

A. Planned Data-Match Fixes for the MiCSES 9.1.1 Release

In March 2016, the Release Planning Group approved an effort to correct mismatch errors where MiCSES shows that a IV-D member's assistance record is active, but Bridges records indicate the member is no longer receiving assistance. These are the

¹⁷⁷ Ref: [Section 5.15, "Assignment of Support \(Certification/Decertification\)," of the Michigan IV-D Child Support Manual](#) for more information regarding assignment of support.

¹⁷⁸ MiCSES staff worked with Data Warehouse staff to confirm each IV-D member's assistance record through a view of Bridges data in Business Objects.

¹⁷⁹ Help Desk tickets and Bridges work requests have been entered for the identified issues.

most critical mismatch errors to fix because such errors cause incoming support to be inappropriately directed to the state rather than the family.

Joint Application Design (JAD) sessions were held in April 2016 and included representatives from OCS, MiCSES, Data Warehouse, and the FOC. The scope of this effort was to **only** end-date or remove the MiCSES member's incorrect assistance record(s) on the MAHI screen. Other information that may be incorrect, such as the member's assistance begin date, will not be corrected with the MiCSES 9.1.1 effort.

MiCSES will take one of two actions:

- MiCSES will **remove the assistance record** from the MAHI screen if both of the following apply:
 - The record is showing currently active assistance in MiCSES *and* is not active in Bridges; *and*
 - The member's assistance ended prior to the begin dates shown on the MAHI screen.

- MiCSES will automatically **end-date the assistance record** on the MAHI screen¹⁸⁰ if the record shows active assistance and Bridges shows the assistance has ended.¹⁸¹

When MiCSES removes the assistance record, or automatically adds the end date to a member's FIP record, a FIP negative offset may occur if MiCSES disbursed a payment to the state during the incorrect assignment time period.¹⁸² MiCSES will then create a Receipt Source 6 and place the receipt on a *FIP Negative Offset Receipt Source 6* (SNO6) hold.¹⁸³ Due to the volume of records affected, OCS management agreed to temporarily extend the duration of this hold code from four to 14 days to ensure FOC staff have sufficient time to work payments on hold. OCS will communicate to FOC staff when this hold extension has ended.

The MiCSES 9.1.1 Release is expected to fix:

- 250 FIP records;¹⁸⁴ and
- 4,035 Medicaid records.

B. Optional Data-Match Reports

¹⁸⁰ MiCSES will use the same end date as the end date found on Bridges.

¹⁸¹ MiCSES will not automatically end-date the record if the end date in Bridges is in the future.

¹⁸² Ref: [MiCSES Customer Information Guide: FIP Negative Offset](#) for more information.

¹⁸³ Ref: [MiCSES Customer Information Guide: Suspense Management Reference](#) for more information on the SNO6 hold code.

¹⁸⁴ Each assistance line for a MiCSES member on the MiCSES MAHI screen is a record. The MiCSES 9.1.1 Release may fix multiple records for a MiCSES IV-D member.

Before the MiCSES 9.1.1 Release, FOC staff may view a report of all incorrectly assigned records that will be end-dated or removed in the release. FOC staff may use this report to manually correct assistance records. Viewing and working the report are optional, however; FOC staff are not required to take these actions. After the release, FOC staff may view two reports of all incorrectly assigned records that were end-dated or removed.

1. Pre-Report of Incorrectly Assigned Records to Be End-Dated or Removed

FOC staff will have access to a pre-report of incorrectly assigned records to be end-dated or removed. Although it is optional, the report will allow FOC staff to manually correct the records on the MAHI screen prior to MiCSES executing the automatic correction. If FOC staff correct the records on the MAHI screen according to the Bridges information, the MiCSES automatic fix will recognize that the MAHI screen information matches the Bridges information and will not override the staff actions.

FOC staff will be notified by an [email notification](#) when the pre-report is ready.¹⁸⁵ This report will include a list of all members with active FIP and Medicaid records that have verified end dates, or non-approved assistance records, in Bridges.¹⁸⁶ MiCSES will automatically end-date or remove these records with the MiCSES 9.1.1 Release.

If FOC staff choose to manually correct the records, they must correct the member's *entire* MAHI record,¹⁸⁷ including all historical begin and end dates. Staff must also correct the MAHI record *before* entering an arrears adjustment to the IV-D case on the *Obligation Arrears Adjustment* (OBAA) screen in MiCSES, if an arrears adjustment is necessary. If FOC staff do not update the MAHI record prior to entering an arrears adjustment, MiCSES may make a secondary financial reaction when the MiCSES 9.1.1 Release is implemented.

If correcting a Medicaid assistance record when an overpayment occurs, FOC staff **must** complete a *Support Collection Payment Request* (DHS-820) to request the overpayment from the Michigan Department of Health and Human Services (MDHHS) Third Party Liability Division.¹⁸⁸ FOC staff must also enter a note on the *Notes Processor* (NOTE) screen indicating the form was submitted to the MDHHS Third Party Liability Division. If FOC staff choose not to manually

¹⁸⁵ The email notification will also contain information about the pre-report.

¹⁸⁶ Each member included in the report will have an associated docket in MiCSES.

¹⁸⁷ IV-D staff only need to correct the member's MAHI record retroactive to the date the Bridges interface was implemented, which was November 11, 2010. That is the date that MiCSES began calculating relevance in MiCSES according to requirements set with the MiCSES/Bridges interface.

¹⁸⁸ The MDHHS Third Party Liability Division was formerly known as the Michigan Department of Community Health Third Party Liability Division. Ref: [Section 5.40, "Public Assistance Impacts: Unreimbursed Grant, Linking, and Pass-Through \(Client Participation Payment\)," of the Michigan IV-D Child Support Manual](#) for more information on completing a DHS-820 for recoupment of overpaid medical support payments from the state.

correct the MAHI records, the Medicaid overpayment will be handled with a future effort.¹⁸⁹

2. Post-Reports of End-Dated or Removed Assignment Records¹⁹⁰

After the MiCSES 9.1.1 Release, IV-D staff will be notified by an email notification when the two post-release reports are available. The reports will list the cases that MiCSES automatically end-dated or removed, based on information confirmed in Bridges. These reports are for informational purposes only. No action is required of IV-D workers.

C. Future Planning of Data-Match Issue Correction

JAD sessions are currently underway to determine the best approach to correct each affected member's full assistance history on the MAHI screen. The proposed fix includes:

- Correcting each member's begin and end dates;
- Correcting erroneous certifications of assignment; and
- Requesting a recoupment from the MDHHS Third Party Liability Division for medical support overpayments.

This effort cannot be scheduled for a MiCSES release until all of the Bridges fixes that support the MiCSES work are in production. At this time, Bridges staff have not approved all of the Bridges work requests for a release.

OCS, MiCSES and Bridges staff continue to work together to develop solutions to correct the identified issues and to avoid mismatches in the future.

OCS and MiCSES staff are tracking each MiCSES ticket and Bridges work request entered. OCS staff will continue to communicate updates to IV-D staff as more information becomes available.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Case Management Work Improvement Team (WIT)
Financials WIT

¹⁸⁹ Ref: Section C of this memorandum for more information.

¹⁹⁰ After publication of this IV-D Memorandum, OCS will send out an email notification with more information about the post-reports, as well as the pre-report.

Program Leadership Group

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CC:

None

ATTACHMENT(S):

None

EPF/KAP

IV-D MEMORANDUM 2016-017

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: June 17, 2016

SUBJECT: Notifying Unlicensed Providers of Impacts to Their Existing IV-D Case(s) Due to the Michigan Child Support Enforcement System (MiCSES)/Michigan Statewide Automated Child Welfare Information System (MiSACWIS) Interface

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum discusses the following information regarding the implementation of the MiCSES/MiSACWIS two-way interface on June 17, 2016:

- Actions that FOC staff will take on unlicensed provider referrals from MiSACWIS immediately after MiCSES processes the MiSACWIS synchronization file;
- The effects that those actions will have on custodial parties (CPs)¹⁹¹ who are indicated as unlicensed providers in the synchronization file; and
- A letter template¹⁹² that FOC staff may use to inform those CPs of the effects on their IV-D case.

DISCUSSION:

A. Background

The MiCSES/MiSACWIS two-way interface will be implemented on June 17, 2016. As part of the implementation process, OCS has recommended that FOC staff run the *SACWIS Referral Report* on the *Functional Prototype Queries (FPRO)* screen in MiCSES.¹⁹³ FOC staff will use the report to find MiSACWIS referrals with a *Pay To*

¹⁹¹ Specifically, this refers to CPs who receive payments via electronic funds transfer or debit card.

¹⁹² Ref: [Exhibit 2016-017E1, "Change in Payment Method" Letter Template.](#)

¹⁹³ Also, on June 20, 2016, the Technical Communications Team will publish to the mi-support Document Distribution Center a special version of the report containing the referral information found in the MiSACWIS synchronization file.

of PROVIDER and will review these cases in MiCSES to ensure the monthly support obligation is charging on the appropriate IV-D case(s).¹⁹⁴

- When FOC staff find a *Pay To PROVIDER* referral on the *SACWIS Referral Report*, they will verify in MiCSES whether:
 - There is an existing IV-D case(s) that lists the provider as the CP; and
 - The child currently receives Family Independence Program (FIP) benefits.
- If a pre-existing IV-D case(s) lists the provider as the CP, and the child does not receive FIP benefits, FOC staff will:
 - Stop charges on the pre-existing IV-D case where the CP is the provider;
 - Redirect the charges to the appropriate agency placement IV-D case;¹⁹⁵ and
 - Use the provider's other party (OTHP) ID as the check recipient ID on the agency placement case.¹⁹⁶

B. Impacts to the Provider

When FOC staff make the above-mentioned changes to the pre-existing IV-D case and the agency placement case, the provider:

- Will receive child support payments disbursed under the agency placement case by check only; direct deposit and debit card payments are not available for unlicensed providers on agency placement cases; and
- Will not be able to view information regarding the agency placement case on the MiCase website. MiCase permits only CPs and non-custodial parents (NCPs) to view information about a case. The provider is identified as an "other party." The Michigan Department of Health and Human Services (MDHHS) is the child's legal custodian that has requested IV-D services for the child;¹⁹⁷ as a result, MDHHS is identified as the CP on the agency placement case.

At each local FOC office's discretion, staff may move the arrears owed to the provider on the pre-existing IV-D case to the agency placement case. If the arrears remain on the pre-existing IV-D case, the provider will continue to receive payments

¹⁹⁴ Ref: [IV-D Memorandum 2016-010, Updates to the Michigan IV-D Child Support Manual Related to Child Welfare Referrals From the Michigan Statewide Automated Child Welfare Information System \(MiSACWIS\)](#).

¹⁹⁵ Ref: [Section 5.85, "Agency Placement – Financial," of the Michigan IV-D Child Support Manual](#) for information regarding the redirection of support.

¹⁹⁶ Ref: the [MiSACWIS Pay To Provider Training Handout](#) for more information on this process. Ref: [Section 3.16, "Other Parties," of the Michigan IV-D Child Support Manual](#) for more information on other parties in MiCSES.

¹⁹⁷ FOC staff redirect support to the provider because the provider is the "person who is providing the actual care, support, and maintenance" (Michigan Compiled Law [MCL] 552.605d[4]).

on the arrears by whatever method (s)he has chosen to receive them (e.g., debit card or direct deposit). However, if the arrears are moved to the agency placement case, the provider will receive payments on the arrears by check only.

C. “Change in Payment Method” Letter

The MiSACWIS SWAT group¹⁹⁸ recommended that OCS issue a draft letter that FOC offices could use to inform providers of the change in the way that they will receive child support (Ref: Exhibit 2016-017E1). The draft letter discusses the impacts described above and recommends that providers contact their FOC office with any questions or concerns. Notifying providers of these changes is optional for FOC offices, and the template contains only suggested language. FOC offices may edit the letter template as desired.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Financial Work Improvement Team
Program Leadership Group

CONTACT PERSON:

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CC: None

SUPPORTING REFERENCES:

Federal
None

State
MCL 552.605d(4)

ATTACHMENT:

2016-017E1: “Change in Payment Method” Letter Template
EPF/KZM

¹⁹⁸ The MiSACWIS SWAT group includes OCS, FOC, and MiCSES staff who meet periodically to discuss issues related to implementation of the MiCSES/MiSACWIS interface.

IV-D MEMORANDUM 2016-018

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: June 29, 2016

SUBJECT: Revisions to the Acknowledgment of Parentage Act and
the *Affidavit of Parentage* (DCH-0682)

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces revisions to the Acknowledgment of Parentage Act¹⁹⁹ and the *Affidavit of Parentage* (DCH-0682). The revised *Affidavit of Parentage* (AOP) is currently available in hospitals and on the [Michigan Department of Health and Human Services \(MDHHS\) website](#). Template 6040, which is the MiCSES²⁰⁰ version of the DCH-0682 and is located on the *Document Generation* (DOGN)²⁰¹ screen, will be updated at a later date. IV-D workers will receive an email notification when this form is available. *Michigan IV-D Child Support Manual* Section 4.05, "Paternity Establishment," will be updated with AOP information at a later date.

DISCUSSION:

Federal regulations require that each state have a program for voluntary paternity establishment services.²⁰² Federal regulations also specify the minimum requirements for a valid acknowledgment form.²⁰³ Michigan's program for voluntary paternity establishment services was codified in the Acknowledgment of Parentage Act.²⁰⁴ The acknowledgment form used for voluntary paternity establishment in Michigan is the AOP.

A. Legislative Changes to Michigan's Acknowledgment of Parentage Act

¹⁹⁹ Michigan Compiled Laws (MCLs) 722.1001–1013

²⁰⁰ MiCSES is the Michigan Child Support Enforcement System.

²⁰¹ Ref: [MiCSES Screen Description: DOGN – Document Generation](#).

²⁰² 45 Code of Federal Regulations (CFR) 303.5(g)(1)

²⁰³ 45 CFR 303.5(g)(4)

²⁰⁴ MCL 722.1001–1013

The Michigan Legislature amended the Acknowledgment of Parentage Act, with an effective date of March 30, 2015, to allow a qualified witness to verify the signatures of the mother and father on the AOP. In the past, the signatures had to be verified by a notary for the AOP to be valid. The federal statute specifically allows the AOP to be authenticated by a “notary or witness(es).”²⁰⁵ Many other states have changed their policies to allow a witness to authenticate their state’s AOP, recognizing that a notary can be challenging to locate and obtain, and sometimes may include a fee.

1. Acknowledgment of Parentage Act Requirements for Qualified Witnesses

The qualified witness must be an adult²⁰⁶ who is disinterested,²⁰⁷ legally competent, and an employee of one of the following:²⁰⁸

- A hospital;
- Publicly funded or licensed health clinic;
- Pediatric office;
- FOC office;
- PA office;
- Court;
- Department of Community Health;²⁰⁹
- County health agency;
- County records department;
- Head Start program;
- Local social services provider;
- County jail; or
- State prison.

2. Qualified Witness Signature Requirements

According to the instructions for the new AOP, a qualified witness must verify the identity of the mother and/or father before signing the form by checking the mother’s and/or father’s identification. Examples of acceptable identification include a driver’s license, passport, and state-issued identification.

A single qualified witness may authenticate both the mother’s and father’s signatures by completing both qualified witness sections.

For the AOP to be considered valid, the qualified witness must:

²⁰⁵ 45 CFR 303.5(g)(4)

²⁰⁶ The age of majority in Michigan is 18. Ref: MCL 722.52(1).

²⁰⁷ A disinterested party, in this context, is a person unbiased by personal interest or advantage. In other words, the person is indifferent to the situation.

²⁰⁸ MCL 722.1003(2)

²⁰⁹ In April 2015, the Michigan Department of Community Health and the Department of Human Services merged into the Michigan Department of Health and Human Services (MDHHS).

- Sign and date the form; and
- Provide his/her printed name, address, and place of employment.²¹⁰

3. Filing the *Affidavit of Parentage* (AOP)

If the AOP is completed at the hospital, hospital staff will file the AOP with the local registrar (county clerk). The local registrar will review the form to ensure that it is properly witnessed as explained above. If the AOP is properly completed, the local registrar will forward it to the Central Paternity Registry at the Division for Vital Records and Health Statistics (Vital Records).²¹¹

If the AOP is completed after leaving the hospital, the parents must include the AOP with an *Application to Add a Father on a Michigan Birth Record* (DCH-0848) and mail both forms to the Central Paternity Registry with the appropriate fees.

B. Changes to the *Affidavit of Parentage* (DCH-0682) and Related Materials

Vital Records staff revised the AOP form in February 2016. They subsequently released it to the public by sending it directly to hospitals and court clerks and by updating it on the MDHHS website. OCS is working with MiCSES project staff to update the MiCSES version of the AOP (template 6040) to reflect those revisions. IV-D workers will receive an email notification when this form is updated. The previous version of the AOP (template 6040) can still be generated in MiCSES on the DOGN screen.

Vital Records staff have indicated they will accept previous versions of the AOP from the IV-D program until further notice. If IV-D staff use the previous version of the AOP form, it must be notarized and completed as that form requires. If a qualified witness would like to be the verifying party, (s)he must use the new AOP form (Rev. 02/2016).

Changes to the AOP include, but are not limited to, the following:

1. Form (Page 1)

²¹⁰ MCL 722.1003(2)

²¹¹ The address for Vital Records is located in the instructions section of the AOP.

- a. In the header, “Department of Community Health” was changed to “Michigan Department of Health and Human Services”;
- b. A line for the AOP Number was added;²¹² and
- c. A new section, “Qualified Witness Section,” was added. It includes subsections for both the Father’s Witness and the Mother’s Witness. The heading indicates that the Qualified Witness Section is for facility use only.

2. Instructions (Page 2)

- a. In the section that discusses the importance of proper completion of the form (Paragraph 3), the instructions were changed to include who is a proper qualified witness.
- b. Paragraph 4 was added to the instructions to explain how a qualified witness or notary can serve as both the mother’s and father’s witness or notary. It also explains the requirements for verifying the identities of the father and mother before signing as a witness;
- c. The MDHHS non-discrimination statement was added to the bottom of the page.

In the near future, OCS will update all related in-hospital training materials to reflect changes to the AOP. OCS will also be updating the example of the AOP form in the booklet *What Every Parent Should Know About Establishing Paternity* (DHS-Pub 780) to reflect the recent changes.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. The updated *Affidavit of Parentage* obsoletes the previous version of the form (Rev. 10/2013), which is attached to IV-D Memorandum 2014-028.

REVIEW PARTICIPANTS:

Establishment Work Improvement Team
Program Leadership Group

CONTACT PERSON:

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CC:

None

²¹² This number is assigned at the hospital and is used by Vital Records for data-tracking purposes.

SUPPORTING REFERENCES:

Federal

45 CFR 303.5(g)(1)

45 CFR 303.5(g)(4)

State

MCL 722.52(1)

MCL 722.1001–1013

ATTACHMENT:

DCH-0682: *Affidavit of Parentage*

EPF/AM

IV-D MEMORANDUM 2016-019

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: July 19, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Access to the Central Paternity Registry/Birth Registry System (CPR/BRS) on the New MILogin Web Portal, and Updates to *Michigan IV-D Child Support Manual* Section 4.05, "Paternity Establishment"

RESPONSE DUE: None

POLICY EFFECTIVE DATE: July 26, 2016

PURPOSE:

This IV-D Memorandum announces the migration of the CPR/BRS application from the Michigan Department of Health and Human Services (MDHHS) Single Sign-On (SSO) web portal to the new DTMB²¹³ MILogin web portal. Beginning July 26, 2016, users will access CPR/BRS through MILogin.²¹⁴

Section 4.05, "Paternity Establishment," of the *Michigan IV-D Child Support Manual* has been updated to reflect the migration of the CPR/BRS application from the SSO web portal to MILogin. In addition, the following changes have been made to Section 4.05:

- CPR/BRS technical information has been removed from Section 4.05 and placed into a new customer information guide and new job aids produced by OCS's Training Services team;²¹⁵ and
- Content on CPR/BRS user monitoring requirements from IV-D Memorandum 2016-002, *Central Paternity Registry and Birth Registry System (CPR/BRS) User Monitoring Requirement* has been incorporated into Section 4.05.

A change bar in the right margin of Section 4.05 indicates significant changes to the policy since its last publication. Content incorporated from IV-D Memorandum 2016-002

²¹³ DTMB is the Department of Technology, Management & Budget.

²¹⁴ Although the location and process for accessing CPR/BRS have changed (because of the new web portal), the steps for logging into the CPR/BRS application itself (e.g., using a biometric device) have not changed.

²¹⁵ Ref: the [MiCSES Customer Information Guide: CPR/BRS Combined Search Tool](#), and the job aids [Setting Up Initial Access to the CPR/BRS Application](#), [Accessing the CPR/BRS Application](#), and [Searching the CPR/BRS Application](#).

is not identified with a change bar unless there are clarifications to policy. Also, content that has been reorganized or reformatted since its last publication is not identified with a change bar.

Throughout the manual section, references to “MDHHS” in relation to the CPR/BRS have been changed to “Division for Vital Records and Health Statistics (Vital Records)” to specifically identify the division that developed and maintains the CPR/BRS. This change is not indicated with a change bar in Section 4.05.

The *IV-D Program Request for Computer Access* (DHS-393) will be updated in the near future to incorporate the change from the SSO web portal to the new MILogin web portal. This form change will be announced in a IV-D Memorandum.

DISCUSSION:

MILogin is the new State of Michigan (SOM) Identity, Credential and Access Management (MICAM) web portal that will be used to access many SOM systems and applications, including CPR/BRS. MILogin will improve overall functionality, security and compliance with federal and state regulations. All existing SSO applications have already migrated to MILogin or will migrate to MILogin by October 1, 2016.

Currently, all CPR/BRS users access CPR/BRS via the SSO web portal. Beginning July 26, 2016, users will access CPR/BRS through the MILogin web portal.

Between July 19 and July 25, 2016, IV-D staff who need CPR/BRS access but do not have an existing CPR/BRS account should contact the MiCSES²¹⁶ Help Desk to obtain access.

A. Accessing MILogin

1. IV-D Staff With an Existing SSO Account

Users with existing SSO accounts will automatically be migrated to MILogin accounts. They will not need to set up a MILogin account. However, the steps for logging into MILogin will be different, depending upon whether the user is on the SOM network and whether (s)he works in a state-managed office or a county-managed office.

a. SOM Employee Users

SOM employees are on the SOM network and have a michigan.gov email address. These users will not need to create a MILogin account because their SOM login ID and password are already linked to MILogin.

²¹⁶ MiCSES is the Michigan Child Support Enforcement System.

Instead, they will go directly to the MILogin home page using this link: <https://miloginworker.michigan.gov>. The MILogin home page will display, along with a link to the CPR/BRS application. Users can click the link and log into CPR/BRS using existing procedures.

b. FOC/PA State-Managed Users

FOC/PA users in state-managed offices are on the SOM network and have a michigan.gov email address. These users will not need to create a MILogin account.

However, these users will need to sign into MILogin first before they can access CPR/BRS. They will go to the MILogin home page using this link: <https://miloginworker.michigan.gov>. The MILogin home page will display, and they will log into MILogin using their SOM login ID and password. After logging into MILogin, the link to the CPR/BRS application will display. Users can then click the link to log into CPR/BRS using existing procedures.

c. FOC/PA County-Managed Users

FOC/PA users in county-managed offices are not on the SOM network and do not have a michigan.gov email address. These users will need to sign into MILogin first before they can access CPR/BRS. They will use a different MILogin link than users in state-managed offices: <https://milogintp.michigan.gov>. They will need to use their *current* SSO username and password to log into MILogin.

After the user logs into MILogin, the MILogin home page will display, along with a link to the CPR/BRS application. The user can click the link and log into CPR/BRS using existing procedures.

2. IV-D Staff Without an Existing SSO Account

IV-D staff who do not have an existing SSO account but want access to CPR/BRS must first create a MILogin account.²¹⁷ Then they will follow the existing process for logging into CPR/BRS and searching CPR/BRS.²¹⁸

B. Technical Assistance for MILogin and CPR/BRS

- For assistance logging into MILogin, contact the DTMB Client Service Center at 517-241-9700 or 1-800-968-2644 (press 3 at the prompt); and

²¹⁷ Ref: the job aid *Setting Up Initial Access to the CPR/BRS Application* for instructions on creating a MILogin account.

²¹⁸ Ref: the job aids *Accessing the CPR/BRS Application* and *Searching the CPR/BRS Application* for instructions on logging into CPR/BRS and conducting searches in CPR/BRS.

- For assistance with CPR/BRS issues, contact the Michigan Child Support Enforcement System (MiCSES) Help Desk at 800-968-2644 or DIT-MiCSES-HelpDesk@michigan.gov.

C. CPR/BRS User Monitoring Requirements

In January 2016, IV-D Memorandum 2016-002 announced the new security procedure for monitoring CPR/BRS users' status in CPR/BRS. Information from that memorandum has been incorporated into Section 4.05.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. Review the updated policy in Section 4.05 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print Section 4.05 and add it to the manual. Discard the previous version of Section 4.05 (published April 29, 2015).

With this publication of Section 4.05, the following are obsolete:

- IV-D Memorandum 2016-002;
- Exhibit 4.05E3: *Instructions for Accessing the Central Paternity Registry and Birth Registry System (CPR/BRS) Application*; and
- The *Troubleshooting CPR/BRS Issues* Chart from the CPR/BRS Resources section of the Paternity Establishment Percentage (PEP) page on mi-support.

REVIEW PARTICIPANTS:

Establishment Work Improvement Team (WIT)
Program Leadership Group

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CC:

All OCS offices
Glenn Copeland, State Registrar, Division for Vital Records and Health Statistics

ATTACHMENT:

Section 4.05: Paternity Establishment

EPF/EW

IV-D MEMORANDUM 2016-020

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff
All Michigan State Disbursement Unit (MiSDU) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: June 24, 2016

SUBJECT: Limit on Holding Potentially Fraudulent Federal Tax Refund Offset (FTRO) Receipts, and Revisions to the FTRO Fraud Process

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces revised policy on the federal tax refund offset (FTRO) fraud process. The federal Office of Child Support Enforcement (OCSE) recently published [Action Transmittal \(AT\)-16-03, *Timeframe to Distribute Tax Offsets Referred for Fraud*](#). This AT limits the amount of time a state can hold potentially fraudulent FTRO receipts²¹⁹ that are referred to the Internal Revenue Service (IRS). A state can hold these receipts up to six months from the date the state receives the FTRO. Prior to this AT, a state could hold potentially fraudulent FTRO receipts for an indefinite period of time.²²⁰

This policy change directly impacts OCS Central Operations' procedures. However, all IV-D workers should be aware that some FTRO receipts that are on hold for potential or confirmed fraud will be released and distributed after six months, regardless of the fraud status.

This IV-D Memorandum describes the IRS interim final rule²²¹ that imposes a time limit on the IRS's ability to reverse fraudulent FTRO receipts. The IRS must reverse these receipts within six months of the date the IRS notifies the Bureau of the Fiscal Service

²¹⁹ OCSE AT-16-03 refers to potentially fraudulent receipts as "suspicious tax refund offsets."

²²⁰ Ref: [Dear Colleague Letter \(DCL\)-11-17, *Erroneous Federal Tax Refund Offsets Based Upon Fraudulent Returns*](#).

²²¹ Ref: [OCSE DCL-15-21, *Offset of Tax Refund Payments to Collect Past-Due Support Interim Final Rule*](#); and Federal Register (FR) 81436-81465.

(BFS)²²² that the offset is erroneous. This memorandum also explains the changes to Michigan's FTRO fraud process that have resulted from the IRS interim final rule.²²³

In addition, this IV-D Memorandum discusses:

- OCS Central Operations' process for monitoring and manually releasing FTRO receipts that are on hold for greater than six months;
- OCS Central Operations' process for handling confirmed fraudulent receipts received prior to January 1, 2016;²²⁴
- Differences between the Michigan Child Support Enforcement System's (MiCSES') distribution of FTRO receipts (TANF²²⁵ and non-TANF) and BFS's²²⁶ distribution of FTRO receipts;
- BFS's procedures for offset reversals and OCS Central Operations' process for responding to BFS inquiries; and
- Enhancements to the State Services Portal (SSP)²²⁷ and the IRS Collection and Adjustment file.²²⁸

OCS will update Section 6.21 of the *Michigan IV-D Child Support Manual* in the near future to incorporate the information in this memorandum.

DISCUSSION:

In December 2013, OCS implemented a process to automatically identify potentially fraudulent FTRO receipts and place them on hold until OCSE confirmed that the receipts were fraudulent or valid. It is important to identify and hold potentially fraudulent FTRO receipts because the IRS reverses FTRO receipts it confirms are fraudulent. If the IRS reverses an FTRO receipt that has been disbursed to the custodial party (CP) rather than placed on hold, the Michigan IV-D program incurs financial losses.²²⁹ Recently, OCSE published AT-16-03 to limit the duration of the hold period to six

²²² BFS is a bureau of the Department of Treasury. BFS, OCSE, and the IRS administer the FTRO program. The Financial Management Service (FMS) previously performed the FTRO services that BFS performs today.

²²³ OCS announced this rule in [IV-D Memorandum 2016-006, Updates to the Federal Tax Refund Offset \(FTRO\) Fraud Process and to Section 6.21, "Tax Refund Offset," of the Michigan IV-D Child Support Manual](#) but instructed IV-D workers to take no action based on the rule. Since that time, OCSE has published guidance regarding the rule; therefore, the IV-D program must take action.

²²⁴ January 1, 2016 is the date that the IRS interim final rule became effective.

²²⁵ TANF is Temporary Assistance for Needy Families.

²²⁶ BFS forwards the FTRO receipts to the state on behalf of OCSE. BFS also processes reversal requests from the IRS.

²²⁷ Ref: [Section 3.06, "State Services Portal \(SSP\)," of the Michigan IV-D Child Support Manual](#) for more information about the SSP.

²²⁸ This file contains the FTRO receipts that will be processed in MiCSES. Ref: [Section 6.21, "Tax Refund Offset," of the Michigan IV-D Child Support Manual](#) for more information on this file.

²²⁹ Ref: Subsection 10 of Section 6.21 of the *Michigan IV-D Child Support Manual* for more information about holding potentially fraudulent FTROs.

months from the date the state received the offset. OCSE also states in the AT that if the IRS has not completed its fraud investigation or reversed the offset after six months, the state must distribute the payment. OCSE based its guidance on the IRS interim final rule that amended a Treasury rule (31 Code of Federal Regulations [CFR] 285.3) and became effective January 1, 2016.

The amended Treasury rule imposed a six-month limit on the IRS to recoup erroneous FTROs from a state if the state has forwarded the funds to CPs. The rule impacts how the IRS will handle offset reversals. BFS, OCSE, and the states have worked together to create and implement an offset reversal process that is consistent with the rule. The rule does not apply to FTROs from joint tax returns because the IRS may reverse an FTRO for an injured spouse claim²³⁰ greater than six months from the date of the offset.

A. Processing FTROs Subject to the Six-Month Hold Restriction

Prior to March 2016, OCS Central Operations manually placed *Unidentified Federal Tax Offset* (UFTO) holds on all potentially and confirmed fraudulent FTRO receipts. In March 2016, MiCSES began automatically placing an *FTRO Tax Fraud Process* (STFP) suspense hold on FTRO receipts it identified as potentially or confirmed fraudulent. OCS Central Operations will continue to monitor both types of holds.

1. UFTO Holds Between January 1, 2016 and March 2016

OCS Central Operations will manually monitor the FTRO receipts with a UFTO hold to ensure that the receipt is not held for a period greater than six months from the date of receipt. If the IRS confirms a receipt is fraudulent within the six-month period, OCS Central Operations will wait for the offset reversal.²³¹ If an offset reversal is received within the six-month timeframe, OCS Central Operations will manually process the offset reversal per current procedures. If the IRS has not completed its fraud investigation or sent an offset reversal within six months from the date MiCSES initially processed the receipt, then OCS Central Operations will release the UFTO hold and MiCSES will distribute²³² the payment regardless of the receipt's fraud status.

2. STFP Holds After March 2016

The STFP hold will remain on the FTRO receipt until one of the following occurs:

- The receipt is confirmed fraudulent by the IRS and MiCSES processes an offset reversal;

²³⁰ Ref: Subsection 9.3 of Section 6.21 of the *Michigan IV-D Child Support Manual* for more information about joint tax returns.

²³¹ Offset reversals are also referred to as negative tax refund offsets.

²³² MiCSES will distribute and disburse the receipt according to current distribution rules. Ref: [MiCSES Allocation/Distribution Hierarchies table](#) for more information about distribution rules.

- OCS Central Operations manually removes the hold after the IRS confirms the receipt is valid; or
- OCS Central Operations manually releases the hold after six months from the date of receipt because the IRS has not completed its fraud investigation and/or sent an offset reversal.

OCS Central Operations staff will manually monitor the FTRO receipts on STFP hold to ensure the receipt is not held for a period greater than six months. MiCSES updates are required to automatically limit the STFP hold to six months.²³³ Until these updates are implemented, OCS Central Operations will continue to manually monitor the STFP hold and release it after six months whether or not the fraud status is “Confirmed Fraud” or “Potential Fraud.”

B. Confirmed Fraudulent FTRO Receipts Received Prior to January 1, 2016

As of January 1, 2016, the effective date of the IRS’s interim final rule, Michigan and many other states held for over six months the FTRO receipts that the IRS confirmed fraudulent but for which the IRS did not process an offset reversal.²³⁴ OCSE provided the states the option of either distributing the FTRO funds or forcing a reversal of the receipts (i.e., requesting that the IRS process an offset reversal).

OCS opted to force a reversal of the receipts received prior to January 1, 2016 that were greater than six months old. Reversing rather than distributing these receipts would limit OCS’s possible financial liability if the IRS decided to reverse the FTROs after OCS had forwarded the receipts to CPs. Per OCSE’s request, OCS Central Operations sent a list of the Treasury Offset Program (TOP) Trace numbers associated with these receipts to OCSE on April 26, 2016. OCSE forwarded the list to BFS.

BFS will process a reversal request for each of the receipts, and OCS Central Operations will manually process the reversals in MiCSES per existing procedures.

C. TANF and Non-TANF FTRO Distribution

1. Bureau of the Fiscal Service (BFS)

When BFS determines that an FTRO receipt will be applied to a past-due child support debt, it will review the TANF and non-TANF arrears Michigan submitted for that non-custodial parent (NCP). The debt with the earliest submission date, whether TANF or non-TANF, will be first in the distribution of offsets. BFS will distribute FTRO receipts to the state IV-D program on arrears with earlier

²³³ OCS has entered Help Desk ticket INC491760 to automatically limit the duration of the STFP hold and automate the steps to process the receipts when the hold expires.

²³⁴ The interim final rule did not apply to these receipts because Michigan received them prior to the effective date of the rule.

submission dates before those with later submission dates. For example, if an NCP has both TANF and non-TANF arrears, and the state submits the non-TANF arrears for FTRO to BFS first,²³⁵ BFS will distribute FTRO receipts based on the non-TANF arrears. However, MiCSES distributes the FTRO receipts as described below.

2. MiCSES

When MiCSES receives the FTRO receipts, it distributes them according to its distribution rules.²³⁶ Therefore, even if BFS distributes the FTRO receipt for the non-TANF arrears first, MiCSES may distribute the funds to the TANF arrears first. This difference may impact OCS Central Operations' response when BFS sends an inquiry about whether Michigan has disbursed FTRO funds.

D. Bureau of the Fiscal Service (BFS) Procedures

In February 2016, OCSE notified states of BFS's new procedures for IRS reversal requests that are greater than six months from the offset date.²³⁷ Only OCS Central Operations staff are responsible for implementing the BFS procedures and responding to the inquiries. However, other IV-D workers may notice that the IRS is reversing FTRO receipts that are six months or older as a result of the procedures. The BFS procedures do not apply to:

- Reversals from joint tax returns;
- Reversals that BFS receives and processes prior to six months from the offset date;
- Partial offsets returned to BFS for bad addresses or incorrect bank account information,²³⁸ and
- Administrative offset reversals.²³⁹

1. Response to BFS Inquiries on TANF FTROs

BFS will email the designated IV-D worker in OCS Central Operations to inquire whether Michigan disbursed the FTRO receipt to the CP when:

- BFS determines that a confirmed fraudulent FTRO receipt was applied to TANF arrears that Michigan submitted (Ref: Section C above); and
- The current date is greater than six months from the offset date.

²³⁵ Michigan submits TANF arrears and non-TANF arrears separately for FTRO.

²³⁶ Ref: MiCSES Allocation/Distribution Hierarchies table for more information about distribution rules.

²³⁷ BFS will process IRS reversal requests on receipts that are less than six months from the offset date without regard to whether the state has distributed the funds.

²³⁸ These types of offsets are usually resolved within 30 days.

²³⁹ Michigan does not participate in the Administrative Offset program.

OCS Central Operations will research the receipt to determine if MiCSES disbursed all, part or none of the receipt to a CP and will appropriately respond to BFS within two to three business days of receiving the email request.

- a. If OCS Central Operations confirms that all of the FTRO receipt has been disbursed to a CP, then BFS will reject the IRS's request for a reversal.
- b. If OCS Central Operations confirms that part of the FTRO receipt has been disbursed to a CP, then BFS will process the undisbursed portion of the FTRO and will reject the IRS's request for reversal of the disbursed portion.
- c. If OCS Central Operations confirms that all of the FTRO receipt has been disbursed to the state, then BFS will process the IRS's request for a reversal.

2. Non-TANF FTROs

BFS will reject all reversal requests from the IRS and will not contact OCS Central Operations on FTROs when:

- BFS determines the FTRO was applied to non-TANF arrears that Michigan submitted (Ref: Subsection C above); and
- The current date is greater than six months from the offset date.

E. Updates to the IRS Collection and Adjustment File and the State Services Portal (SSP)

OCSE added the BFS reversal reason codes to the IRS Collection and Adjustment file.²⁴⁰ The reversal reason codes are also available in the Federal Collections and Enforcement Application on the SSP.²⁴¹ The reversal codes are federal tax information (FTI)²⁴² and will be available only to users with Full FTRO access to the Federal Collections and Enforcement application. The IV-D worker can use the reversal reason codes to learn why an offset reversal occurred. There are now five reversal reason codes:

- 0001 – IRS Injured Spouse;
- 0002 – IRS Other Reason (less than six months);
- 0003 – State Approved IRS Partial Reversal (after six months);
- 0004 – State Approved IRS Full Reversal (after six months);²⁴³ and

²⁴⁰ Help Desk Ticket 491007 has been entered to enhance MiCSES to accept and display the reversal reason codes in the IRS Collection and Adjustment file.

²⁴¹ Ref: Section 3.06 of the *Michigan IV-D Child Support Manual* for more information about the Federal Collections and Enforcement application.

²⁴² Ref: [Section 1.10, "Confidentiality/Security," of the Michigan IV-D Child Support Manual](#) for more information on FTI and confidentiality.

²⁴³ Codes 0003 and 0004 are used when OCS Central Operations has confirmed that all or a portion of the FTRO funds has not been disbursed.

- 0005 – BFS Initiated Reversal²⁴⁴ (incorrect bank account or address).

Reversal reason codes 0002, 0003 and 0004 refer to full or partial reversals of confirmed fraudulent FTROs. OCS Central Operations will monitor the reversal reason codes through the SSP to ensure that the new processes are working as designed.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Enforcement Work Improvement Team (WIT)
Financial WIT
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Program Leadership Group

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CC:

All Prosecuting Attorney Staff

SUPPORTING REFERENCES:

Federal
42 USC 664(a)(3)(B)
31 CFR 285.3
45 CFR 303.72 (h)(5)
FR 81436-81465

OCSE AT-16-03

OCSE DCL-11-17
OCSE DCL-15-21

State
None

²⁴⁴ The interim final rule does not apply to these reversals; they can be reversed after six months from the date of receipt whether or not they have been disbursed to a CP.

ATTACHMENT(S):

None

EPF/VPW

IV-D MEMORANDUM 2016-021

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: June 28, 2016

SUBJECT: Changes in OCS Email Addresses to Reflect the Creation of the Michigan Department of Health and Human Services (MDHHS), and a New OCS Address

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces changes to OCS email addresses with a “DHS-” or an “FIA-” prefix. These prefixes have been eliminated and changed to an “MDHHS-” prefix to be in line with the merger of the Department of Human Services (DHS) and the Michigan Department of Community Health (MDCH). This change affects OCS Central Operations email addresses as well as other OCS email addresses that appear in OCS forms, reports, and policy materials. The affected email addresses will forward messages to the new corresponding MDHHS email addresses for a limited amount of time, after which the new email addresses must be used.

In addition, this memorandum announces the new OCS office location. OCS Lansing staff have moved from the Grand Tower to the Victor Building. A new updated mailing address should be used for future OCS correspondence.

Changes to OCS email addresses and to the OCS mailing address in the attached manual sections are indicated by a change bar in the right margin in each manual section.

References to “DHS” in the manual sections have been changed to “MDHHS” to reflect the merger of DHS and MDCH, which was effective April 10, 2015. These changes are not indicated with change bars in the right margin of the manual sections.

DISCUSSION:

A. OCS Email Address Changes

Effective January 1, 2016, all OCS email addresses with the prefix of “DHS-” and “FIA-” were changed to an “MDHHS-” prefix. Until July 1, 2016, messages sent to an old email address will be forwarded to the corresponding new email address. After July 1, 2016, emails sent to an old address will be returned as undeliverable.

1. Changed Email Addresses

- dhs-ocs-admin-hearings@michigan.gov changed to mdhhs-ocs-admin-hearings@michigan.gov;
- dhs-ocs-arrearsmanagement@michigan.gov changed to mdhhs-ocs-arrearsmanagement@michigan.gov;
- dhs-ocs-casemanagement-inquiries@michigan.gov changed to mdhhs-ocs-casemanagement-inquiries@michigan.gov;
- dhs-ocs-ceu@michigan.gov changed to mdhhs-ocs-ceu@michigan.gov;
- dhs-ocs-cfu-link@michigan.gov changed to mdhhs-ocs-cfu-link@michigan.gov;
- dhs-ocs-insurance@michigan.gov changed to mdhhs-ocs-insurance@michigan.gov;
- dhs-ocs-othp@michigan.gov changed to mdhhs-ocs-othp@michigan.gov;
- dhs-ocs-passport@michigan.gov changed to mdhhs-ocs-passport@michigan.gov;
- dhs-ocs-pep@michigan.gov changed to mdhhs-ocs-pep@michigan.gov;
- dhs-ocs-security@michigan.gov changed to mdhhs-ocs-security@michigan.gov;
- dhs-ocs-suspensegmt@michigan.gov changed to mdhhs-ocs-suspensegmt@michigan.gov;
- dhs-kbic-confidential@michigan.gov changed to mdhhs-kbic-confidential@michigan.gov;
- dhs-partnerpractice@michigan.gov changed to mdhhs-partnerpractice@michigan.gov; and
- fia-ocs-cfu-staff1@michigan.gov changed to mdhhs-ocs-locates@michigan.gov.

Note: IV-D Memorandum 2015-028, *Electronic Employment/Income Termination Reports, Michigan Child Support Program Employer Job Aid (MiCSPEJA), and OCS Central Operations Email Address Changes*, published on November 9, 2015, included the following updated OCS Central Operations email addresses:

- mdhhs-icregister@michigan.gov;
- mdhhs-ocs-e-iwo@michigan.gov;
- mdhhs-ocs-employerbonus@michigan.gov;

- mdhhs-ocs-fips@michigan.gov;
- mdhhs-ocs-locates@michigan.gov;
- mdhhs-ocs-membermerge@michigan.gov;
- mdhhs-ocs-nmsn@michigan.gov; and
- mdhhs-ocs-locates@michigan.gov.

2. Updated Email Addresses in OCS Policy Materials

a. *Michigan IV-D Child Support Manual*

The following policy sections of the *Michigan IV-D Child Support Manual* have been revised with one or more of the updated emails with the “MDHHS-” prefix:

- Section 1.10, “Confidentiality/Security,” now directs to mdhhs-ocs-security@michigan.gov;
- Section 5.40, “Public Assistance Impacts: Unreimbursed Grant, Linking, and Pass-Through (Client Participation Payment),” now directs to mdhhs-ocs-cfu-link@michigan.gov;
- Section 6.09, “Lump Sum/Bonus,” now directs to mdhhs-ocs-employerbonus@michigan.gov;
- Section 6.24, “Passport Denial/Restriction,” now directs to mdhhs-ocs-passport@michigan.gov;
- Section 6.30, “Liens – Insurance,” now directs to mdhhs-ocs-insurance@michigan.gov;
- Section 6.42, “Payment Plans,” now directs to mdhhs-ocs-cfu-link@michigan.gov;
- Section 6.51, “Arrears Management,” now directs to mdhhs-ocs-arrearsmanagement@michigan.gov and mdhhs-ocs-cfu-link@michigan.gov;
- Section 7.15, “International,” now directs to mdhhs-ocs-fips@michigan.gov; and
- Section 7.20, “Tribal,” now directs to mdhhs-ocs-locates@michigan.gov and mdhhs-kbic-confidential@michigan.gov. It also introduces contact information for the Office of Native American Affairs at mdhhs-naa-mifa@michigan.gov.

b. Non-MiCSES Forms²⁴⁵

Forms that are maintained in MiCSES were automatically updated to reflect the above-described email address changes. The following forms that are not maintained in MiCSES have been updated with an “MDHHS-” prefixed email address:

- *Request for Central Receipt Adjustment/Suspense Work* form (DHS-307) now directs to mdhhs-ocs-suspensemgt@michigan.gov;
- *Request for Centralized Passport Action* (DHS-317) now directs to mdhhs-ocs-passport@michigan.gov;
- *Emergency Notice of Withdrawal of Passport Denial* (DHS-318) now directs to mdhhs-ocs-passport@michigan.gov;
- *Request for New Entry or Modification of Federal Information Processing Standard (FIPS) Code* (DHS-550) now directs to mdhhs-ocs-fips@michigan.gov;
- *Partner Practice Posting Request* (DHS-711) now directs to mdhhs-partnerpractice@michigan.gov;
- *State Case Registration of a Non-IV-D and Opt Out Case* (DHS-1424) now directs to mdhhs-ocs-locates@michigan.gov; and
- *Instructions for Withholding and Remitting Support from Employee/Obligor Lump-Sum Payments* (DHS-1425) now directs to mdhhs-ocs-employerbonus@michigan.gov.

3. Updated Email Addresses in Business Objects and MiCSES Reports

Most reports contain a confidentiality disclaimer in the *Prompts* tab (for Business Objects) or a security disclaimer in the footer at the bottom of the page (for both Business Objects and MiCSES). MiCSES reports now display the new security email address of mdhhs-ocs-security@michigan.gov. Data Warehouse staff are in the process of updating the email address in Business Objects reports.

4. IV-D Memorandums and Attachments That Still Contain Outdated Email Addresses

Previously published IV-D Memorandums and attachments that direct IV-D partners to contact OCS Central Operations, OCS policy, Paternity Establishment Percentage (PEP) staff, or the Michigan State Disbursement Unit

²⁴⁵ MiCSES is the Michigan Child Support Enforcement System.

(MiSDU) may still contain outdated email addresses. When OCS revises policy associated with these IV-D Memorandums and attachments in the future, the email addresses will be changed accordingly. For the time being, IV-D workers should be aware that the following IV-D Memorandums and attachments will continue to contain an outdated email address:

- 2015-010, *Performance Factors, Paternity Establishment Percentage (PEP), and Updates to the Michigan IV-D Child Support Manual*, should direct to mdhhs-ocs-pep@michigan.gov;
- 2015-002, *Limiting the Michigan Child Support Enforcement System (MiCSES) Local Options Administrator (LOA) User Role, Introduction of the Functional Prototype Queries (FPRO) Worker and Transfer Worker User Roles, and Updates to Section 6.45, "Bench Warrants/LEIN," of the Michigan IV-D Child Support Manual*, should direct to mdhhs-ocs-security@michigan.gov;
- 2014-036, *Updates to Central Paternity Registry and Birth Registry System (CPR/BRS) Policy and Introduction of Section 4.05, "Paternity Establishment" of the Michigan IV-D Child Support Manual*, should direct to mdhhs-ocs-pep@michigan.gov;
- 2014-035, *Updates to Michigan IV-D Child Support Manual Section 1.10, "Confidentiality/Security,"* should direct to mdhhs-ocs-security@michigan.gov;
- 2014-002, *Revisions to Administrative Hearing Procedures*, should direct to mdhhs-ocs-admin-hearings@michigan.gov;
- 2013-030, *New Support Specialist Email Address for Partner Communications*, should direct to mdhhs-ocs-casemanagement-inquiries@michigan.gov;
- 2013-025, *OCS Case Management Section Business Process Changes, Upcoming New Interactive Voice Response (IVR) System, Revised Contact Information, and Form Updates*, should direct to mdhhs-ocs-casemanagement-inquiries@michigan.gov;
- 2013-002, *Expansion of the State Services Portal (SSP), Modification of Security Forms, and Sources for Obtaining Federal Employer Identification Numbers (FEINs)*, should direct to mdhhs-ocs-insurance@michigan.gov;
- 2009-005, *Member Merge*, should direct to mdhhs-ocs-membermerge@michigan.gov;
- 2008-042, *e-OSCAR: The Online Credit Reporting Dispute System*, should direct to mdhhs-ocs-ceu@michigan.gov;

- 2007-028, **REVISED: Preventing and Correcting Misdirected Payments**, should direct to mdhhs-ocs-casemanagement-inquiries@michigan.gov;
- 2005-011, *Submission of the Request for Central Receipt Adjustment/Suspense Work Form (DHS-307), Revised Computer Access Forms, Access to TierTrac*, should direct to mdhhs-ocs-suspensegmt@michigan.gov; and
- 2005-011 Attachment 2: *Procedures for Submitting the Request for Central Receipt Adjustment / Suspense Work Form via Email, FAX, or Mail*, should direct to mdhhs-ocs-suspensegmt@michigan.gov.

B. Mailing Address Change for Lansing OCS Staff

On February 22, 2016, Lansing OCS staff moved from their location at 235 S. Grand Ave., Lansing, MI 48909 to the Victor Building at 201 N. Washington Square, Lansing, MI 48933. Any mention of the previous physical address in letterhead should be disregarded. All correspondence and publications should now be addressed to:

Michigan Department of Health and Human Services
Office of Child Support
P.O. Box 30478
Lansing, MI 48909

OCS policy materials with updated mailing addresses are listed below.

Note: Some of the mailing address changes may consist only of an updated P.O. Box number.

1. Michigan IV-D Child Support Manual

The following sections of the *Michigan IV-D Child Support Manual* have been updated with the above mailing address:

- 1) Section 1.10, "Confidentiality/Security";
- 2) Section 2.10, "Assisted Reproduction"; and
- 3) Section 6.03, "Income Withholding."

2. IV-D Memorandums and Attachments

Previously published IV-D Memorandums and attachments that direct IV-D partners to contact OCS Central Operations, OCS policy, Paternity Establishment Percentage (PEP) staff, or the MiSDU may still contain outdated addresses. When OCS revises policy associated with these IV-D Memorandums

and attachments in the future, the addresses will be changed accordingly. Disregard the outdated addresses and use the above-mentioned mailing address instead. Take note that the following memorandums still contain an outdated mailing address:

- 2014-004, *Updates to the Instructions for Withholding and Remitting Support From Employee/Obligor Lump-Sum Payments Form (DHS-1425)*;
 - 2013-025, *OCS Case Management Section Business Process Changes, Upcoming New Interactive Voice Response (IVR) System, Revised Contact Information, and Form Updates*;
 - 2012-004, *Michigan Child Support Enforcement System (MiCSES) Technical Support Guidelines, Personal Computer (PC) Allocation Guidelines, Data Processing (DP) Costs and Reimbursement Through the Cooperative Reimbursement Program (CRP), and IV-D-Funded Computer Equipment Requests*;
 - 2009-026, *Spanish Publication of Understanding Child Support: A Handbook for Parents (DHS-Pub 748-SP) – Entendiendo El Sostenimiento para Niños Un Manual para Padres*;
 - 1) 2009-009, *Revised DNA - Paternity Testing Questions and Answers* Publication;
 - 2) 2008-042, *e-OSCAR: The Online Credit Reporting Dispute System*;
 - 3) 2008-014, **REVISED**: *The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (Bankruptcy Act)*;
 - 4) 2002-02, *Base Spending Amounts for Incentive Reinvestment*; and
 - 5) 2001-044, *Michigan Non-Support Special Project Information*.
3. Updated Addresses in Non-MiCSES Forms

The following forms that are not maintained in MiCSES have been updated to reflect the correct OCS mailing address:

Note: Address merge fields on forms that are maintained in MiCSES were automatically updated to reflect the above-described address change.

- *Security Incident Report (DHS-882)*;

Note: In addition to the address being updated, the telephone number to report a security breach has been changed to (517) 241-7030, and the fax number has been changed to (517) 335-3030.

- *Statement of Assisted Reproduction and Lack of Information* (DHS-998);
- *Returned NMSNs to FOC Staff Letter* (DHS-1300);
- *State Case Registration of a Non-IV-D and Opt Out Case* (DHS-1424);
- *Instructions for Withholding and Remitting Support From Employee/Obligor Lump-Sum Payments* (DHS-1425); and
- *Publication Order List* (DHS-1454).

Note: In addition to the address being updated for OCS, the location information for the Forms, Mail and Records Management Department has been updated to reflect the correct suite number (1207) where applicable.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. Begin using the new versions of the forms.

Review Sections 1.10, 2.10, 5.40, 6.03, 6.09, 6.24, 6.30, 6.42, 6.51, 7.15 and 7.20 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual sections and add them to the manual. Discard the previously published versions of:

- Section 1.10 (published December 1, 2014);
- Section 2.10 (published March 1, 2012);
- Section 5.40 (published February 21, 2012);
- Section 6.03 (published November 9, 2015)
- Section 6.09 (published July 24, 2015);
- Section 6.24 (published March 11, 2015);
- Section 6.30 (published August 6, 2013);
- Section 6.42 (published August 11, 2011);
- Section 6.51 (published July 1, 2015);
- Section 7.15 (published May 4, 2010); and
- Section 7.20 (published May 4, 2010).

REVIEW PARTICIPANTS:

Case Management Work Improvement Team

CONTACT PERSON:

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CC:

None

ATTACHMENTS:

Section 1.10:	Confidentiality/Security
Section 2.10:	Assisted Reproduction
Section 5.40:	Public Assistance Impacts: Unreimbursed Grant, Linking, and Pass-Through (Client Participation Payment)
Section 6.03:	Income Withholding
Section 6.09:	Lump Sum/Bonus
Section 6.24:	Passport Denial/Restriction
Section 6.30:	Liens – Insurance
Section 6.42:	Payment Plans
Section 6.51:	Arrears Management
Section 7.15:	International
Section 7.20:	Tribal
DHS-307:	<i>Request for Central Receipt Adjustment/Suspense Work</i>
DHS-317:	<i>Request for Centralized Passport Action</i>
DHS-318:	<i>Emergency Notice of Withdrawal of Passport Denial</i>

- DHS-550: *Request for New Entry or Modification of Federal Information Processing Standard (FIPS) Code*
- DHS-711: *Partner Practice Posting Request*
- DHS-882: *Security Incident Report*
- DHS-998: *Statement of Assisted Reproduction and Lack of Information*
- DHS-1300: *Returned NMSNs to FOC Staff letter*
- DHS-1424: *State Case Registration of a Non-IV-D and Opt Out Case*
- DHS-1425: *Instructions for Withholding and Remitting Support From Employee/Obligor Lump-Sum Payments*
- DHS-1454: *Publication Order List*

EPF/AM

IV-D MEMORANDUM 2016-022

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: August 9, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Updates to the *National Medical Support Notice* (NMSN), the *Parent Health Care Coverage Explanation Sheet*, and Section 6.06, "Medical Support," of the *Michigan IV-D Child Support Manual*

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces minor revisions to the following forms:

- *National Medical Support Notice* (NMSN) (FEN302);
- *Addendum to the National Medical Support Notice* (FEN302A);
- *Combination Income Withholding for Support and National Medical Support Notice* (FEN58X);²⁴⁶ and
- *Parent Health Care Coverage Explanation Sheet* (FEN303).

These changes will be effective in the Michigan Child Support Enforcement System (MiCSES) on August 16, 2016.

In 2015, OCS participated in a Business Process Redesign (BPR) effort for NMSNs processed by OCS Central Operations.²⁴⁷ The participants of the BPR effort analyzed and redesigned the existing workflows to create more efficient business processes, as well as to improve customer service. As a result of the BPR effort, OCS Central Operations requested form revisions to expedite their processing of returned NMSNs and to emphasize certain fields to be completed on the forms.

²⁴⁶ The FEN58X includes a copy of the FEN302. Therefore, any changes made to the FEN302 are also made to the FEN58X.

²⁴⁷ Some FOC offices have opted to have OCS Central Operations process NMSNs. Ref: Subsection 5, "Centralized NMSN Processing," of [Section 6.06, "Medical Support," of the Michigan IV-D Child Support Manual](#) for more information.

OCS also made minor revisions to Subsection 5, “Centralized NMSN Processing,” of Section 6.06, “Medical Support,” of the *Michigan IV-D Child Support Manual*. Change bars in the right margin of the manual section identify substantive changes since the last publication of the policy.

DISCUSSION:

The federal NMSN is the federally approved and mandated form used to enforce health care coverage.²⁴⁸ Federal regulations require IV-D agencies to use the NMSN to enforce health care coverage where appropriate.²⁴⁹

The federal NMSN consists of two parts: Part A and Part B. Part A allows the employer to respond that health care coverage is not available to the employee. Part B allows the plan administrator to respond when the employer has enrolled the dependent(s) in available health care coverage. The NMSN generated in MiCSES is comprised of Part A, Part B and a Michigan-specific addendum. The MiCSES form number for Part A and Part B is the FEN302; for the Michigan-specific addendum, it is the FEN302A.

Revisions to the NMSN (FEN302 and FEN302A)

As a result of the BPR effort, and to expedite the scanning and processing of returned NMSN forms, OCS updated the footer of the FEN302 and FEN302A to include the employer Federal Employer Identification Number (FEIN) on the pages that the employer or plan administrator may complete and return. The FEIN is pulled from the *Other Party Information* (OTHP) screen in MiCSES.²⁵⁰ OCS also modified the existing mailer page for the FEN302 and FEN302A to show the plaintiff and defendant from the *Docket Persons* (DPRS) screen.

Additionally, OCS made minor changes to the FEN302A to add emphasis to important fields and clarify instructions. These changes include:

- Modifying the start of the first paragraph from “Complete the following information...” to “Complete **ALL** of the following information...”;
- Modifying the last sentence in the first paragraph that starts “A company-generated form that includes the appropriate...” to now say “A company-generated form that includes **ALL** appropriate...”;
- Bolding the following text: “**Effective Date:**,” “**Policy No.:**,” and “**Group No.:**,” in the **Medical** Insurance, **Vision** Insurance, **Prescription** Insurance, and **Dental** Insurance blocks.

Note: These changes will encourage more employers to complete these fields.

²⁴⁸ Michigan uses the NMSN to enforce against both non-custodial parents (NCPs) and custodial parties (CPs).

²⁴⁹ 45 Code of Federal Regulations (CFR) 303.32(a)

²⁵⁰ Ref: [MiCSES Screen Description: OTHP – Other Party Information](#).

Revisions to the *Parent Health Care Coverage Explanation Sheet (FEN303)*

MiCSES sends the FEN303 to the CP and NCP to explain the NMSN, describe the reasonable cost of health care percentage, and provide instructions and a form for filing an objection to the NMSN.²⁵¹ The CP and NCP do not receive a copy of the FEN302.

As a result of the BPR effort, and to address Help Desk calls requesting modifications, OCS made minor changes to the FEN303, including:

- Creating and implementing a new mailer page to show the plaintiff and defendant from the DPRS screen;
- Displaying the correct NMSN generation date; and
- Adding a “Phone Number” line directly below the signature line on the objection form.

Revisions to Section 6.06, “Medical Support”

In the September 28, 2015 update to Section 6.06, language was erroneously changed in Subsection 5, “Centralized NMSN Processing.” The current revisions have reverted Subsection 5 to the pre-September 2015 language.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. Review the revised FEN302, which includes the Michigan-specific *Addendum to the National Medical Support Notice (FEN302A)*, the FEN303, and Section 6.06 of the *Michigan IV-D Child Support Manual*. This IV-D Memorandum obsoletes the previous versions of the:

- FEN302 (Rev. 07/14) and the FEN302A (Rev. 07/14), which were published with IV-D Memorandum 2014-012;
- FEN303 (Rev. 02/10), which was published with IV-D Memorandum 2010-024; and
- Section 6.06 of the *Michigan IV-D Child Support Manual* (February 5, 2016).

REVIEW PARTICIPANTS:

Program Leadership Group
Enforcement Work Improvement Team

CONTACT PERSONS:

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²⁵¹ Ref: Section 6.06 of the *Michigan IV-D Child Support Manual*.

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CC:

None

SUPPORTING REFERENCES:

Federal
45 CFR 303.32(a)
45 CFR 303.32(c)(1)

State
None

ATTACHMENTS:

Section 6.06:	Medical Support
FEN302:	<i>National Medical Support Notice</i>
FEN303:	<i>Parent Health Care Coverage Explanation Sheet</i>

EPF/MEB

IV-D MEMORANDUM 2016-023

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: August 1, 2016

SUBJECT: New Payment Option for Child Support Customers

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

OCS is offering a new payment option for non-custodial parents (NCPs) to pay their child support. "PayNearMe" is a service that will allow NCPs to pay their child support with cash at certain retail locations throughout the United States.

The PayNearMe option will be implemented in Michigan on August 8, 2016.

DISCUSSION:

Most NCPs pay their child support through income withholding, mailing checks to the Michigan State Disbursement Unit (MiSDU), or by credit or debit card at the MiSDU website (www.misdu.com). Some NCPs prefer to pay with cash and go to their local FOC office to make payments. Many customers are underbanked or unbanked (i.e., they do not have credit cards, debit cards, or bank accounts, or choose not to use them when making child support payments).

MiSDU explored the feasibility of offering additional payment options to customers, and pursued PayNearMe as the initial implementation option. The MiSDU continues to research and explore similar options with other providers to make the payment of child support more convenient. These additional options, when offered, will expand the locations and retailers where customers can pay child support.

PayNearMe advances the Michigan Child Support Program's Strategic Plan goals by using innovative technology to enhance customer service. It will allow child support customers to make cash payments at certain retail locations 24 hours a day, seven days a week, anywhere in the United States.

UPDATE(S):

Manual

Form(s)

A. Overview

PayNearMe is an electronic cash transaction network that lets child support customers use cash to pay their support obligations at local stores. It is available at over 17,000 retail locations nationwide. These locations currently include 7-Eleven and Family Dollar stores. As the service becomes more prevalent nationwide, other retail locations may be added later.

Customers will make their child support payments to the clerk at the counter, just as they would pay for any item in the store. Along with their payment, customers will present a barcode that will help process their payment for Michigan child support. This barcode will be unique to the customer and to the retail chain (e.g., 7-Eleven, Family Dollar). Customers will obtain this barcode from the PayNearMe website; they will either print it out or have it sent to themselves via email or text message. Customers will obtain their barcode one time and will present it on paper or on their cell phone when making payments. Each time customers make a payment, they will be charged a \$1.99 fee for the transaction.

The PayNearMe service will be available for Michigan child support customers at all participating retail locations on August 8, 2016.

B. PayNearMe Payment Process

Customers will go to the PayNearMe website at www.PayNearMe.com/michigan.²⁵² They also may access this website by clicking a link on the MiSDU website. In addition to using the PayNearMe website to obtain a barcode for payment, customers may use it to find the nearest location of a participating retail store and other information regarding PayNearMe.

Customers will enter the following information:²⁵³

- Last four digits of their Social Security number;
- Their docket number (e.g., YYYY-123456);²⁵⁴
- Their first and last name; and
- Their email address or cell phone number.²⁵⁵

The customer must enter the information for items (a) through (c) above as they are shown in MiCSES.

²⁵² This website will be active when the PayNearMe service is implemented in Michigan on August 8, 2016.

²⁵³ If a customer enters information for a payer other than himself/herself, the customer must be sure to enter the payer's information.

²⁵⁴ The docket number is used only as an identifier for the payer making the payment. The Michigan Child Support Enforcement System (MiCSES) will allocate payments across all of the NCP's cases.

²⁵⁵ PayNearMe uses the customer's email address and cell phone number for barcode delivery only; this information is not shared with the MiSDU or stored in MiCSES at this time.

After the customer enters this information, the PayNearMe website will use the information in items (a) through (c) to obtain an immediate validation from the MiSDU/MiCSES database to confirm that the customer is a Michigan child support payer.²⁵⁶

After the customer has been confirmed as a child support payer, (s)he will choose the retail chain where (s)he would like to make the payment (e.g., 7-Eleven, Family Dollar).

The website will then generate a unique barcode to identify the retail chain and the customer's payment. Customers will have the option to print the barcode or request that it be sent to themselves by email or text message. They will show the barcode to the clerk at the store when making their cash payment. Each barcode is unique to the docket/retail chain combination; the customer will use the same bar code each time (s)he makes a child support payment to that docket at that retail chain (7-Eleven or Family Dollar). If customers lose or delete the barcode, they can obtain it again by revisiting the PayNearMe website.

Note: The customer's identifying information and payment will be secure and private. The store clerk will not need to know that the payment is for child support. There are several entities and government programs that use the PayNearMe service, so it will be unclear to store personnel what type of payment the customer is making.

After the customer makes the payment,²⁵⁷ the clerk will give the customer a receipt. The customer can also receive a receipt via email or text message, depending on whether the customer provided his/her email address or cell phone number on the PayNearMe website.

Note: Similar to current electronic payment processing, it may take from two to four days for MiCSES to process a payment and post it to the customer's child support account. Therefore, IV-D staff should encourage customers to keep their receipt as proof of payment.

On a daily basis, PayNearMe will combine all the payments collected for OCS and send them to the MiSDU electronically via an Automated Clearing House (ACH) file. This process will be similar to any electronic payment file sent to and received by the MiSDU.

For additional information on the PayNearMe payment option, IV-D staff may go to the MiSDU website at www.misdu.com, or call the FOC assistance line at 1-800-817-0632.

²⁵⁶ PayNearMe has not been provided with and will not maintain a record of all MiCSES members. It will rely solely on its real-time match with the MiSDU to determine whether or not a person is a MiCSES member. PayNearMe will use customer data for validation purposes only. It will not sell customer data or share it with another entity.

²⁵⁷ Customers may make a payment(s) of up to \$1,000 on one docket in a 24-hour period. For safety reasons, retail stores limit large cash transactions. If a customer pays the \$1,000 limit on a docket, the customer must wait 24 hours before (s)he can make another payment on that docket.

C. Communication Plan

1. Online Communications

OCS plans the following online communications regarding PayNearMe:

- a. The child support section of the Michigan Department of Health and Human Services (MDHHS) website and the MiChildSupport website will include links to the MiSDU website for customers to make cash payments;
- b. The MiSDU will place an announcement on its website, along with a PayNearMe logo and a link to the PayNearMe website. The MiSDU website will also include directions and frequently asked questions (FAQs) on making cash payments through PayNearMe; and
- c. Counties may place links on their local websites to direct payers to the MiSDU website to make a cash payment. OCS recommends that county websites include direct links to the MiSDU website and not the PayNearMe website so the MiSDU can include appropriate information or additional instruction regarding cash payments.

2. Other Communications

In addition to the communications listed above, OCS plans to communicate information about PayNearMe through:

- a. A media campaign (press releases, social media) in coordination with MDHHS Communications;²⁵⁸ and
- b. Flyers and posters for counties to print and/or display. OCS will send an email notification when these public outreach materials are available.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Financial Work Improvement Team
Program Leadership Group

CONTACT PERSON:

Burton Parsons
SDU Operations Specialist
MiSDU
(517) 334-7395

²⁵⁸ At a minimum, PayNearMe and 7-Eleven request a courtesy review of official media press releases 48 hours before publication.

ParsonsB2@michigan.gov

CC:

None

ATTACHMENT(S):

None

EPF/BP

IV-D MEMORANDUM 2016-024

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: July 26, 2016

SUBJECT: Fiscal Year 2015 Self-Assessment (SASS) Audit Findings –
Corrective Action Plans (CAPs) for the Case Closure and
Establishment of Paternity and Support Order (Establishment) Criteria

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum provides information related to the fiscal year (FY) 2015 SASS audit and findings. This includes:

- A brief overview of the SASS audit process;
- An explanation of the SASS audit findings;
- The Case Closure criterion²⁵⁹ regulations and rules;
- The Case Closure criterion findings;
- An overview of Michigan’s Case Closure CAP;
- The Establishment criterion regulations and rules;
- The Establishment criterion findings;
- An overview of Michigan’s Establishment CAP; and
- An explanation of the required actions for all FOC, PA and OCS offices.

OCS published information about FY 2014 SASS audit findings, Establishment program compliance criterion findings, and Michigan’s Establishment CAP in IV-D Memorandum 2015-021²⁶⁰ on August 18, 2015. This year, OCS has reorganized this annual SASS IV-D Memorandum and added new information; all IV-D staff are encouraged to read it in its entirety.

DISCUSSION:

²⁵⁹ Federal materials use the word “criterion” to refer to each of the program areas being assessed.

²⁶⁰ *Self-Assessment (SASS) Audit – Establishment of Paternity and Support Order (Establishment) Program Compliance Criterion Corrective Action Plan (CAP)*

A. Annual Self-Assessment (SASS) Audit²⁶¹

Federal regulations require the Michigan child support program to perform a yearly SASS audit to ensure its compliance with eight program criteria:

- Case Closure;
- Disbursement of Collections (Disbursements);
- Expedited Processes;
- Establishment of Paternity and Support Order (Establishment);
- Review and Adjustment of Orders (Review and Adjustment);
- Enforcement of Orders (Enforcement);
- Securing and Enforcing Medical Support Orders (Medical); and
- Intergovernmental Services (Intergovernmental).

OCS compiles the audit results in a SASS report, which the Program Leadership Group (PLG) may use to identify the program's strengths, weaknesses and best practices. The [FY 2015 SASS report](#) is available on mi-support. The PLG's review can also provide insight regarding potential impacts resulting from changes to business processes and the Michigan Child Support Enforcement System (MiCSES).

B. Overall SASS Audit Findings

The Michigan child support program must meet the federal benchmark for each program compliance criterion to satisfy federal regulations. To determine whether Michigan meets the federal benchmarks, OCS forms a SASS team to review case samples.

In FY 2015, Michigan met or exceeded the federal benchmark for every criterion except Case Closure and Establishment. The following table shows Michigan's compliance percentages (with margin of error) compared to the federal benchmarks.

²⁶¹ Ref: Subsection 454(15) of the Social Security Act and 45 Code of Federal Regulations (CFR) 308.2.

Criterion	Sample Size	Compliance Rate	Federal Benchmark	*Margin of Error
Case Closure	474	89.87%	90%	+/- 2.38%
Disbursements	1,079	99.91%	75%	+/- 0.22%
Expedited Processes – 6 or 12 months	455	89.23% / 98.46%	75% / 90%	+/- 2.50% / 1.07%
Establishment	536	59.33%	75%	+/- 3.58%
Review and Adjustment	497	96.38%	75%	+/- .1.48%
Enforcement	382	97.12%	75%	+/- 1.55%
Medical	485	98.14%	75%	+/- 1.13%
Intergovernmental	338	92.60%	75%	+/- 2.49%

***Note:** The SASS audit review process requires the analysis of a random selection of a limited number of cases. Due to the small number of selected cases relative to the total number of open IV-D cases, the sampling must meet a statistical margin of error. For the sample size to be considered statistically relevant, the margin of error must be less than +/-5 percent.

The federal Office of Child Support Enforcement (OCSE) indicates that the principal purpose of the SASS process is to serve as a management tool for the state’s IV-D program. States must use the process to determine what, if any, deficiencies exist in their IV-D program so that these deficiencies can be addressed and corrected. Failure to meet federal benchmarks requires the state to implement a federally monitored CAP. OCSE offers technical assistance and other support in helping a state improve its performance. However, if the state fails to correct deficiencies identified in previous SASS audits, OCSE may conduct its own audit to determine compliance with the federal requirements.²⁶² If the state fails that audit, OCSE may then assess a financial penalty against Michigan’s public assistance program under Title IV-A of the Social Security Act. This penalty can reduce the amount otherwise payable to the state under Title IV-A by between one and five percent until the state is in substantial compliance.²⁶³ Consequently, Michigan must act to resolve any audit findings.

²⁶² Ref: Subsection 454(15) of the Social Security Act and 45 CFR 305.60.

²⁶³ Ref: 45 CFR 305.61.

C. Case Closure Criterion

1. Case Closure Criterion – Federal Regulations and Timeframes²⁶⁴

The SASS audit reviewed IV-D cases that were closed during the review period. A IV-D case that was closed during that period met the Case Closure criterion if:

- One or more federal case closure criteria were applicable;²⁶⁵ and
- A 60-day notice was sent timely, when appropriate.

All IV-D cases require a 60-day advance notice of termination to be sent prior to the case closing, except for closures due to:

- The existence of a duplicate case;
- A IV-D case being opened in error;
- Locate-only services being provided;
- A non-public assistance applicant requesting case closure;
- Good cause being approved; and
- An initiating state being uncooperative or no longer needing services in an intergovernmental case.

2. Case Closure Criterion – FY 2015 Findings

To determine whether Michigan met the federal regulations and timeframes for the Case Closure criterion, the SASS team reviewed 474 statewide sample cases that were closed in FY 2015. Michigan's compliance rate was 89.87 percent for the 474 Case Closure sample cases, with a +/- 2.38 percent margin of error, based on a 90 percent confidence level. This is a 6.97 percent decrease from the FY 2014 compliance rate of 96.84 percent.

The OCS Planning and Evaluation team has determined that Michigan's decrease in the Case Closure compliance rate is due to:

- Errors that occurred at the time of conversion to a new, more automated case closure process in FY 2015; and
- The improper use of manual case closure codes.

a. Errors in the Conversion to a More Automated Case Closure Process

The Michigan child support program revamped the automated case closure process in FY 2015. As a result, at the time of conversion to the new case

²⁶⁴ Ref: Subsection 454(15) of the Social Security Act, 45 CFR 303.11, and 45 CFR 308.2.

²⁶⁵ Ref: [Section 3.50, "Case Closure," of the Michigan IV-D Child Support Manual](#) for detailed information on federal case closure criteria.

closure process, there were two errors that caused some of the audit exceptions to occur:

- Closing cases without the federally required notice; and
- Sending the notice and closing the case before the end of the federally required 60-day time period.

b. Improper Use of Manual Case Closure Codes

In addition, some errors occurred due to IV-D staff's incorrect use of manual case closure reason codes. The new case closure process resulted in tighter controls over manual case closure reason codes and required staff to change their approach to case closure.

As a result of the failure to meet the federal benchmark for Case Closure, OCS has developed a CAP to address Michigan's non-compliance with the Case Closure criterion in FY 2015.

3. Michigan's Case Closure Corrective Action Plan (CAP)

The errors that occurred during the conversion were limited to the one-time conversion process. Consequently, these errors will not reoccur, and a CAP to address these types of errors is unnecessary. However, there is a Case Closure CAP for the improper use of manual case closure codes. These CAP activities include outreach, policy, and training to continue to address the issue of IV-D staff incorrectly using manual case closure reason codes within MiCSES.

4. Local Office Actions to Improve the Case Closure Criterion

IV-D staff must manually close cases using the appropriate case closure reason code.²⁶⁶ This ensures that notice of the case closure will be provided to the parents in a timely manner, when the notice is required to be sent.

Two reason codes in particular accounted for the majority of errors. These two codes were the "MZ – Case Merged/Opened in Error" code and the "NS – No Viable IV-D Services" code.

OCS originally notified IV-D staff of these findings in an email notification dated March 15, 2016. That message also provided direction on the proper use of those codes. IV-D staff will refer to that message and to published policies for further instruction.²⁶⁷

²⁶⁶ Ref: [Exhibit 3.50E1, IV-D Case Closure Matrix](#).

²⁶⁷ Ref: Email notification: [Fiscal Year \(FY\) 2015 Self-Assessment \(SASS\) Audit – Case Closure Issues](#) and Section 3.50 of the *Michigan IV-D Child Support Manual*.

Additionally, IV-D staff will use the following Business Objects reports to monitor case closure work:

- *IV-D Case Closure Report (CC-001)*;²⁶⁸
- *Open/IV-D Case Closed (Type L) Report (CC-002)*;²⁶⁹ and
- *Closed MiCSES Case Report (CC-003)*.²⁷⁰

These reports²⁷¹ are used:

- To resolve any outstanding issues for pending IV-D-only closure;
- For informational purposes for cases pending full MiCSES case closure;
- To resolve any outstanding issues once a IV-D-only case is closed; and
- To determine the number of all fully closed MiCSES cases within a given timeframe.

D. Establishment Criterion

1. Establishment Criterion – Federal Regulations and Timeframes²⁷²

There are three federal Establishment criterion regulations that must be met: the 20-day case open timeframe, the 75/90-day locate timeframe, and the 90-day service of process (SOP) timeframe.²⁷³ These rules are described below.

a. 20-Day Case Open Timeframe

IV-D staff must open a IV-D case within 20 calendar days of receiving:

1) A request for IV-D services (application),²⁷⁴ such as:

- a) The *IV-D Child Support Services Application/Referral* (DHS-1201);
- b) The *Application for IV-D Child Support Services (For Privately Filed Domestic Relations Cases Only)* (DHS-1201D);²⁷⁵ or

²⁶⁸ Ref: [Business Objects Report Description: IV-D Case Closure \(CC-001\)](#).

²⁶⁹ Ref: [Business Objects Report Description: Open/IV-D Case Closed \(Type L\) Report \(CC-002\)](#).

²⁷⁰ Ref: [MiCSES Report Description: Closed MiCSES Case List \(CC-003\)](#).

²⁷¹ Ref: Section 3.50 of the *Michigan IV-D Child Support Manual*.

²⁷² Ref: Subsection 454(15) of the Social Security Act and 45 CFR 308.2.

²⁷³ The three Establishment timeframes, along with the MiCSES screens and fields used in the SASS Establishment case review process, are detailed in [Exhibit 2016-024E1: Michigan Office of Child Support: Self-Assessment Audit – Establishment Criterion](#).

²⁷⁴ For information related to applying for IV-D services and opening IV-D cases, refer to [Section 2.05, "Referrals and Applications," of the Michigan IV-D Child Support Manual](#).

²⁷⁵ Ref: [IV-D Memorandum 2016-003, Actions for Meeting Federal Requirements in the IV-D Application Process and Clarifications of Policy Regarding IV-D Services in Domestic Relations Cases](#). There is a transition period in which the *Verified Statement and Application for IV-D Services* (FOC 23) is still being considered a valid IV-D application; however, the FOC 23 will be phased out.

c) The online version of the *IV-D Child Support Services Application/Referral* (e1201); or

2) A public assistance referral.

Note: An application is not required if there is a public assistance referral. MiCSES automatically opens a IV-D case when a public assistance referral is received through the Bridges/MiCSES interface.

b. 75/90-Day Locate Timeframe

IV-D staff must ensure that:

- 1) Locate activities for the non-custodial parent (NCP) begin within 75 days of the case open date or a change in the locate status of the NCP; and
- 2) Locate activities must continue every 90 days thereafter or when new possible locate information is received, until the NCP is located or there is a change in case conditions, such as case closure.²⁷⁶

c. 90-Day SOP Timeframe

Within 90 days of locating the NCP (i.e., prior to the *Federal Expiration Date* described in Subsection D[2][c] below), IV-D staff must:

- 1) Establish a support order; or
- 2) Complete SOP necessary to begin proceedings; or
- 3) Satisfy the Michigan IV-D program's due diligence requirements:
 - a) Complete a minimum of three unsuccessful SOP attempts and document them in MiCSES; or
 - b) Complete a IV-D-qualifying summons extension. The summons extension must meet IV-D-qualifying criteria in order to satisfy the federal SOP requirement.²⁷⁷

2. Establishment Criterion – FY 2015 Findings

To determine whether Michigan met the federal regulations and timeframes for the Establishment criterion, the SASS team reviewed 536 statewide sample cases with court orders established in FY 2015. Michigan's compliance rate was 59.33 percent for the 536 Establishment sample cases, with a +/- 3.58 percent margin of error, based on a 90 percent confidence level. This is a 2.29 percent increase over the FY 2014 compliance rate of 57.04 percent. Although this

²⁷⁶ Ref: [Combined IV-D Policy Manual, 4DM 200, Regulatory and Statutory Location Requirements.](#)

²⁷⁷ For more information on due diligence, reference [Section 4.15, "Service of Process \(SOP\)," of the Michigan IV-D Child Support Manual.](#)

compliance rate is slightly higher than the previous year's compliance rate, it is still well below the federal benchmark.

Of the 536 Establishment sample cases, 40.67 percent failed. Of those failed cases, 14.3 percent were due to errors in case opening, 7.8 percent were due to errors in locate, and 77.9 percent were due to errors in SOP.

As a result of these findings, OCS has developed a CAP to address Michigan's non-compliance with the Establishment criterion in FY 2015. This is the third consecutive year OCS has developed a CAP to address non-compliance with the Establishment criterion. OCS implemented CAPs for failing to meet the federal benchmark for the Establishment criterion in FY 2013 and FY 2014.

a. 20-Day Case Open Timeframe Findings

Analysis of the FY 2015 SASS data determined that 14.3 percent of the IV-D cases that failed the Establishment criterion were due to staff errors in the *MiCSES App Retd DT* field on the *Case Member Details (CASE)* screen or because the case open date did not meet the required 20-day timeframe. This is a significant improvement from last year's SASS audit, when 39 percent of the failed Establishment criterion cases did not meet the 20-day case open timeframe.

b. 75/90-Day Locate Timeframe Findings

During the SASS audit, reviewers determined that 7.8 percent of cases that failed the Establishment criterion failed the locate rule. Most of the locate errors occurred because repeated locate services were not completed on a quarterly basis after the initial locate attempt, and/or the automated locate process was disrupted in *MiCSES*.²⁷⁸

c. 90-Day SOP Timeframe Findings

The SASS team determined that for 77.9 percent of the cases that failed the Establishment criterion in FY 2015, SOP was not completed timely. Some of the Establishment case reviews for SOP indicated that IV-D staff made SOP attempts a few days beyond the 90-day timeframe, while other Establishment case reviews indicated that IV-D staff made SOP attempts well beyond the 90-day timeframe. There are also situations where the PA did not receive the court action referral (CAR) until the 90-day timeframe had already elapsed. The review also showed that not all IV-D staff used the *Legal Service of*

²⁷⁸ SASS reviewers look for manual locate activity documented on the *Notes Processor (NOTE)* screen in addition to automated *MiCSES* actions.

Process (LSOP) screen to enter the SOP attempt dates and successful service dates.

The *Federal Expiration Date* calculates the 90-day timeframe for SOP. It is now calculated and re-calculated according to various appropriate criteria pursuant to published policy (e.g., new dependent, noncooperation). IV-D staff may use the *Federal Expiration Date* as a reliable guide when conducting SOP activities.

MiCSES provides the *Federal Expiration Date* field on many of its screens. Within the last year, various improvements have been made to the logic that calculates the *Federal Expiration Date*, with the most recent improvements made in March 2016.

[Section 2.20, "Court Action Referrals \(CARs\)," of the Michigan IV-D Child Support Manual](#) includes further information regarding CAR processing, and Section 4.15 includes details on SOP.

3. Michigan's Establishment Corrective Action Plan (CAP)

In 2014, OCS implemented an Establishment CAP because Michigan failed to meet the federal benchmark for the Establishment criterion in FY 2013. Michigan failed to meet the federal Establishment benchmark again in both FY 2014 and FY 2015. Michigan will continue to submit a new CAP to the federal OCSE on a quarterly basis. The CAP will continue until Michigan has increased its Establishment criterion compliance to 75 percent or better.

OCS staff developed a statewide CAP to address deficiencies in case/CAR processing and system procedures for the 20-day case open rule and the 90-day SOP rule. Locate activities are not included in the CAP since only 7.8 percent of the Establishment criterion failures occurred in that area. This year's CAP has evolved as Michigan has successfully implemented many of the strategies proposed in earlier CAPs.

Note: The issuance of this IV-D Memorandum is part of the statewide CAP, and IV-D staff must ensure state and local office practices comply with this memorandum.

a. Communicating the Audit Findings and Corrective Action Plan (CAP)

OCS staff will be involved in many outreach efforts to share information about the audit findings and statewide CAP, including:

1) Presentations at:

- a) The Friend of the Court Association conference;
 - b) The Prosecuting Attorneys Association of Michigan conference;
 - c) OCS staff meetings; and/or
 - d) The Michigan Family Support Council (MFSC) conferences.
- 2) Meetings with Work Improvement Teams (WITs) and the Performance Management Workgroup to discuss the CAP.
- b. Taking Action
- 1) CAP for the 20-Day Case Open Timeframe
- a) County FOC, PA and state directors must ensure IV-D staff complete the following within the required timeframes as outlined in IV-D Memorandum 2016-003 and within this memorandum:
 - 1. Accurately enter an application when there is no public assistance referral;
 - 2. Open a non-IV-D case in MiCSES when there is no application or public assistance referral; and
 - 3. Convert the non-IV-D case to a IV-D case when an application is received.
 - b) IV-D staff will continue to identify, review, and correct non-assistance cases with values in the MiCSES *App Retd DT* field that do not meet the federal 20-day case open requirement;
 - c) The OCS Case Management team established a dedicated team of support specialists to process paper DHS-1201 applications;
 - d) The OCS Case Management team implemented a new quality assurance process to ensure that no paper or electronic applications are older than 20 days;
 - e) OCS staff implemented a new process for scanning and screening IV-D applications to differentiate duplicate applications from new applications; this allows OCS to more quickly open cases from customers who do not yet have a IV-D case;
 - f) MiCSES staff revised the system to include a note on the NOTE screen for public assistance cases, indicating when the case was opened;
 - g) OCS launched an online DHS-1201 application (e1201) that uploads the application return date into MiCSES, and OCS encourages use of the online application over the paper application;

- h) OCS staff revised *Michigan IV-D Child Support Manual* Section 2.05 with the new e1201 information, along with instructions for entering a paper application on MiCSES;
- i) OCS staff improved processing timeframes for applications and eliminated the backlog of applications;
- j) As the need arises, OCS Training Section staff will develop additional training and job aids for FOC and OCS staff on opening non-assistance cases;
- k) A PLG-chartered workgroup discussed the best way to open domestic relations cases in a timely manner, developed the DHS-1201D, and proposed the domestic relations policy for IV-D staff;²⁷⁹ and
- l) Data Warehouse staff have developed and will continue to improve the *Performance Management* (CM-001) Business Objects report to monitor the 20-day case open timeframe.

2) CAP for the 90-Day SOP Timeframe

- a) PA office staff participated in discussions and training for the 90-day SOP timeframe at meetings in 2014 and 2015;
- b) OCS sent each PA or FOC office with Establishment errors in FY 2015 a list of the cases with errors to help them identify local office business processes that can be modified to prevent future errors;
- c) MiCSES staff edited screen functionality to require mandatory completion of SOP attempts during the court order entry process;
- d) OCS Training Section staff revised new PA worker training, created advanced PA worker training to include information on the federal regulations regarding the Establishment criterion, created a webcast about modifying SOP, and created a webinar on the *Federal Expiration Date* changes;
- e) Data Warehouse staff will develop report enhancements that will support SOP monitoring, and OCS will encourage use of these reports, including the newly developed ES-202 report;²⁸⁰
- f) OCS will include key performance indicators in contracts with partners and will include an SOP key performance indicator;

²⁷⁹ Ref: IV-D Memorandum 2016-003.

²⁸⁰ Ref: [Business Objects Report Description: Service of Process Details \(ES-202\)](#).

- g) OCS published policy and implemented new functionality in MiCSES for the *Federal Expiration Date*;
- h) An OCS workgroup will create business requirements for a new sample universe and query to better meet federal Establishment regulations;
- i) The OCS Case Management team will identify and correct situations that incorrectly cause the CAR to be sent to the PA after the *Federal Expiration Date* has expired;
- j) The OCS Case Management team will review CARs for key quality measures and address deficiencies;
- k) The OCS Case Management team will set standard timeframes for CAR processing;
- l) OCS will review the effects of location functionality on SOP;
- m) OCS will conduct further data analysis on SOP, including analytic reports; and
- n) OCS will continue outreach to PA offices and to elected PAs, and will consider performing outreach to process servers.

Much progress has been made on the FY 2013 and FY 2014 Establishment CAPs. OCS recognizes that additional time is needed to allow the strategies developed and implemented more recently to have their intended effect.

4. Local Office Actions to Improve the Establishment Criterion

OCS expects that all IV-D workers will continue to work toward improving performance on the three Establishment regulations, with emphasis on opening the IV-D case and taking timely SOP action.

a. Opening the IV-D Case

To continue to prevent future errors related to the use of the MiCSES *App Retd DT* field, IV-D staff must properly record application dates on the CASE screen when they receive a IV-D application.

IV-D staff must open the IV-D case within 20 calendar days of receipt of an application. The date the IV-D agency **received** (date-stamped)²⁸¹ the application must be entered in the *App Retd DT* field on the CASE screen in MiCSES. IV-D staff must also complete the *App Req DT* and *App Sent DT* fields on the CASE screen. IV-D workers' proper entry of these dates directly affects SASS audit findings for the Michigan IV-D program.²⁸² When a IV-D application is received, IV-D staff must open the IV-D case within 20 days and not wait to open it until a court order has been obtained and entered on MiCSES.

Section 2.05 of the *Michigan IV-D Child Support Manual* provides guidelines for properly recording application dates on the CASE screen in the following scenarios:

- Applications received for existing IV-D cases – no public assistance;
- Applications received for existing IV-D cases – previous or current public assistance;
- IV-D application adds a new case member;
- Custody switch between a custodial party (CP) and NCP;
- The court places the child(ren) with a third-party custodian;
- Reopening closed IV-D cases;
- Error in recording dates in the *App Retd DT* field;
- Correcting high dates (12/31/9999); and
- Opening a non-IV-D case (“L” case type).

b. Service of Process (SOP)

Local IV-D office directors must ensure Establishment staff complete SOP attempts within the required timeframes and enter all SOP attempts in MiCSES as outlined in IV-D policy and within this memorandum.

IV-D staff must record all SOP attempts, successful service dates, and IV-D-qualifying summons extensions on the LSOP screen. IV-D staff must provide additional notes about SOP and any IV-D-qualifying summons extensions on the NOTE screen.

IV-D workers should use the *Service of Process Details* (ES-202) report in Business Objects to monitor open CARs where the NCP has been located but SOP has not yet been successful.

Michigan's IV-D program partners have collaborated closely over the past couple of years to identify and address root causes for these errors and to implement

²⁸¹ The “date-stamp” is the date that the IV-D office stamps the document as received in its office – not the date the application was mailed, postmarked, signed, or delivered to an office other than the IV-D office.

²⁸² Ref: Section 2.05 of the *Michigan IV-D Child Support Manual* for more information.

corrective action. Staff in the PA offices, FOC offices, OCS Operations Division, OCS Program Development Division, and the MiCSES Project Control Office have taken significant action to strengthen performance in the activities measured in the SASS audit. OCS and the PLG recognize and appreciate these efforts; it is through this cooperation that Michigan's IV-D program will continue to improve its performance.

Local offices that are interested in further consultation about changing business practices to improve Establishment timelines are encouraged to request this assistance by entering a MiCSES Help Desk ticket. OCS will monitor these tickets and respond as resources allow.

NECESSARY ACTION:

Initiate and complete corrective actions to improve performance in the Case Closure criterion and the Establishment criterion. Retain this IV-D Memorandum until further notice.

This IV-D Memorandum replaces and obsoletes IV-D Memorandum 2015-021. Exhibit 2016-024E1 replaces and obsoletes Exhibit 2015-021E1.

REVIEW PARTICIPANTS:

Establishment Work Improvement Team
Performance Management Workgroup
PLG

CONTACT PERSON:

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CC:

None

SUPPORTING REFERENCES:

Federal
Subsection 454(15) of the Social Security Act
45 CFR 303.11
45 CFR 305.60
45 CFR 305.61
45 CFR 308.2

State
None

ATTACHMENT:

2016-024E1: Michigan Office of Child Support: Self-Assessment Audit –
Establishment Criterion

EPF/JJV

IV-D MEMORANDUM 2016-025

TO: All Friend of the Court (FOC) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: August 31, 2016

SUBJECT: New FOC Interactive Voice Response (IVR) System

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

On September 7, 2016, the Michigan IV-D program will begin the transition to implement a new statewide FOC IVR system. The new FOC IVR will improve customer service by providing one statewide toll-free telephone number for all customers who have a case with the FOC.²⁸³

Implementation of the new IVR supports the following goals in the [Michigan Child Support Program's 2013-2017 Strategic Plan](#):

- Deliver services to the public in an engaging, effective, and accessible manner; and
- Use innovative technology to enhance customer service and improve business practices.

OCS will pilot the new IVR in three counties in September 2016: Charlevoix, Delta and Tuscola. Upon completion of a successful pilot, OCS will implement the IVR in the remaining counties via a rollout schedule between September and November 2016.

Some Michigan Department of Health and Human Services (MDHHS) and Michigan Child Support Enforcement System (MiCSES) forms will be updated to reflect the new IVR number. However, these forms will not be updated until all counties are transitioned to the new IVR, which is expected to be on or before November 30, 2016. Additionally, the State of Michigan and the Michigan State Disbursement Unit (MiSDU) websites will also be updated when the transition is complete. OCS will publish a new IV-D

²⁸³ Customers who need to contact Office of Child Support (OCS) Case Management staff must call the OCS Case Management IVR at 866-540-0008; however, the new FOC IVR technology will allow FOC staff the ability to transfer customers to the OCS Case Management IVR, if necessary. Additionally, OCS Case Management staff will have the ability to transfer customers from the Case Management IVR to the new FOC IVR. Customers who need to contact Prosecuting Attorney (PA) staff must call their local PA office.

Memorandum in November 2016 to introduce the changes to the forms and websites, and any findings from the pilots or rollout.

DISCUSSION:

A. FOC IVR Information

Upon a successful implementation of the Case Management IVR in 2014, the Michigan IV-D program began exploring the idea of a new statewide FOC IVR. Creating a new FOC IVR would replace outdated IVR software and hardware, as well as eliminate 34 servers in 28 larger counties requiring ongoing and emergency maintenance by the Department of Technology, Management and Budget (DTMB). FOC, OCS, MiCSES and DTMB staff scheduled and held Joint Application Design sessions in late 2015 to plan the new FOC IVR.

1. Statewide FOC IVR Telephone Number

The new FOC IVR telephone number will be 877-543-2660. The new IVR will provide one number for customers to call to access State of Michigan child support case information over the telephone. This number is the same as the previous central FOC IVR number that over 50 Michigan counties used. For those counties, the transition to the new IVR will not require significant changes because the number will remain the same.

This phone number is not yet functional for all counties. Each county must not update publications (e.g., local office website, posters, etc.) or provide the new number to customers until that county has implemented the new FOC IVR. The tentative rollout schedule is in Section B of this memorandum.

2. IVR Menu

a. Main Menu

When customers call the new FOC IVR, the main menu will give them the option to have the IVR prompts spoken in English or Spanish. They will then be prompted for the first three letters of the county that has jurisdiction over their child support order.²⁸⁴

²⁸⁴ If customers have support orders in multiple counties, they must choose one county initially. They will be allowed to hear information pertaining to their docket(s) in another county without having to re-enter the IVR.

b. Customizable Options

The FOC IVR offers counties some customizable options, such as:

- An optional customized greeting;²⁸⁵
- Up to five transfer options within the *County Employee Transfer* option;²⁸⁶ and
- Determining what questions and answers customers hear through the *Common Questions* option.

DTMB is working with each county's designated IVR contact to establish the county's initial preferences.

B. IVR System Implementation

1. Pilot Counties

Charlevoix, Delta and Tuscola counties have agreed to participate in the FOC IVR pilot to begin on September 7, 2016. The pilot will tentatively run until September 9, 2016, and the implementation team will:

- Monitor IVR activity;
- Provide technical support;
- Resolve any challenges that may occur; and
- Enhance implementation procedures before rolling out the IVR statewide.

2. IVR Rollout Schedule

Upon completion of a successful pilot, the FOC IVR will be implemented in each county via the **tentative** rollout schedule below.

The schedule is subject to change. The Technical Communications Team will announce any changes via an email notification.

Week of Implementation	County Name
9/7/16 – 9/9/16	Charlevoix
	Delta
	Tuscola
9/12/16 – 9/16/16	Antrim

²⁸⁵ If a county does not choose a customized greeting, the FOC IVR will play a generic greeting for customers entering the IVR for that county.

²⁸⁶ This is a menu option on the IVR. It allows counties to have up to five employees available on the IVR for customers to transfer directly to.

Week of Implementation	County Name
	Grand Traverse
	Leelanau
9/19/16 – 9/23/16	Alcona
	Alger
	Alpena
	Arenac
	Baraga
	Barry
	Benzie
	Branch
	Cass
	Cheboygan
	Chippewa
	Clare
	Clinton
	Crawford
	Dickinson
	Emmet
	Gladwin
	Gogebic
	Gratiot
	Hillsdale
	Houghton
	Huron
	Iosco
	Iron
	Isabella
	Kalkaska
	Keweenaw
	Lake
	Lapeer
	Luce
	Mackinac
	Manistee
	Marquette
	Mason
	Mecosta
	Menominee
	Missaukee
	Montmorency
	Oceana
	Ogemaw
	Ontonagon

Week of Implementation	County Name
	Osceola
	Oscoda
	Otsego
	Presque Isle
	Roscommon
	Saint Joseph
	Sanilac
	Schoolcraft
	Shiawassee
	Wexford
9/26/16 – 9/30/16	Lenawee
	Midland
	Saint Clair
10/3/16 – 10/7/16	Berrien
	Ionia
	Monroe
	Newaygo
10/10/16 – 10/14/16	Eaton
	Livingston
	Montcalm
	VanBuren
10/17/16 – 10/21/16	Allegan
	Bay
	Jackson
	Muskegon
10/24/16 – 10/28/16	Calhoun
	Ottawa
	Saginaw
10/31/16 – 11/4/16	Genesee
	Ingham
	Washtenaw
11/7/16 – 11/11/16	Kalamazoo
	Macomb
11/14/16 – 11/18/16	Kent
	Oakland
11/28/16 – 11/30/16	Wayne

C. Post-Implementation

Once each office has implemented the new FOC IVR, each office must:

- Update publications (e.g., local office website, posters, etc.) to reflect the new FOC IVR phone number;

- Take measures to forward calls from each office's old IVR number to the new statewide FOC IVR number for a period of time determined by each office (OCS recommends at least 120 days); and
- Contact the MiCSES Help Desk²⁸⁷ to change one (or more) customizable IVR options post-implementation.

D. Future Form and Website Updates

The following MDHHS and MiCSES forms and websites will be updated to include the new FOC IVR telephone number when the transition to the new IVR is complete on or by November 2016. A new IV-D Memorandum will be published in November 2016 to introduce changes to the following:

1. Forms

- *Allocation and Distribution of Support Payments* (DHS-446);
- *Electronic Disbursement of Child Support Information Sheet* (DHS-1388);
- *Notice of Electronic Disbursement* (FEN801/DHS-823); and
- *Notice of Unclaimed Property (Money)* (FEN804).

2. Websites

- The links to contact the FOC in the child support section of the MDHHS website; and
- The link to the IVR 24-hour case information access line on the MiSDU website.

E. Communication Plan

OCS, MiCSES and DTMB staff have provided information and updates regarding the new FOC IVR through the following:

- FOC User Group in November 2015;
- Child Support Updates call on December 15, 2015; and
- Email notifications on January 11, 2016 and March 8, 2016.²⁸⁸

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

²⁸⁷ The MiCSES Help Desk can be reached by phone at 1-800-968-2644 or by email at DIT-MICSES-Helpdesk@michigan.gov.

²⁸⁸ Ref: [FOC Action Requested: IVR Modernization – Please Verify IVR Contacts on mi-support](#) and [FOC IVR Modernization – Future Phone Number and Planning Information](#).

Financial Work Improvement Team
Program Leadership Group

CONTACT PERSON:

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CC: All PA Staff
All OCS Staff

SUPPORTING REFERENCES:

None

ATTACHMENTS:

None

EPF/KAP

IV-D MEMORANDUM 2016-026

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: August 9, 2016

UPDATE(S): <input type="checkbox"/> Manual <input checked="" type="checkbox"/> Form(s)

SUBJECT: Update to the *IV-D Program Request for Computer Access* (DHS-393)

RESPONSE DUE: None

POLICY EFFECTIVE DATE:

PURPOSE:

This IV-D Memorandum introduces a minor revision to the *IV-D Program Request for Computer Access* (DHS-393). This change reflects the migration of the Central Paternity Registry/Birth Registry System (CPR/BRS) application from the MDHHS Single Sign-On (SSO) web portal to the new DTMB MILogin web portal.²⁸⁹

DISCUSSION:

IV-D Memorandum 2016-019, *Access to the Central Paternity Registry/Birth Registry System (CPR/BRS) on the New MILogin Web Portal, and Updates to Michigan IV-D Child Support Manual Section 4.05, "Paternity Establishment,"* announced the migration of the CPR/BRS application to the new MILogin web portal. On July 26, 2016, users began accessing CPR/BRS through the MILogin portal.

To request access to CPR/BRS as well as other IV-D applications, users complete the DHS-393 and submit it to the Michigan Child Support Enforcement System (MiCSES) Help Desk. In the "CPR/BRS" area on this form, "Single Sign-On Username" has been replaced with "MILogin Username" to reflect the new portal for accessing CPR/BRS. For information on accessing CPR/BRS through MILogin, refer to IV-D Memorandum 2016-019.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. Begin using the new version of the DHS-393 and discard the previous version (Rev. 12/2014).

²⁸⁹ MDHHS is the Michigan Department of Health and Human Services. DTMB is the Department of Technology, Management and Budget.

REVIEW PARTICIPANTS:

Establishment Work Improvement Team (WIT)
Program Leadership Group

CONTACT PERSON:

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CC:

All OCS offices
Glenn Copeland, State Registrar, Division for Vital Records and Health Statistics
MiCSES Help Desk

ATTACHMENT:

DHS-393: *IV-D Program Request for Computer Access (DHS-393)*

EPF/EW

IV-D MEMORANDUM 2016-027

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: August 5, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Review of the Retooling Michigan Child Support Enforcement Program Grant (Retooling Grant) Pilot Programs²⁹⁰

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum provides a high-level review of the Retooling Grant findings. The Retooling Grant began on September 1, 2011, and completed on August 31, 2015.

Policies and forms used during the Retooling Grant pilot programs are available on the [Retooling Grant](#) page under the Central Activities tab on mi-support. The documents will remain there for review until December 2017.

DISCUSSION:

Overview of Retooling Grant and Pilots

The federal OCSE awarded OCS and the University of Michigan School of Social Work (UM-SSW) a *Partnering to Strengthen Families: Child Support Enforcement (CSE) & University Partnership* grant to study Michigan's child support data.

The Advisory Committee for this grant was the Program Leadership Group (PLG) for the Michigan child support program. The PLG includes representatives from OCS, the State Court Administrative Office, the Friend of the Court Association, and the Prosecuting Attorneys Association of Michigan.

1. Goals and Outcomes

²⁹⁰ This publication is supported by Grant Number 90FD018101 from the federal Office of Child Support Enforcement (OCSE). Its contents are solely the responsibility of the Michigan Office of Child Support and do not necessarily represent the views of OCSE. This project is financed solely by Grant Number 90FD018101.

The goals of the Retooling Grant were to:

- Increase the number of current support collections;
- Increase the amount of current support collections;
- Reduce arrears; and
- Assist caseworkers and decision-makers in becoming more knowledgeable about non-custodial parents' (NCPs') characteristics and life situations.

The project outcomes expected from the grant-supported activities included, but were not limited to:

- Improved research on current data to support an evidence-driven selection of approaches to child support collection;
- Sophisticated development of a “tool kit” of current strategies and new piloted strategies; and
- Dissemination of both research and successful pilot strategies to enable greater success in child support collection.

2. Pilots, Timeframes, and Activities

During the Retooling Grant, FOC offices conducted two pilots:

- Compromise Arrears in Return for On-Time Support (CAROTS); and
- Predictive Modeling (PM).

Originally a three-year project, the grant was extended to four years. The following chart outlines the timeframes and the activities performed during the Retooling Grant.

Grant Year	Date	Task
Phase I: ²⁹¹ Grant Year 1: September 2011 – August 2012	September 2011- August 2012	Literature review, preliminary data analysis
Phase II: ²⁹² Grant Year 2: September 2012 – August 2013	September 2012 – January 2013	Completed policy, protocols, training and monitoring tools
	February 2013	Conducted kick-off meeting and training, and began pilots
	February 2013 – August 2013	Monitored CAROTS pilot using data and worker diaries
	February 2013 – August 2013	Monitored PM pilot using data and worker diaries

²⁹¹ Phase I was intended for research, data analysis, identifying and prioritizing research questions, and designing the pilots.

²⁹² Phase II consisted of implementing and testing the pilots.

Grant Year	Date	Task
	August 2013	Provided PM mid-pilot status to PLG and published it to mi-support
Phase III: ²⁹³ Grant Year 3: September 2013 – August 2014	September 2013 – August 2014	Monitored PM pilot using data and worker diaries
	September 2013 – August 2014	Monitored CAROTS pilot using data and worker diaries
	March 2014	Provided CAROTS mid-pilot status to PLG and published it to mi-support
Phase III: Extension Year 4 (September 2014 – August 2015) ²⁹⁴	September 2014 – April 2015	Monitored CAROTS pilot using data and worker diaries
	July 2015	UM-SSW Research Symposium
	February 2015 – August 2015	Analyzed MiCSES ²⁹⁵ database Analyzed PM pilot for statewide impact Analyzed CAROTS pilot for statewide impact

[IV-D Memorandum 2012-032, Invitation to Participate in Pilot: Retooling Michigan Child Support Enforcement Program Grant \(Retooling Grant\)](#), introduced the Retooling Grant and invited FOC participation in the two pilots being implemented.

[IV-D Memorandum 2013-008, Retooling Michigan Child Support Enforcement Program Grant \(Retooling Grant\) Pilot Programs](#), provided an overview of the grant, identified the FOC offices participating in the pilots, provided an anticipated timeline, introduced the Retooling Grant interim policies for the pilot programs, and provided tools for pilot counties' use.

During the extension (fourth) year, UM-SSW completed an analysis of enforcement activity effectiveness in MiCSES. UM-SSW also completed analyses of both pilot programs (across 11 FOC offices) for effectively improving the financial well-being of children. Additionally, UM-SSW held a symposium to share findings with other UM-SSW research staff, Retooling Grant pilot staff, and interested PLG members. Refer to the sections below for further discussion. Links to UM-SSW's full analysis reports are provided in each section.

B. MiCSES Enforcement Activity Analysis

During the extension year, UM-SSW conducted an analysis of MiCSES data. The data that OCS provided to UM-SSW consisted of three years of enforcement and payment history for all cases in MiCSES. The intent of the analysis was to identify

²⁹³ Phase III was intended for analyzing the pilots to determine possibilities for statewide implementation.

²⁹⁴ The CAROTS pilot is complete, but the CAROTS program is still running in the CAROTS pilot counties until the NCP completes the CAROTS program or is terminated from the program.

²⁹⁵ MiCSES is the Michigan Child Support Enforcement System.

which enforcement activities provided the most improved payment performance.²⁹⁶ While UM-SSW could not tie payments to specific enforcement activities,²⁹⁷ the analysis did link existing enforcement activities to the likelihood of payment.

1. Filtering of MiCSES Data

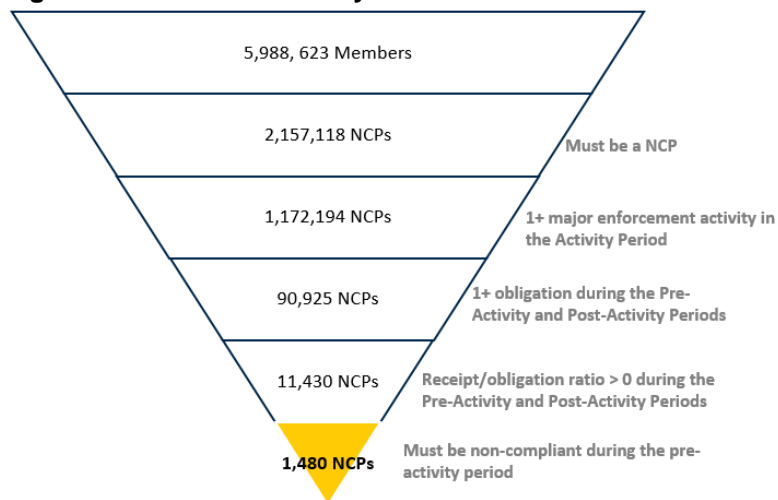
- a. To analyze the data, UM-SSW divided the three-year slice of data into three time periods:
 - Pre-activity period – The first six-month period of the three-year data slice;
 - Activity period – The middle 24 months of the three-year data slice; and
 - Post-activity period – The last six-month period of the three-year data slice.
- b. Additionally, UM-SSW wished to identify the NCPs who were non-compliant in the pre-activity period. UM-SSW applied additional filters to ensure a comparable database for pre- and post-activity periods. Therefore, UM-SSW filtered the three-year slice of data for NCPs who:
 1. Received at least one major enforcement activity during the activity period;
 2. Had at least one obligation in the pre-activity period;
 3. Had at least one obligation in the post-activity period;
 4. Had at least one receipt (receipt/obligation ratio greater than zero) in the pre-activity period;
 5. Had at least one receipt (receipt/obligation ratio greater than zero) in the post-activity period; and
 6. Were non-compliant during the pre-activity period. “Non-compliant” was defined as those NCPs who failed to pay at least 80 percent of their obligations during the pre-activity period.

This filtering resulted in 1,480 NCPs in the study. See Figure 1 below.

²⁹⁶ Payment performance is the monthly payment amount divided by the monthly obligations amount. OCS had asked UM-SSW to analyze enforcement activities and any corresponding payments in order to identify which enforcement activities resulted in increased payment performance.

²⁹⁷ Because the data did not provide full case histories, numerous activities may have occurred simultaneously, or subsequent activities may have been influenced by preceding activities, UM-SSW was able to provide a classification tree (decision tree) analysis rather than a conclusive analysis.

Figure 1: Filtering of data for MiCSES analysis²⁹⁸



2. Data Analysis

Through the classification tree analysis, UM-SSW identified the most used enforcement activities in relationship to payments received for the non-compliant NCPs. Then UM-SSW identified the activity most likely to result in payments meeting the obligation.

At a summary level, the following two classification trees show the likelihood of enforcement activities taken during the activity period²⁹⁹ that resulted in payments of at least 80 percent of the obligation during the post-activity period.³⁰⁰ The tree also shows those activities that appear less likely to result in this type of payment. A “NO” in front of the activity name indicates that the activity was not found. Because of the size of Wayne County, the analysis was divided between Wayne County and the rest of the state. Wayne County data showed a different trend than the rest of the state for enforcement activities and the likelihood to meet obligations.

For example, in Figure 2, of the 157 Wayne county non-compliant NCPs in the study, those with insurance enforcement as recorded in MiCSES were 32 percent more likely to pay 80 percent or more of their obligation during the post-activity period. However, in Figure 3, of the 868 non-compliant NCPs in the study living outside of Wayne County, those who had an income withholding recorded in MiCSES were 63 percent more likely to pay 80 percent or more of their obligation during the post-activity period.

²⁹⁸ All figures in Section B of this memorandum are from UM-SSW's analysis report, [Re-Tooling Michigan's Child Support Enforcement Program MiCSES Enforcement Activities Analysis Report](#).

²⁹⁹ Ref: Section B(1)(a) of this IV-D Memorandum.

³⁰⁰ Ref: Section B(1)(a) of this IV-D Memorandum.

Figure 2: Classification tree analysis results among Wayne County NCPs

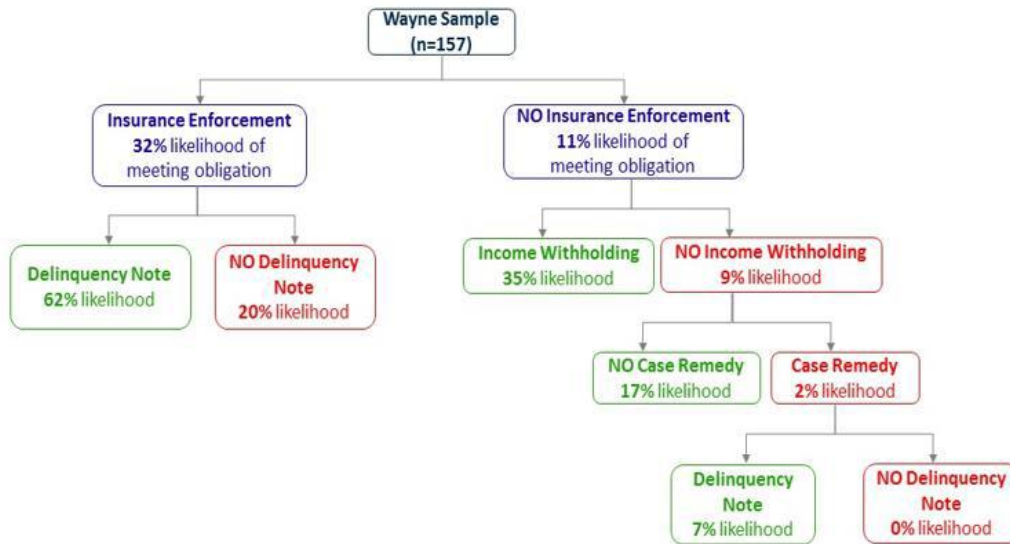
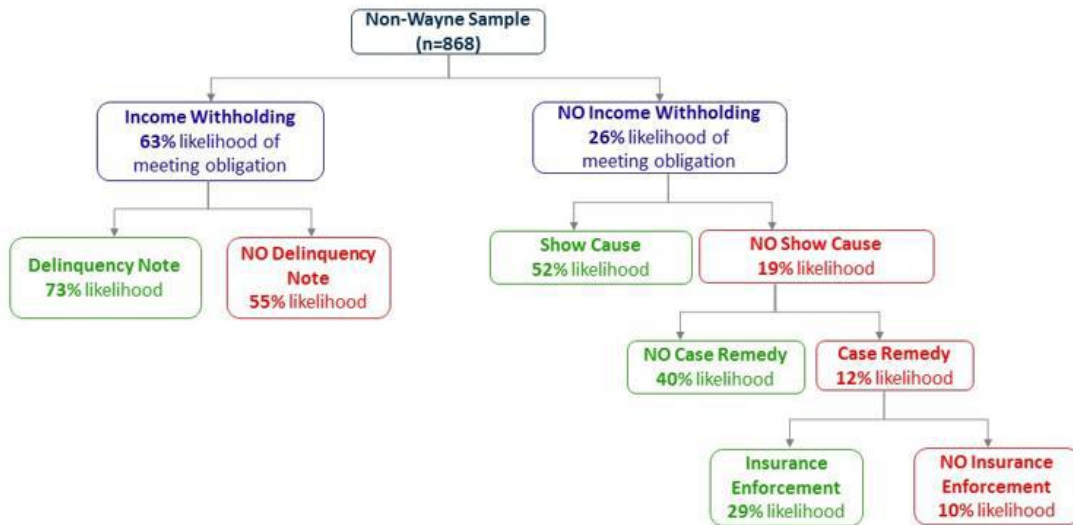


Figure 3: Classification tree analysis results among non-Wayne County NCPs



C. CAROTS Pilot

FOC offices selected for the CAROTS pilot were:

- Genesee;
- Macomb;
- Marquette; and

- Tuscola.³⁰¹

1. Conducting the CAROTS Pilot

The major goals of CAROTS were to improve the consistency of support payments and reduce the amount of uncollectible state-owed debt. Participants were NCPs with an overwhelmingly large amount of state-owed debt, which is viewed as a deterrent for making a support payment.

Additionally, CAROTS aimed to help the NCP form habitual payment behavior that would contribute to the well-being of his/her family. NCPs eligible for CAROTS had to have an inconsistent payment history, an inability to pay all of their arrears, and an income.³⁰² CAROTS targeted NCPs who were willing to make child support payments but unable to pay the entire amount of current support and arrears.

The CAROTS program worked at the “NCP level,” meaning that it included all of the NCP’s orders, rather than at the single/separate court order level. FOC CAROTS pilot staff conducted reviews and modifications to ensure all of the NCP’s orders were right-sized before drafting a CAROTS payment plan.

FOC CAROTS pilot staff developed a CAROTS payment plan for the NCP that the NCP signed. The CAROTS payment plan defined a monthly payment amount that included all of the NCP’s current support obligations and a support arrears amount. Additionally, CAROTS payment plans identified five payment periods, each of which covered several months, over the course of two years. If the NCP complied with the CAROTS payment plan, his/her state-owed arrears were incrementally discharged at the conclusion of a payment period. If the NCP successfully completed all five payment periods, (s)he would have no state-owed arrears remaining at the conclusion of the fifth payment period.

2. CAROTS Pilot Results

The study showed that NCPs in CAROTS demonstrated significant increases in current support and arrears collections. When the NCP stayed engaged with CAROTS through the first payment period (first three months), (s)he was more likely to remain in CAROTS until completion.³⁰³

UM-SSW used random selection to place approximately half of the CAROTS NCPs into an “Outreach Group.” FOC CAROTS pilot staff provided these NCPs monthly payment reminders (if needed), payment slippage consequence

³⁰¹ Only Genesee and Macomb FOC offices successfully enrolled NCPs into CAROTS. Together, Genesee and Macomb counties enrolled approximately 220 NCPs.

³⁰² Eligibility for CAROTS included other criteria. Ref: [Exhibit 2013-008E1: Retooling Grant Policy for Pilot Friend of the Court Staff](#) for an additional discussion of eligibility.

³⁰³ About 75 percent of the CAROTS NCPs remained in CAROTS after the first payment period.

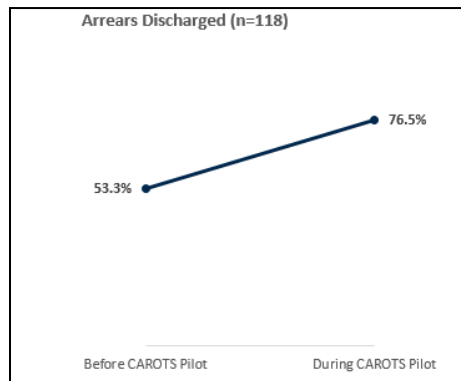
reminders (as needed), or payment “thank yous.” NCPs in the Outreach Group showed no significant compliance increase compared to those NCPs who did not get monthly contact.

Figures 4 and 5 below display the amount of support the CAROTS NCPs paid before the CAROTS pilot, and during the CAROTS pilot (as of April 30, 2015). All NCPs received some portion of arrears discharge as a matter of being in CAROTS. The figures below display in parentheses the number (n) of CAROTS NCPs for each condition displayed. There were 118 NCPs who were not assigned to the Outreach Group; 101 NCPs were assigned to the Outreach Group.

CAROTS agreements required NCPs to pay their entire current support amount and an arrears amount on all of their orders.³⁰⁴ However, some NCPs had payment gaps during CAROTS. Consequently, the “During CAROTS Pilot” percentages in Figures 4 and 5 are not 100 percent.

Figure 4 below shows that the 118 NCPs who were in CAROTS (but not in an Outreach Group), paid an average of 53.3 percent of their obligation *before* the pilot but increased the average to 76.5 percent of their obligation *during* the pilot. This is a 23.3 percentage point increase in obligation compliance.

Figure 4: Non-Outreach-Group NCPs’ average percentage of obligation paid before and during CAROTS³⁰⁵

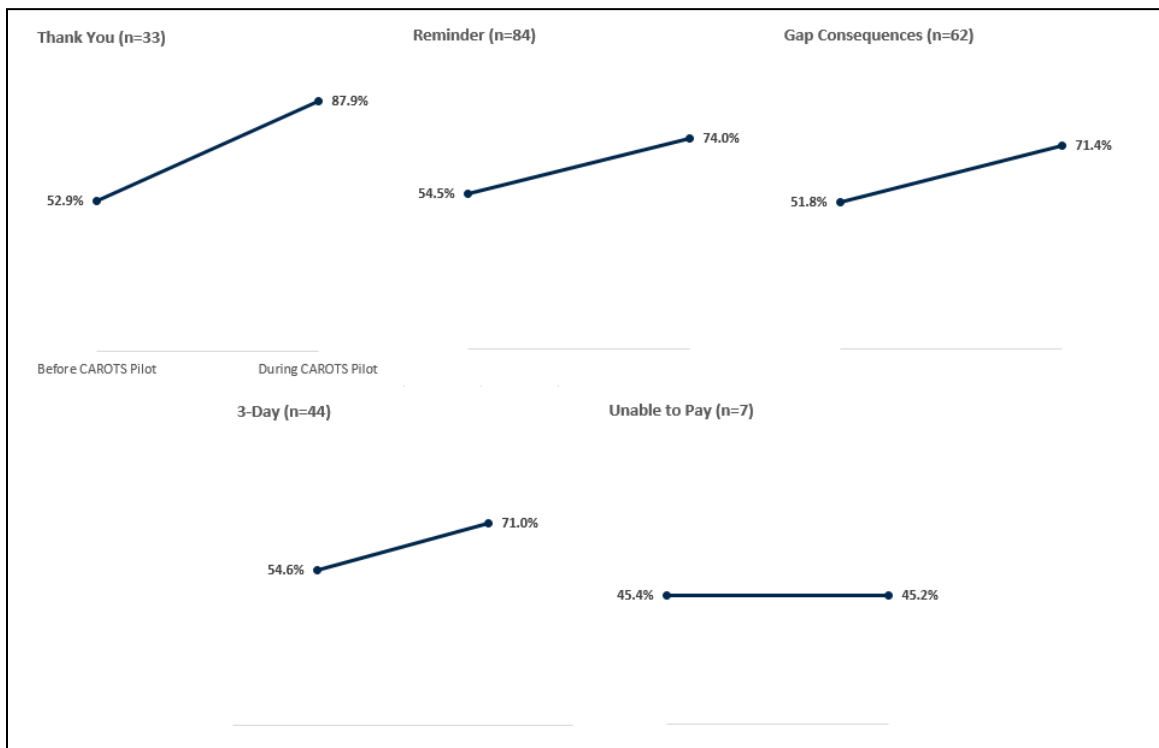


³⁰⁴ Ref: IV-D Memorandum 2013-008 for further information.

³⁰⁵ All figures in Section C of this memorandum are from UM-SSW’s analysis report, [Re-Tooling Michigan’s Child Support Enforcement Program Compromise Arrears in Return for On-Time Support \(CAROTS\) Pilot Final Report](#).

Figure 5 shows the payment percentage increases due to the type of outreach activity the NCPs received. Outreach activities included thanking NCPs for providing a payment (Thank You), payment reminders (Reminder), and explaining the consequences of missing payments (Gap Consequences); these usually were provided between three and five days before the end of each month as needed (3-Day). During the pilot, some NCPs told FOC CAROTS pilot staff that they could not make their payment. The bottom-right percentages in this figure depict this condition. The number of NCPs receiving the outreach activity is shown in parentheses following the activity description. Some CAROTS NCPs received multiple types of outreach.

Figure 5: Outreach-Group NCPs’ average percentage of obligation paid before and during CAROTS



FOC CAROTS pilot staff manually monitored the CAROTS NCPs’ monthly payment compliance, and manually performed outreach to the NCPs in the Outreach Group. In addition to increased collections from CAROTS NCPs, FOC CAROTS pilot staff also noted a great improvement in customer relations with CAROTS NCPs. CAROTS NCPs often contacted the FOC CAROTS pilot staff to ensure compliance.

Because monitoring and outreach activities were so labor-intensive, OCS will modify MiCSES to automate monitoring and outreach activities before OCS offers CAROTS statewide. Based on the improved payments and engagement of CAROTS pilot NCPs, OCS intends to offer CAROTS as a statewide strategy in the next fiscal year.

D. Predictive Modeling (PM) Pilot

FOC offices selected for the PM pilot were:

- Cheboygan;
- Isabella;
- Kent;
- Monroe;
- Van Buren;
- Washtenaw; and
- Wayne.

1. Conducting the PM Pilot

The major goal of the PM pilot was to use predictive data to assist FOC PM pilot staff in determining what intervention (interaction or enforcement activity) to use with the NCP to increase the NCP's support order compliance.

The PM pilot was conducted in two phases.

a. Phase I

During Phase I, FOC PM pilot offices recruited NCPs for the pilot. NCPs choosing to participate completed a survey. The survey collected data about the NCP that was not already available in MiCSES.³⁰⁶ Based upon survey data and the NCP's payment performance rating,³⁰⁷ the NCPs were given a PM Predictor score of 1 to 4.³⁰⁸ The PM Predictor score, which paired payment history with NCP characteristics, was to provide guidance to FOC PM pilot staff in predicting payment compliance. Based on the PM Predictor score, the FOC PM pilot staff selected various non-adversarial interventions and supportive contacts with NCPs (e.g., thanking NCPs for their payment, assisting parents with parenting time issues, and offering arrears management strategies).³⁰⁹

³⁰⁶ Ref: [Paper Survey – Additional Predictors](#) to view the survey questions and content.

³⁰⁷ An NCP payment performance rating, or case stratification, was 1 to 4, depending upon the NCP's payment compliance. A PM Predictor score of 1 meant the NCP paid 0-29 percent of his/her order, while a PM Predictor score of 4 meant the NCP was paying 80 percent or more of his/her order. Ref: Exhibit 2013-008E1 for more information on PM Predictor and case stratification scoring.

³⁰⁸ UM-SSW identified characteristics that were the same or similar for NCPs who fell into the same case stratification area. These were determined to be the Michigan PM Predictors.

³⁰⁹ Ref: Exhibit 2013-008E1 for additional suggested interactions.

Figure 6: Michigan PM Predictors identified during Phase I³¹⁰

<u>Increases Likelihood to Meet Obligation</u>	<u>Decreases Likelihood to Meet Obligation</u>
Have a college degree*	NCP ever been to jail or prison*
Currently employed*	Higher number of issues: depression, social anxiety, generalized anxiety, substance abuse*
Ever married to or lived with custodial party (CP)*	On public assistance
On unemployment benefits	Higher number of addresses
On SSI or disability	Higher number of jobs
Higher monthly income	Higher number of child support cases
*Indicates a strong predictor	
Bold indicates national predictor	

b. Phase II

In Phase II, in addition to working with Phase I NCPs, FOC PM pilot staff recruited new NCPs³¹¹ to complete a revised survey to collect just the Michigan PM Predictor data. Then, using PM Predictor scoring, the new NCP was given a PM Predictor score. Throughout Phase II, FOC PM pilot staff were to interact with Phase II NCPs in the same manner as they interacted with Phase I NCPs. Based on the NCP's PM Predictor score, Phase II NCP interactions could occur even before a payment was missed.

2. PM Pilot Results

During the PM pilot, FOC PM pilot staff were to record their interactions in an access database called the MS Access Retooling Grant Database (MARGD). However, UM-SSW found that the data recording was incomplete and pilot actions were insufficient. Despite these drawbacks, UM-SSW identified the following key findings in their report, [Re-tooling Michigan's Child Support Enforcement Program Predictive Modeling Pilot Executive Summary](#):

Which PM activities worked well? Based on MARGD data analysis and anecdotal experiences of Pilot Leads and workers, the following activities conducted as part of the PM pilot were identified as useful or effective:

- The Michigan Predictors
- Supportive Contacts
- E-mail
- Payment Thanks

³¹⁰ All figures and direct quotes in Section D of this memorandum are from UM-SSW's analysis report, [Re-tooling Michigan's Child Support Enforcement Program Predictive Modeling Pilot Executive Summary](#). Ref: the [Retooling Michigan's Child Support Enforcement Program Predictive Modeling Final Report](#) for UM-SSW's full analysis report.

³¹¹ New NCPs were those NCPs who had new child support orders without previous orders in the FOC PM pilot office. Participation in Phase II, like Phase I, was voluntary.

Which PM activities did not work well? Based on MARGD data analysis and anecdotal experiences of Pilot Leads and workers, the following activities that were conducted as part of the PM pilot were identified as not effective:

- Counseling/Mediation
- Follow-Ups for NCPs with a Predictor Score 4³¹²

What were the barriers to implementing the PM pilot? Based on anecdotal experiences of the Pilot Leads and workers, the following barriers were identified to the work conducted as part of the PM pilot:

- Difficulty making contact with NCPs
- Duplicating work between MiCSES and MARGD
- Time needed to implement the pilot
- Lack of referral sources in the community
- Limited training for workers

What facilitated the implementation of the PM pilot? Based on anecdotal experiences of the Pilot Leads and workers, the following factors facilitated the implementation of the PM pilot in counties:

- Dedication and innovation of the FOC staff who worked on the PM pilot
- Smaller counties, with a lower worker-to-case ratio, reported having an easier time connecting with NCPs

UM-SSW concluded that to make a PM approach effective for statewide roll-out, FOC philosophy may need to shift from a “collection approach” to a “customer service, holistic approach.” Additionally, in order to make a holistic approach attainable, collaboration between the FOC offices and community resources outside of child support (such as counseling centers, education services, job skills training, etc.) must be in place. Without resources for NCPs to use to improve their ability to make child support payments, holistic interactions targeting improved payment performance may be limited.

E. UM-SSW Symposium

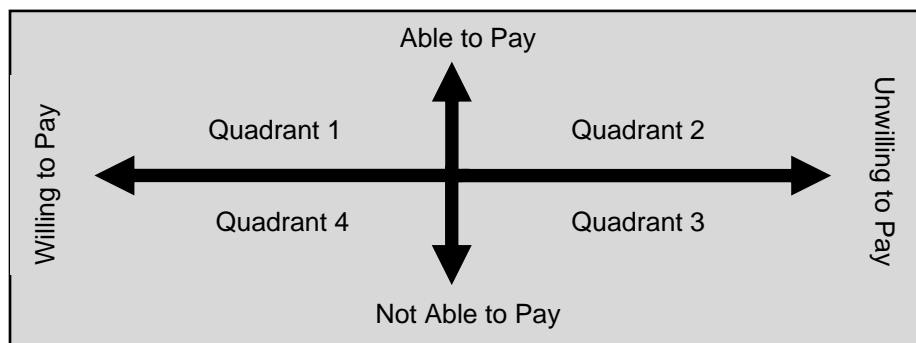
In July 2015, UM-SSW hosted a symposium for UM-SSW research staff, FOC Retooling Grant pilot staff, and members of the PLG. The symposium shared findings from the Retooling Grant as well as two other studies that target the well-being of families:

³¹² A PM Predictor Score of 4 meant that the NCP was paying 80 percent or more of his/her court-ordered obligation.

- *Using Case Stratification to Better Understand Ability and Willingness to Pay Child Support Obligations: Re-Tooling Michigan’s Child Support Enforcement Program*, presented by Sue Ann Savas, Director; Laura Sundstrom, Evaluation Associate; and Meredith Philyaw, Evaluation Associate, Curtis Center Program Evaluation Group;
- *Expediting Paternity and Engaging Families: The Genesee County ADAPT Program*,³¹³ presented by Anthony McDowell, Staff Attorney, Genesee County Friend of the Court; and
- *Technology as a Tool to Engage Dads*, presented by Shawna Lee, PhD, Associate Professor, University of Michigan School of Social Work.

Additionally, UM-SSW researchers facilitated symposium attendee discussions regarding an NCP’s willingness and ability to pay child support as depicted by four quadrants. See Figure 7 below.

Figure 7: “Willingness to pay” quadrants³¹⁴



UM-SSW recorded the attendees’ discussions about NCP characteristics and suggested interactions for each quadrant. Refer to the [UM-SSW Retooling Grant Symposium Report](#) for additional information about the symposium, including notes from the facilitated discussions.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

³¹³ ADAPT is an acronym for “Acquiring DNA and Paternity Timely” and is a pilot program being conducted in Genesee County.

³¹⁴ Initially, the PM pilot was going to use these quadrants for NCP scoring purposes. However, OCS and UM-SSW could not develop a reliable way to determine “willing and able.” Instead, the PM Predictor score compared NCP characteristics to the NCP’s obligation/payment percentage. PM Predictor scores and the quadrants are further explained in IV-D Memorandum 2013-008.

REVIEW PARTICIPANTS:

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SUPPORTING REFERENCES:

Federal
None

State
Michigan Compiled Law (MCL) 552.517(1)(f)
MCL 552.605c(2)

2013 Michigan Child Support Formula 4.02(B)(3)

ATTACHMENTS:

None

EPF/JEM

IV-D MEMORANDUM 2016-028

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: August 22, 2016

SUBJECT: Introducing the Public Version of the MiChildSupport Calculator
and Accompanying Policy Updates

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum introduces the public version of the MiChildSupport Calculator,³¹⁵ which will be implemented in the MiCSES 9.2 Release (August 26, 2016). It also explains updates to policy as well as supporting materials and features created to assist the public in using the public Calculator. The public Calculator will allow non-custodial parents (NCPs), custodial parties (CPs), attorneys, and anyone with access to the Internet to calculate child support per the [2013 Michigan Child Support Formula](#) (MCSF) and the [2013 Michigan Child Support Formula Supplement](#).³¹⁶

Creating a public Calculator is an initiative of the Review and Modification work plan as developed by the Enforcement Work Improvement Team and supported by the Program Leadership Group (PLG). The public Calculator fulfills the child support program's goals to provide the public with the ability to create a support calculation and to provide portability of the Calculator to the courtroom. Implementing the public Calculator is in line with the IV-D program's Strategic Plan to strengthen customer self-service and deliver consistent and innovative services to the IV-D community.

By making accessible to the public the tool that child support staff use regularly, the Michigan IV-D program will make the support calculation process more transparent. Public users will obtain the same results from the public Calculator as IV-D workers who

³¹⁵ There are two versions of the MiChildSupport Calculator. The MiChildSupport Calculator that IV-D workers access through the Michigan Child Support Enforcement System (MiCSES) will be referred to throughout this memorandum as the "MiCSES Calculator." The MiChildSupport Calculator that is available to the public on the MiChildSupport portal will be referred to as the "public Calculator."

³¹⁶ The public Calculator will be updated with the 2017 MCSF revisions in December 2016, and OCS will publish policy in the near future to address those revisions.

use the MiCSES Calculator³¹⁷ if both calculations use the same inputs. This should help those most directly affected by the calculation to better understand and increase their confidence in the calculation results. It will also allow the public to determine possible monthly support amounts without the need to open a IV-D case.

OCS has updated the following sections of the *Michigan IV-D Child Support Manual* with policy related to the public Calculator:

- Section 1.35, “MiChildSupport Portal”;
- Section 3.45, “Review and Modification”; and
- Section 4.20, “Support Recommendations and Order Entry.”

Significant changes to the policy since its last publication are indicated by a change bar in the right margin of the manual sections. OCS has reorganized some of the content; however, reorganized subsections are not indicated by change bars.

OCS also introduces Exhibit 1.35E1, a sample of the *MiChildSupport Calculator Results* printout. This exhibit provides a sample of the results that users may print out after calculating child support using the public Calculator.

DISCUSSION:

A. Overview of the Public Calculator

The public Calculator will be launched on August 26, 2016. Public users and IV-D workers³¹⁸ may access the public Calculator through the [MiChildSupport portal](#).³¹⁹ Users may also access the public Calculator through the [Michigan Department of Health and Human Services \(MDHHS\) Child Support website](#). However, OCS has decided not to publicly announce the initial launch of the public Calculator until other features for saving calculations are implemented. Significant enhancements to the public Calculator are planned for next year. A publicity campaign will accompany the next version of the public Calculator.³²⁰

The public Calculator is available to anyone with access to the Internet. The target audience includes NCPs, CPs, private attorneys, judges and referees. The public Calculator is designed to perform the same mathematical functions as the MiCSES Calculator. If the same data is entered in both the public Calculator and the MiCSES

³¹⁷ IV-D workers who do not use the MiCSES Calculator and calculate results using other third-party applications may produce results that differ from the public Calculator.

³¹⁸ IV-D staff may access the **MiCSES** Calculator remotely if they have remote access to MiCSES. For situations where remote access is not elected by the IV-D office director or has not been approved, the **public** Calculator can be used as a secondary option to address portability needs. Ref: [IV-D Memorandum 2016-013, Remote Access for County IV-D Offices](#) for further information.

³¹⁹ Ref: [Section 1.35, “MiChildSupport Portal,” of the Michigan IV-D Child Support Manual](#).

³²⁰ Ref: Section F of this memorandum for more information.

Calculator,³²¹ the calculation results will be the same. The public Calculator has a similar layout and collects the same information as the MiCSES Calculator.³²² However, OCS tailored the public Calculator's user interface to meet the needs of public users.

OCS recognized that it was important to design an accessible and user-friendly interface. As part of the design process, OCS engaged the services of the Department of Technology, Management and Budget's (DTMB's) e-Michigan team (a group that specializes in improving web content for users) to conduct a Usability Walkthrough for the public Calculator. The purpose of the walkthrough was to solicit feedback on the look and feel of the design and whether the instructions in the public Calculator were clear and easy to follow.

Two groups evaluated the public Calculator in a facilitated walkthrough of each proposed public Calculator screen. One group consisted of NCPs and CPs, and the other consisted of family law attorneys. Both groups provided useful feedback on the instructions and the design of the public Calculator.

OCS reviewed the feedback and made substantial changes to the public Calculator's design, resulting in a much cleaner, more intuitive interface with many help features to assist the public user in inputting data and generating an accurate calculation result.

DTMB requires that all state websites be mobile-responsive, which means that a user can easily view and use a website on a mobile device (e.g., a cell phone or tablet). Due to time and resource constraints, DTMB permitted OCS to develop the public Calculator without full mobile-responsiveness. A user can view the public Calculator on a mobile device; however, it will not be fully functional. OCS will update IV-D workers on future developments on mobile-responsiveness.

The initial version of the public Calculator does not include functionality that will allow users to save their data inputs or the results of their calculation(s).³²³ The data entered by users and presented on the *Results* page will not be retained in the public Calculator or in MiCSES. Adding saving functionality in a future version of the public Calculator is a priority for the PLG and OCS.

B. Help Features and Materials for the Public Calculator

The public Calculator's ability to generate accurate calculation results depends on the user's ability to enter accurate information. Public users will refer to a variety of help features and materials to assist them in inputting accurate data.

³²¹ Ref: [MiCSES Customer Information Guide: CALC – MiChildSupport Calculator](#) for more information about the (MiCSES) MiChildSupport Calculator.

³²² Similar to the MiCSES Calculator, the public Calculator does not calculate spousal support.

³²³ Some users may have browsers on their personal computers that allow them to save only the *Results* page; however, the data inputs cannot be edited.

1. Help features within the public Calculator include:
 - a. A *Welcome* page with helpful hints on how to use the public Calculator;
 - b. Informational icons that will provide additional guidance when the user clicks the icon;
 - c. Multiple links to specific sections of the MCSF; and
 - d. A warning message to alert users before the public Calculator will timeout because of inactivity.

2. Public users will also have access to help materials for the public Calculator from the MiChildSupport portal *Contact Us* page. This page includes a link to contact information for FOC offices.³²⁴ OCS recognizes that this may increase the number of phone calls that FOCs receive. To reduce the need for public users to contact the FOC, OCS created a variety of other help tools that are accessible from the *Contact Us* page, including:
 - a. A [MiChildSupport Quick Start Guide](#) that has helpful information about getting started;³²⁵ and
 - b. [MiChildSupport Frequently Asked Questions](#) (FAQs)³²⁶ that include:
 - 1) A list of solutions to common and complicated questions, issues and scenarios;
 - 2) State Court Administrative Office (SCAO) contact information for users with questions about the MCSF; and
 - 3) Contact information for technical assistance.

3. Future phases of the public Calculator may include the following help materials:
 - a. A *Coming Soon* page on MiChildSupport that alerts users to future planned enhancements;
 - b. An introduction video that will provide a walkthrough of the public Calculator for public users; and
 - c. A demonstration video that will provide a more in-depth walkthrough of the public Calculator for attorneys, judges and referees.

OCS will notify IV-D workers of any updates to help materials and/or new resources for public users via an email notification.

³²⁴ The link to this contact information existed on the MiChildSupport portal prior to the implementation of the public Calculator.

³²⁵ OCS Training Services created and approved the Quick Start Guide and will maintain it. OCS will provide it in a printable format for local offices to print and provide to public users.

³²⁶ OCS Training Services created and approved the FAQ document and will maintain it. OCS will provide it in printed form to local offices.

C. Staff Preparation for the Public Calculator

The PLG and OCS understand that providing this new self-service option for the public will likely generate questions from parents, custodians and attorneys. Users of the public Calculator who are unfamiliar with the MCSF may approach IV-D staff with questions about how to use the public calculator, or they may want to discuss or challenge the results. OCS recognizes that these interactions may be time-consuming, and OCS Training Services has developed resources³²⁷ to assist IV-D staff in responding to public users' questions and concerns. These resources include the Quick Start Guide and FAQs (Ref: Subsection B[2] of this memorandum). These materials are intended to prevent lengthy interactions between the public and IV-D staff who answer phone calls, and will assist staff in answering user questions. Additionally, a webinar³²⁸ will further prepare IV-D workers for many of the questions public users may ask.³²⁹

OCS recommends that IV-D workers familiarize themselves with the public Calculator, review the MiCSES 9.2 Release materials, and review the resources that are available to public users and IV-D workers. If IV-D workers know about the resources for public users, they will be able to direct users to them for answers to their questions. IV-D workers are not expected to guide public users through the public Calculator and the entry of information.

OCS solicited feedback from IV-D workers on the kinds of materials and outreach efforts that would be helpful for public users.³³⁰ OCS continues to look for ways to educate the public, and is open to IV-D workers' suggestions on how to best support public users. IV-D workers can share their ideas by entering Help Desk tickets.

D. Updates to Manual Section 1.35

OCS has updated Section 1.35 of the *Michigan IV-D Child Support Manual* to add a Subsection 5, "MiChildSupport Calculator," with information about the following:

- The availability of the public Calculator on the MiChildSupport portal and on the MDHHS Child Support website,³³¹
- The help features (e.g., informational icons, MCSF hyperlinks) provided within the public Calculator;

³²⁷ IV-D workers may need to update their local office's materials as a result of the public Calculator and its supporting materials.

³²⁸ Ref: the MiChildSupport Public Calculator Webinar, which will be recorded and saved to the [Webcasts](#) page on mi-support.

³²⁹ OCS will announce updates to these materials and newly available information about the public Calculator through an email notification.

³³⁰ OCS sent an [email notification on March 11, 2016](#) to prepare IV-D staff for the public Calculator. The email notification requested IV-D staff's ideas regarding outreach efforts and materials to provide to the public. OCS has incorporated the responses received from IV-D staff.

³³¹ The link to the public Calculator on the MDHHS Child Support website will appear in the right navigation bar in the list of options under the "How Do I" button. The link "Calculate Child Support" will appear after "Start a Case" and before "Get Parenting Time."

- The help materials available on the MiChildSupport portal to assist public users;
- The materials and/or training provided to IV-D partners to assist them in answering questions from public users;
- A description of the *MiChildSupport Calculator Results* printout (Ref: Exhibit 1.35E1).³³²
- The differences between the public Calculator and the MiCSES Calculator, with a reference to a job aid for more information;
- An explanation of the timeout feature and warning in the public Calculator; and
- Future enhancements, such as a *Coming Soon* page.

References to subsections were also updated throughout the manual section.

E. Updates to Manual Sections 3.45 and 4.20

OCS has updated Section 3.45 of the *Michigan IV-D Child Support Manual* to alert IV-D workers that an NCP or CP may bring a calculation result³³³ from the public Calculator to support a request for a review. Whether or not an NCP or CP does this, IV-D workers must follow all steps consistent with law and policy for determining whether to initiate a review.³³⁴ Other updates to Section 3.45 include the following:

- If a private attorney requests that a local office provide a support calculation and/or a recommendation for a non-IV-D case, IV-D workers may refer the private attorney to the public Calculator; and
- IV-D workers may use the MiCSES *Order Preparation and Entry* (OPRE) and *Enforcement Forms Matrix* (ENFM) screens to prepare and enter the recommendation and/or order.³³⁵

OCS updated both Sections 3.45 and 4.20 to state that NCPs or CPs or their attorneys may use public Calculator results as the basis for a stipulated agreement because the public Calculator produces results using the MCSF. If IV-D workers have evidence that the information used to create the calculation was not consistent with the MCSF, they must complete a calculation to properly determine whether the stipulation is, and the resulting order will be, a deviation.

³³² Users can print the *Results* page(s) in this initial version of the public Calculator; however, the printout will look different than the *Calculation Results* (CALCRSLT) template provided in the MiCSES Calculator. Additionally, users will not be able to save their calculation data or results in the public Calculator at this time. Ref: the job aid [MiChildSupport Calculator Terminology](#) for more information on the differences between the terminology used within the public Calculator and the MiCSES Calculator.

³³³ The placement of data in the header and footer of the public Calculator's printed *Results* page will vary depending on which browser was used to print it. The data and format of the information in the body of the *Results* page will not vary.

³³⁴ Section 3.45 explains that IV-D workers must follow law and policy, as described in Subsection 4, "Requirement to Open a Review," and Subsection 5, "Circumstances in Which a Review May Not Be Appropriate," when deciding whether to grant or deny a request for review.

³³⁵ Ref: the [MiCSES 9.1 Release Notes](#) and the [MiCSES Screen Description: ENFM – Enforcement Forms Matrix](#).

In addition, Sections 3.45 and 4.20 were updated to address IV-D workers' remote use of the public Calculator. To comply with federal documentation requirements and to achieve an overall streamlined process, IV-D staff must document and maintain information concerning established support orders in MiCSES.³³⁶ Therefore, IV-D staff should use the MiCSES Calculator to calculate child support. However, OCS recognizes that some IV-D staff may need to complete a calculation in the courtroom or in another remote location.

In counties where remote access³³⁷ to MiCSES is available, IV-D workers must not use the public Calculator instead of the MiCSES Calculator. The public Calculator is an alternative option when remote access is not available.

F. Future Enhancements and Outreach

OCS, with PLG support, is planning enhancements to the public Calculator that will provide users with more options. The first of these enhancements will add functionality to allow users to save and edit a calculation.³³⁸

Because of the delay in implementing the save and edit functionality, OCS will not be creating or providing any type of marketing materials (e.g., envelope fillers, pamphlets, etc.) to announce the public Calculator to the public at this time. Likewise, OCS does not recommend that local offices do a full-scale publicity campaign at this time. OCS envisions that news of the public Calculator will be spread by word of mouth or Internet searches. Additionally, local offices may inform public users informally and share the Quick Start Guide and FAQs as the office manager deems appropriate.

Plans for a more robust publicity campaign will be announced next year.

NECESSARY ACTION:

Review Sections 1.35, 3.45 and 4.20 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual sections and add them to the manual. Discard the previously published versions of Section 1.35 (published February 29, 2016), Section 3.45 (published November 9, 2015) and Section 4.20 (published May 27, 2015).

REVIEW PARTICIPANTS:

Enforcement WIT
LG41 JAD Participants
Case Management WIT

³³⁶ Ref: 45 CFR 307.10(6)(4)(iv).

³³⁷ Ref: IV-D Memorandum 2016-013 for more information about remote access.

³³⁸ This enhancement is intended to be delivered in 2017.

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SUPPORTING REFERENCES:

Federal
45 CFR 307.10(6)(4)(iv)

State
None

ATTACHMENTS:

Section 1.35:	MiChildSupport Portal
Exhibit 1.35E1:	Sample <i>MiChildSupport Calculator Results</i> printout
Section 3.45:	Review and Modification
Section 4.20:	Support Recommendations and Order Entry

EPF/VPW

IV-D MEMORANDUM 2016-029

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff
All Prosecuting Attorney (PA) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: August 22, 2016

SUBJECT: Updates to *Michigan IV-D Child Support Manual* Section 3.50,
“Case Closure”

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces updates to *Michigan IV-D Child Support Manual* Section 3.50, “Case Closure.”

Section 3.50 was revised to:

- Clarify case closure policy changes since March 2015;
- Address case closure enhancements and fixes scheduled for the Michigan Child Support Enforcement System (MiCSES) 9.2 Release on August 26, 2016;
- Discuss the appropriate use of manual case closure reason codes and its impact on the Self-Assessment audit;
- Update the case closure criteria for the “CE – Arrears Less Than \$500, No Current Support Obligation” reason code, and explain the reinstatement of this code into MiCSES;
- Update the case closure criteria for various MiCSES reason codes;
- Discuss the updates to the batch for the case-type monitoring process and how they have affected case closure since the MiCSES 8.3 Release (February 22, 2013);
- Clarify the closure requirements for non-IV-D cases with recovery accounts;
- Clarify the closure requirements that IV-D staff must validate for a IV-D case if an adoption is pending or final; these include Michigan Statewide Automated Child Welfare Information System (MiSACWIS) closure criteria; and
- Clarify closure requirements for reconciling parties.

Section 3.50 also incorporates policy previously published in IV-D Memorandum 2015-009, *Enforcement Activities and Automated Case Closure*. This publication of Section 3.50 obsoletes IV-D Memorandum 2015-009.

In addition, the three exhibits from Section 3.50 were updated:

- Exhibit 3.50E1, IV-D Case Closure Matrix, now contains modified descriptions for several case closure reason codes;
- Exhibit 3.50E2, IV-D Case Closure Debt Type Matrix, now includes recovery debt types. MiCSES uses these debt types when calculating the \$500 federal arrearage threshold for IV-D case closure for the “CE” reason code; and
- Exhibit 3.50E3, Case Closure Reason Codes That Require Notice, has been updated with only minor wording changes for clarification.

In Section 3.50 and in its exhibits, a change bar in the right margin indicates significant changes since the previous publication of the policy. Some of the content in Section 3.50 has been reorganized, but reorganized subsections are not identified with change bars. Content incorporated from IV-D Memorandum 2015-009 is not indicated with a change bar unless it has significant changes.

Finally, this IV-D Memorandum announces the temporary removal of the *Automatic Closure for Inactive IV-D Cases* (ACIC) batch process from the batch schedule in April 2015 due to issues it causes with the case closure process.

DISCUSSION:

A. Policy Clarifications in Section 3.50

OCS updated Section 3.50 with several policy changes that occurred since the last publication of the manual section in March 2015. These changes were communicated to IV-D partners through email notifications and Frequently Asked Questions (FAQs) and have now been added to Section 3.50. They are discussed below.

1. Hierarchy to Determine the IV-D Case Closure Reason When a Case Automatically Closes

Case closure Joint Application Design (JAD) participants identified a need to develop a hierarchy for automated case closure in order to determine what reason code should be used when multiple case closure reasons exist. Section 3.50 was updated to explain the hierarchy. When a IV-D case is eligible for automatic closure for more than one closure reason, MiCSES’ automatic case closure process selects a reason code according to the following hierarchy:

- a. Non-Custodial Parent (NCP)/Putative Father (PF) Deceased (“EZ” reason code);

- b. Custodial Party (CP) Deceased (“CD” reason code);
- c. All other reasons in alphabetical order, except when there is an emancipated or deceased child (“CA” reason code); and
- d. Emancipated or Deceased Child (“CA” reason code).

2. No Viable Reason for IV-D Services

Section 3.50 clarifies when a IV-D case can be closed following the entry of an order of adoption or when an individual’s parental rights are terminated. When an order for adoption is entered, the IV-D case associated to the parents whose rights have been terminated no longer qualifies for IV-D services, even if arrearages exist. Additionally, when a court terminates both an individual’s parental rights *and* his/her support obligation, the IV-D case no longer qualifies for IV-D services.

3. Parties Reconcile

Section 3.50 has been updated to include information about when parties are considered to be reconciled and to clarify that the IV-D case may not close until the assistance case has closed. Additionally, policy has been updated to clarify which case closure reason code to use when parties who do not receive public assistance reconcile and paternity is established, or when the parties reconcile and are uncooperative in non-public assistance cases.

4. Non-IV-D Cases Appearing on Case Closure Reports³³⁹

Section 3.50 clarifies when a non-IV-D case appears on the *IV-D Case Closure* (CC-001) report and the *Open/IV-D Case Closed (Type L)* (CC-002) report. A non-IV-D case closes immediately and does not display on the case closure reports unless the non-IV-D case has IV-D arrears or is an active enforcement case.³⁴⁰

5. Interstate Case Reconciliation (ICR) Process Pausing IV-D Case Closure

When the ICR process closes a IV-D case with the “WI – Initiating State Requests Closure” reason code, it automatically pauses IV-D case closure for a total of 90 days (the standard 60-day notice period plus 30 additional days) to give IV-D staff time to complete any required case closure activities. No additional manual pausing is available.

³³⁹ Ref: [Business Objects Report Description: IV-D Case Closure \(CC-001\)](#) or [Business Objects Report Description: Open/IV-D Case Closed \(Type L\) \(CC-002\)](#).

³⁴⁰ If the case/docket does not have any active enforcement remedies in progress, the message “Case Not Currently in Enforcement” will display.

6. Intergovernmental Case Closure and the Child Support Enforcement Network (CSENet)

For intergovernmental cases, the weekly closure process automatically closes the *Intergovernmental Information* (ISIN) screen record at the same time the IV-D case closes if there are no pending CSENet transactions on the *Intergovernmental Correspondence* (ICOR) screen with a status of “Received,” “Outbound” or “Error” that require a response.

7. Removal of Cases That No Longer Meet Criteria for IV-D Case Closure, and How to Reopen Cases Closed in Error

Section 3.50 discusses how IV-D staff can manually remove IV-D cases from case closure and reopen cases that IV-D staff **manually** closed in error. (This does not allow staff to manually remove IV-D cases from **automatic** closure.)

IV-D staff will set the *IV-D Case Stat* field on the *Case Member Details* (CASE) screen to “O – Open.” This action will clear out the *Case Status RC*, *60-Day Notice DT*, and *Est Close DT* fields on the CASE screen. It will also do the following:

- If the IV-D case is within the 60-day notice period, it will stop the IV-D case from closing.
- If the IV-D case is already closed, it will reopen the IV-D case and send the parties a letter informing them that the case has reopened.

8. Working Bench Warrants Without an *Enforcement Processor* (ENFP) Screen Activity Chain on the CC-001 Report

Case closure reports developed in 2015 were intended to alert IV-D staff if a bench warrant was recorded in MiCSES on a case scheduled for closure. IV-D staff noted that not all cases with bench warrants were easily identifiable on the report. Section 3.50 has been updated to ensure IV-D staff are able to properly address bench warrants before case closure.

IV-D staff must review cases pending full MiCSES case closure and resolve any bench warrants to ensure their removal from the *Law Enforcement Information Network* (LEIN) before full MiCSES case closure to prevent erroneous arrests. In some cases, bench warrants do not associate to a corresponding ENFP screen activity chain. These are called “BWNT-type” bench warrants. BWNT bench warrants can be identified by using the CC-001 report.

When reviewing the CC-001 report, a “Yes” in the “Bench Warrant?” column indicates that an active *Show Cause Bench Warrant* (SCBW), *Show Cause*

Medical Insurance (SCMI), and/or Parenting Time (PART) warrant exists on the Bench Warrant (BWNT) screen.

9. Enforcement Activities Identified on the Case Closure Reports

Section 3.50 has been updated to clarify that columns marked with a “PC” (prevents closure) and highlighted in yellow on the CC-001 and CC-002 reports indicate the presence of enforcement activities that prevent full MiCSES case closure. IV-D staff must work IV-D cases marked with “PC” on the reports to fully close the MiCSES cases.

10. Closing Non-IV-D Cases with Recovery Accounts

Section 3.50 has been updated to clarify policy for closing non-IV-D cases that only have account balances with recovery account debt types (debt types owed to the state, the county, or the Michigan State Disbursement Unit (MiSDU)). FOC staff may request assistance from MiSDU staff to fully close non-IV-D cases with recovery debt types.

Additionally, IV-D staff may reopen a closed case if the case qualifies for IV-D services and the court order number associated to the IV-D case has not changed. FOC staff must manually reinstate the recovery account arrears on these cases.

11. Updates to Case Closure Reason Codes and Criteria

Section 3.50 has been updated to reflect changes to the criteria for the following case closure reason codes:

- CA – All Child(ren) Emancipated or Deceased, No Court Action Referral (CAR)/Order

To prevent IV-D staff confusion and to more appropriately describe the reason for closure, OCS has changed the “CA” closure reason code description to “All Child(ren) Emancipated or Deceased, No CAR/Order.”

Exhibit 3.50E1 has also been updated to reflect this change.

- CE – Arrears Less Than \$500, No Current Support Obligation

In addition to modifying the definition of current support order, OCS has updated the “CE” closure reason code to close IV-D cases that have active public assistance, but all children have emancipated.

- LX – NCP Not Located in Three Years

The Program Leadership Group (PLG) reviewed the last payment validation check for the “LX” closure reason code and determined that it should match the length of time used in the “CE” reason code.

OCS has updated the “LX” closure reason code so that if a payment has been received on the IV-D case within the last 15 months, the case will not close for this condition.

- WY – Non-IV-D Case, Arrears Less Than \$500, No Payment for Six Months

The closure criteria for this condition previously only considered spousal support obligations. The criteria have been changed to consider all obligations.

- XJ – NCP Incarcerated

The closure criteria for this condition have been updated to only close IV-D cases where the NCP is currently incarcerated with a release date in the future that is later than the date that the youngest child will reach the age of majority. This will prevent the closing of IV-D cases where the release date was in the past.

Incarceration does not prohibit the establishment of paternity. Therefore, the closure criteria for this condition have been updated to require that at least one dependent on the IV-D case must have paternity established before the case can close for the “XJ” closure reason code.

B. MiCSES 9.2 Release Case Closure Enhancements and Fixes

OCS has updated Section 3.50 with policy changes that will occur as part of the MiCSES 9.2 Release. These are discussed below.

1. Case Closure Enhancements (“ENFP Fix”)

When the IV-D worker or MiCSES updates the IV-D case status to “M” (Case Eligible for Closure), the ENFP screen prevents workers from updating any of the enforcement major activity chains on the case. While the case closure process does not require that these chains be worked, workers may wish to close or continue active enforcement on the case. System changes in the MiCSES 9.2 Release will allow MiCSES and its users to work enforcement chains with an “M” status.

2. Cases With a “WY” (Non-IV-D Case, Arrears Less Than \$500 and No Payment in Six Months) Reason Code Not Closing

There are cases in MiCSES that have a last charge accrual date of 12/30/9999 instead of the system high date of 12/31/9999. The 12/30/9999³⁴¹ date causes the closure process to interpret that these cases have future charges. This prevents the selection of non-IV-D cases that may be eligible for the “WY” closure reason.

The MiCSES 9.2 Release will correct the incorrect high date on non-IV-D cases (change 12/30/9999 to 12/31/9999), allowing the cases to close if they are eligible to close with the “WY” reason code.

3. Non-IV-D Cases With Arrears Greater Than \$500, Closing in Error With the “WY” (Non-IV-D Case, Arrears Less Than \$500 and No Payment in Six Months) Reason Code

When looking to see if the case has less than \$500 in arrears, MiCSES only considers spousal support arrears. This causes cases with more than \$500 in arrears associated to non-spousal support debts to close in error with the “WY” code.

The MiCSES 9.2 Release will fix the case closure eligibility criteria for the “WY” code so MiCSES will look at the *case balance* (including arrears) for all debt types. MiCSES will put the non-IV-D case into closure only when the case no longer has any qualifying arrears totaling more than \$500.

4. Notices of Case Closure Are Sent Out in Error

When cases are put into automated or manual closure and they require a 60-day notice, the case closure process queues up the notice. Currently, if MiCSES fails to send a notice (e.g., due to no valid address, required information missing, etc.), the batch process attempts to send a new notice every night for a total of 45 nights until the correction is made. If the case reopens during this time, and the address information is corrected, MiCSES still sends the notice even though the case is no longer pending closure.

With the MiCSES 9.2 Release, MiCSES will stop sending the 60-day notice in this situation.

5. Re-evaluation of Case Closure Type “M” (IV-D Case Status – Case Ready for Closure) Cases That Were Expected to Go to “L” (Non-IV-D Case Status)

The case closure process selects the type of closure (IV-D case closure vs. full MiCSES case closure) at the time the case qualifies for a closure reason. Once MiCSES selects a IV-D closure type for that case, the closure type will not change until the IV-D case closes, even if there is a change in case conditions

³⁴¹ This date was used by the Child Support Enforcement System (CSES), which predated MiCSES.

(e.g., arrears removed, new activities, etc.) that would modify the reason for closure. Similarly, if MiCSES selects full case closure, cases will remain in an “M” case status instead of changing to IV-D case closure, even if there is a change in case conditions that would modify the reason for closure (e.g., arrears added, but less than \$500 for a “CE” closure).

Beginning with the MiCSES 9.2 Release, the closure process will reevaluate the closure type when it runs for each case. This will resolve two issues:

- When workers address issues preventing closure on cases that are pending IV-D closure, they will be able to tell when the issues preventing closure are resolved because the closure type will switch from “pending IV-D closure” to “pending full MiCSES closure”; and
- When a case is “pending full MiCSES closure” and a new activity that prevents closure is identified (e.g., new arrears, new charges, etc.), the case will change to “pending IV-D closure” instead of remaining at an “M” status indefinitely.

6. Automated Closure of Duplicate Cases

The automated process for closing duplicate cases identifies cases that contain the same member ID for the CP and dependent and the same gender for the NCP, or cases that contain the same member ID for the CP and NCP but a different dependent.³⁴² When the process identifies duplicate cases, it looks at each case and closes a case only if there are no open orders, active court action referrals (CARs), or major activities that prevent closure.

OCS management approved the temporary removal of the *Automatic Closure for Duplicate IV-D Cases (ACDC)* batch process from the batch schedule in April 2015 due to issues with case closure and the ACDC batch.³⁴³ The batch closed cases but not the associated activity chain (ACDC), causing some IV-D cases to be placed in a noncooperation status.

The MiCSES 9.2 Release will correct the ACDC batch, allowing it to close activities correctly. After this correction is made, BATCH_ACDC will be added to the batch schedule, which may cause a slight increase in case closures.

7. “PG” Code Functionality Enhanced

The “PG” reason code identifies cases for closure when the children no longer reside with the CP. This code indicates that all children on the IV-D case are out

³⁴² Shared dependents are not required for MiCSES to consider IV-D cases to be duplicates for automatic closure.

³⁴³ Ref: the June 2, 2015 notification [Case Closure Updates](#) for information on changes to the case closure process in the MiCSES 8.12 Release (June 5, 2015).

of the CP's home, that arrears are less than \$500, and that there have been no payments in the last six months.

The MiCSES 9.2 Release will enable closure of cases for the "PG" reason code if a case meets the existing criteria, **or** it meets the following conditions:

- All children are out of the CP's home; and
- Arrears are less than or equal to \$0.

This will allow workers to close cases when there is an arrears payment in full rather than wait six months after the last payment and there are no payments due.

C. Historical Summary of MiCSES Case Closure Updates in 2015

1. "CE" Case Closure Reason Code (There Is No Longer a Current Support Order and Arrears Are Under \$500)

After the MiCSES 8.11 Release on March 6, 2015, MiCSES selected cases with zero support orders and orders with medical insurance or cash medical provisions for pending closure by applying the federally permitted "CE" reason code.

MiCSES sent *Notice of Rescission/Termination of Health Care Coverage* (FEN308) forms to CPs, NCPs, and employers on those cases. However, the wording on the FEN308 did not explain case closure and was confusing to employers, resulting in terminations of medical insurance for the child(ren). Although the IV-D case in this situation is pending closure, the court order for medical insurance remains in effect until that court order closes. Although the *National Medical Support Notice* (NMSN) is a IV-D-only enforcement remedy and consequently, some version of the FEN308 would be proper upon IV-D case closure, OCS and the State Court Administrative Office (SCAO) jointly decided not to send the FEN308 in such situations. (Ref: Subsection 9.1 of Section 3.50 for additional information.)

- a. Removal of the "CE" Reason Code and Review of "CE" Criteria

On April 17, 2015, OCS removed the "CE" reason code from the case closure batch process.³⁴⁴ This prevented MiCSES from selecting these types of cases for closure and sending out the associated FEN308. However, while the "CE" reason code was inactive, the throttling³⁴⁵ of 60-day case closure notices

³⁴⁴ Ref: The April 17, 2015 notification ['CE' Case Closure Reason Code Temporarily Removed to Address Zero Support Order Issue](#) for more information.

³⁴⁵ Throttling regulates the rate at which application processing is conducted. In the instance cited, throttling reduced the generation of 60-day notices sent to customers because all notices were not mailed

continued for other qualifying closure reasons. Shortly thereafter, OCS convened an expedited JAD group to address this and other concerns.

While the “CE” closure reason code accounts for the majority of cases identified for closure during the case closure throttle period, only a small subset of these cases are zero support orders or orders with medical insurance or cash medical provisions. The JAD group reviewed and recommended changes to the criteria for the “CE” closure reason code and the language on the FEN308. They also drafted a letter to employers and case members who received FEN308s for the affected cases.³⁴⁶

Upon reviewing the “CE” closure criteria, OCS determined that a modification of the definition of current support order was needed. The original definition of a current support order was an order with any one of the following conditions:

- The review and modification date is before the date the youngest active, non-deceased dependent reaches the age of majority;
- A payment has been made in the last six months;
- The order balance is greater than \$1 for any support obligation;
- There is a currently charging support obligation; or
- There is a future charging support obligation.

To address the need to allow zero support orders and orders with medical provisions to remain open, the PLG endorsed adding the following conditions to the definition of a current support order when MiCSES applies the “CE” code:

That at least one minor child exists, and the order:

- Is a zero support order; or
- Contains a provision for medical insurance for one or both parties; or
- Contains a provision for cash medical support.

If a IV-D case meets any one of the conditions for a current support order, then it will not close for the “CE” closure reason code.

In addition, the PLG had concerns that the length of time for the last payment validation check in MiCSES was too short, and they reviewed several options. The PLG decided to extend the last payment validation check from six months to 15 months for the “CE” reason code. This validation check will remove cases from consideration for closure when there are regular or yearly

at one time. Instead, OCS mailed the same number of notices weekly over an agreed-upon period of time.

³⁴⁶ For more information, reference [IV-D Memorandum 2015-014, Letter to Employers, Non-Custodial Parents \(NCPs\), and Custodial Parties \(CPs\) Regarding Notice of Rescission/Termination of Health Care Coverage \(FEN308\) Mailing Error.](#)

payments. The PLG also extended this timeframe to allow the opportunity for tax refund offsets.

b. Reinstatement of the “CE” Reason Code in MiCSES

On June 7, 2015, the MiCSES 8.12 Release updated the “CE” reason code criteria and added the “CE” closure code back into the automatic case closure batch process. The throttling of 60-day notices picked up where it left off in May 2015. The closure process started selecting IV-D cases again for the “CE” reason code and setting them to pending closure. Regardless of the date on which the throttled 60-day notices were mailed, none of the IV-D cases closed until the end of September 2015.

After the MiCSES 8.12 Release, there was a new issue that affected the “CE” reason code. MiCSES counted a IV-D case as having a zero support order, insurance ordered, or cash medical support ordered even if the support order that had those conditions was closed. This caused approximately 500 IV-D cases to reopen that should have remained closed.

The MiCSES 8.12.1 Release on July 10, 2015 fixed this problem and reclosed the 500 IV-D cases. Participants on these IV-D cases received an additional IV-D case closure notice when their IV-D case reentered the case closure process. No further issues with the “CE” reason code have been identified at this time.

Note: Once a IV-D case appears as “M – Case Eligible for Closure” on the CC-001 report, IV-D staff do not have to manually close the *Support Order Entry* (SORD) record. The case closure process will automatically close the SORD record when the MiCSES case closes.

2. Post-MiCSES 8.3 Release Work

a. Updates to the Batch Case-Type Monitoring Process

Prior to the MiCSES 8.11.2 Release on May 1, 2015, reevaluation processing (the process of moving a case type from non-IV-D to IV-D) set a MiCSES case to “L – Non-IV-D.” Then the batch case-type monitoring process immediately changed it back to a IV-D case type when a MiCSES case had any of the following:

- Current public assistance;
- Former Family Independence Program (FIP) assistance;
- Foster care assistance; or
- Arrears.

Starting with the MiCSES 8.11.2 Release, when a IV-D case is closed and becomes a non-IV-D case, the case-type monitoring process does not change the case back to a IV-D case unless the following occurs:

- A new type of assistance is received; or
- A new IV-D application date is entered after the IV-D case was closed.

A IV-D case is ineligible to be reopened by the case-type monitoring process if it has been closed for any of the following case closure reason codes:

- CA – Child(ren) Emancipated or Deceased, No CAR/Order;
- CD – CP Deceased;
- EZ – NCP/PF Deceased;
- EX – PF Excluded – Unable to Establish Paternity;
- GG – Good Cause Approved;
- XD – NCP Disabled;
- XI – NCP Incapacitated; or
- XJ – NCP Incarcerated.

Section 3.50 has been updated with this case-type monitoring information.

b. *Automatic Closure for Inactive IV-D Cases (ACIC) Batch*

The ACIC batch encountered problems with improperly closing zero support orders and closing cases but not the associated *Support Specialist Case Activity* (SSACT) chain, causing some IV-D cases to be placed in a noncooperation status. OCS removed the batch job from the batch schedule after the April 20, 2015 batch run.

Help Desk ticket 474162 was created to fix the problem with the ACIC batch process. Until OCS approves and fits this ticket into a release, MiCSES will not run the ACIC batch, therefore delaying the closing of inactive cases.

D. Recovery Account Debt Types

When OCS implemented changes to the case closure process in March 2015, MiCSES functionality did not include recovery account debt types when calculating the \$500 federal arrearage threshold for IV-D case closure. As a result, MiCSES was closing IV-D cases with recovery account arrears balances in excess of the \$500 federal arrearage threshold.

MiCSES identifies recovery accounts as support debts owed by the NCP under the original court order for payments that were never made.³⁴⁷ The inclusion of recovery debt types as support debt for case closure purposes began on June 5, 2015.

³⁴⁷ Ref: [Action Transmittal 2005-023, REVISED: Use of State Make Whole Funds.](#)

Exhibit 3.50E2 was updated to include the following recovery debt types:

- RB: Recovery – Bank Adjustment Transactions;
- RD: Recovery – MiSDU Make Whole;
- RM: Recovery – Misapplied Payments;
- RS: Recovery – State Make Whole; and
- RT: Recovery – Internal Revenue (IRS) Tax Adjustment.

NECESSARY ACTION:

For those maintaining a hard copy of the *Michigan IV-D Child Support Manual*, print Section 3.50 and the updated exhibits and add them to the manual. Discard the previously published version of Section 3.50 (published March 2, 2015).

Section 3.50 obsoletes IV-D Memorandum 2015-009.

REVIEW PARTICIPANTS:

PLG
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Enforcement Work Improvement Team
Financial Work Improvement Team

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ATTACHMENTS:

- Section 3.50: Case Closure
- 3.50E1: IV-D Case Closure Matrix
- 3.50E2: IV-D Case Closure Debt Type Matrix
- 3.50E3: Case Closure Reason Codes That Require Notice

EPF/SAZ

IV-D MEMORANDUM 2016-030

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: October 4, 2016

SUBJECT: Introduction of *Michigan IV-D Child Support Manual* Section 4.03, "Agency Complaints"

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum introduces Section 4.03, "Agency Complaints," of the *Michigan IV-D Child Support Manual*. This section incorporates existing policy on agency complaints, including policy from Action Transmittal (AT) 2003-006, *Agency Complaint Signatures*.

There are significant updates throughout the Agency Complaints policy since its last publication; therefore, no change bars appear in the right margin of Section 4.03 to indicate significant policy changes.

This memorandum also introduces an updated table of contents for the *Michigan IV-D Child Support Manual*. Section 4.03, "Agency Complaints," has been added, along with asterisks at the end of the section title, to indicate the availability of this new manual section.

DISCUSSION:

A. Background

An agency complaint is filed by an attorney representing the Michigan Department of Health and Human Services (MDHHS) on behalf of a minor child. A PA must consider filing an agency complaint in the following situations:

- The custodial party (CP) of a child who receives benefits³⁴⁸ on behalf of that child fails to meet the public assistance eligibility requirement to cooperate with the child support program;³⁴⁹
- The child is active on a foster care (agency placement) case; or
- The court case proceedings need to be expedited.

The Establishment Work Improvement Team (EST WIT) researched the use of agency complaints across the state and discovered that counties were using different procedures for agency complaint filings. Some counties were not using agency complaints due to a lack of understanding, confusion, or a lack of training, while other counties were using agency complaints on a daily basis.

The EST WIT determined that a uniform process would benefit IV-D service recipients statewide and would likely increase the IV-D program's ability to meet the required federal timeframes for case processing. The EST WIT then compiled recommendations for an agency complaint process and submitted them to the Program Leadership Group (PLG). In 2013, the PLG approved the recommendations. OCS has now incorporated them into Section 4.03.

B. Updates to Agency Complaint Policy in Section 4.03

When a CP is receiving public assistance on behalf of a minor child, and the CP fails to cooperate with the child support program in establishing paternity and/or a child support order, the PA has two options. The PA may:

- Place the CP into “noncooperation” status; or
- Keep the CP in “cooperation” status and file an agency complaint against the CP on behalf of the minor child.

Note: When the PA determines that there is sufficient information to move forward by filing an agency complaint, the PA must not place the CP in noncooperation status.

1. Required Information for Filing an Agency Complaint

Adequate information about the CP, the non-custodial parent (NCP), and the child(ren) must be available to ensure the establishment of appropriate obligations and a legally viable support order. Section 4.03 lists recommended identifying information that the PA should gather to prepare the court case and file an agency complaint. It also includes financial information that the PA must collect for IV-D staff to establish a child support order amount.

³⁴⁸ Family Independence Program (FIP), Medicaid, Food Assistance Program (FAP), and/or Child Development and Care (CDC)

³⁴⁹ Ref. [Section 2.15, “Cooperation/Noncooperation/Good Cause,” of the Michigan IV-D Child Support Manual.](#)

2. Court Order Caption for Agency Complaints

The IV-D program recommends that PAs use the following court order caption for agency complaints:

State of Michigan *Ex Re*³⁵⁰
Plaintiff (list the CP)
Defendant (list the NCP)

Section 4.03 explains the benefits for using this caption on the order. The manual section also describes how the PA will indicate in the Michigan Child Support Enforcement System (MiCSES) that a case is filed as an agency complaint.

3. Court Filing and Signature Requirements

In accordance with Michigan Compiled Law (MCL) 552.451b and MCL 722.714, the MDHHS director has designated PAs who perform IV-D work to be the agency representative for verification and signature when filing an agency complaint.³⁵¹ As the designated MDHHS representative, the PA must verify that all of the necessary factual elements required for a valid complaint are true, based on his/her knowledge of those facts. Section 4.03 contains a list of all the elements that PAs must verify when filing an agency complaint and sources that the PA may use to complete verification of the information.

The PA who performs IV-D work in the county in which the action is filed must sign the complaint. The PA signature on the agency complaint indicates the complaint is valid, and also indicates verification of the receipt of public assistance, the jurisdiction, and the venue.

The signature options provided in AT 2003-006 must no longer be used. The EST WIT investigated the counties' use of these options for signatures and found inconsistency among the local offices. Some counties had the local MDHHS office's designated staff person sign the complaint, while other counties mailed the complaints to the support specialist assigned to their county for signature. The EST WIT could not verify which counties use a rubber stamp, whose signature is on the rubber stamp, or what kinds of controls are implemented for the use of the rubber stamp. Some counties indicated they use the "electronic" signature of their county-designated support specialist, although OCS has not implemented an electronic signature process. For consistency among counties, these methods must be discontinued and replaced with the PA's signature.

³⁵⁰ "Ex rel" is an abbreviation of the Latin phrase "ex relatione" meaning "by the relation of" or "on behalf of." It is a legal term most commonly used when a government brings a cause of action upon the request of a private party who has some interest in the matter.

³⁵¹ On September 26, 2016, MDHHS Director Nick Lyon approved and authorized the PAs who perform IV-D work to file agency complaints for child support actions on behalf of children supported, in whole or in part, by public assistance and for whom a IV-D case is open. Ref: [Exhibit 4.03E1](#) for a copy of the authorization letter.

4. Recommended Court Filing Language

Section 4.03 includes OCS-recommended language for inserting into court filings to indicate the designation of the PA as an agency representative.

NECESSARY ACTION:

Review Section 4.03 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual section and its exhibit and add them to the manual.

Section 4.03 obsoletes AT 2003-006.

REVIEW PARTICIPANTS:

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CC: None

SUPPORTING REFERENCES:

Federal
None

State
MCL 552.451b
MCL 722.714

ATTACHMENTS:

Section 4.03:	Agency Complaints
Exhibit 4.03E1:	MDHHS Director's Letter Delegating Agency Complaint Filing Authority for Child Support

Michigan IV-D Child Support Manual Introduction and Table of Contents

EPF/AER

IV-D MEMORANDUM 2016-031

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: October 14, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Announcement of the Availability of IV-D Funding for the Establishment of Custody/Parenting Time, and the Program Leadership Group (PLG) Policy Statement Regarding Parenting Time

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces the availability of IV-D funding for the establishment of custody and parenting time provisions with a first-established child support order.³⁵² It also provides direction to IV-D staff about the use of IV-D funds for the establishment of custody and parenting time provisions in initial child support orders.

This memorandum also introduces Exhibit 2016-031E1, Program Leadership Group (PLG) Policy Statement – Parenting Time in Support Orders, which provides IV-D staff with additional information on the PLG’s mission, legal authorities, and strategy for implementing the establishment of parenting time. This PLG statement was written and approved by PLG members.

DISCUSSION:

After much research, discussions with other states, and reviews of federal directives, OCS determined that the establishment of parenting time provisions with first-established child support orders is eligible for IV-D funding in certain circumstances.

The inclusion of parenting time provisions with first-established child support orders is in line with the Michigan Child Support Program’s Strategic Plan goals. Specifically, it aligns with the goals of:

³⁵² A first-established child support order is the first initial child support order created for the child(ren), and it could be a temporary or final order. This applies to child support orders for which Michigan has the jurisdiction to address custody and parenting time.

- Parenting Time by promoting healthy family relationships through parental engagement; and
- Customer Service by delivering services in an effective manner. By including specific and enforceable parenting time provisions in the first-established order, the need for later modifications to the parenting time order will be reduced. It will also reduce the amount of parental conflict and additional work for FOC staff in enforcing the order.

Exhibit 2016-031E1 is for readers to interpret. Any IV-D office not currently establishing parenting time with the first-established order is encouraged to begin doing this important work.

A. IV-D Funding Related to Custody and Parenting Time Establishment

Section 467 of the Social Security Act requires that as a condition of federal approval of a state's IV-D program, the state must adopt child support calculation guidelines that are used to establish periodic child support obligations in all IV-D and non-IV-D cases. The Michigan Child Support Formula (MCSF) is Michigan's guideline that meets this mandate, and in it, parenting time is integral to the support order calculation. The MCSF requires a specific number of parenting time overnights to properly calculate a child support amount.

Programs designed to improve non-custodial parents' contact with their children are associated with an overall increase in child support payments when parenting time is addressed. The federal government agrees with this approach, and in House of Representatives Bill H.R. 4980,³⁵³ Section 303, the U.S. Congress suggests that states use existing funding sources, including the use of child support incentives, to support the establishment of parenting time arrangements.

IV-D funds are available for IV-D worker time spent establishing custody and parenting time provisions in first-established child support orders. However, the amount of IV-D funding available is limited. IV-D program costs must be minimal and incidental to IV-D establishment activities. IV-D funding is available for up to one hour³⁵⁴ of billable IV-D staff time when establishing parenting time.

To qualify for IV-D funding, the following criteria must exist:

- There is an open IV-D case in the Michigan Child Support Enforcement System (MiCSES);
- The child support order is the first one established for the child(ren);
- The MCSF was used to calculate support, and parenting time overnights were considered in the calculation;

³⁵³ [Preventing Sex Trafficking and Strengthening Families Act of 2014](#)

³⁵⁴ In accordance with [IV-D Memorandum 2012-012, Time Documentation](#), IV-D staff will bill in 15-minute increments. It is not required that IV-D staff spend one hour resolving parenting time disputes; staff may spend less time, as appropriate, given the case circumstances.

- The activity is incidental to the child support proceeding and the added cost is minimal; and
- IV-D staff have followed the guidance in the attached Exhibit 2016-031E1.

Because establishing parenting time arrangements can be funded using IV-D funds *if* those activities meet the above criteria, county offices must not use service fees³⁵⁵ to offset their costs for these same activities. OCS does not identify these fees as IV-D fees and therefore, they cannot be used to offset IV-D expenses. However, counties may continue to use service fees for situations that are not IV-D-fundable.³⁵⁶

1. Actions Related to Custody and Parenting Time That Are Eligible for IV-D Funding

The MCSF requires a specific number of parenting time overnights to properly establish the child support and medical support dollar amounts in the child support order. Therefore, IV-D staff actions related to the establishment of the first custody and parenting time order on a paternity case, support case, divorce case, decree of custody, or an intergovernmental case³⁵⁷ are eligible for IV-D funding. This policy applies to cases in which parents are married or unmarried.

Note: IV-D staff will not place a party into noncooperation status for failing to agree to establish a custody and/or parenting time order.

2. Actions Related to Custody and Parenting Time That Are **Not** Eligible for IV-D Funding³⁵⁸

Beyond the establishment of the first-established child support order that includes custody and parenting time provisions, any further actions are not IV-D-funded. These include:

- Enforcement of parenting time;
- Custody and parenting time investigations;
- Establishment of or revisions to custody and parenting time in the course of review or modification activities; and
- Dispute resolution and mediation activities.

B. Informing Parents Prior to Meeting With IV-D Staff

³⁵⁵ Ref: [Section 5.70, "Fees \(SF/PF, OSR and FFEE\)," of the Michigan IV-D Child Support Manual](#) for more information on service fees.

³⁵⁶ Ref: Subsection A(2), "Actions Related to Custody and Parenting Time That Are **Not** Eligible for IV-D Funding," in this memorandum for more information.

³⁵⁷ A UIFSA Initiating (UI) or a UIFSA Establishment (UE) intergovernmental case would not be eligible for addressing custody and/or parenting time provisions. (UIFSA is the Uniform Interstate Family Support Act.)

³⁵⁸ Ref: IV-D Memorandum 2012-012 for more information on IV-D funding reimbursement.

To assist parents with making a decision on parenting time provisions, IV-D staff can provide them with court policies and locally established parenting time schedules prior to any meetings or conferences. These materials should adequately prepare parents to discuss a parenting time schedule.

IV-D staff may also inform parents about parenting resources, parenting time classes, and other related community resources.

C. MiCSES Enhancements

Currently, OCS is not making updates to MiCSES-generated letters or forms related to custody or parenting time. The Establishment Work Improvement Team (WIT) will identify possible future updates to MiCSES-generated letters and forms that pertain to custody and parenting time. PAs and other IV-D staff may request changes to forms owned by them by entering a ticket with the MiCSES Help Desk.

No MiCSES enhancements will be implemented to accommodate the establishment of parenting time orders. The Establishment WIT is considering future MiCSES improvements.

D. Additional Resources

The PLG asked the Establishment WIT to address other opportunities to improve the process for establishing parenting time. These include:

- Drafting recommended standard custody and parenting time language;
- Changing the management approach for the cultural change for PAs to begin establishing parenting time;
- Identifying and recommending training opportunities;
- Developing a checklist to help guide parents and PAs through decision steps;
- Identifying best practice recommendations;
- Working with mi-support staff to create a page to post parenting time resources,
- Identifying and recommending form or letter changes; and
- Identifying and recommending MiCSES changes.

OCS encourages IV-D staff who are unfamiliar with the establishment of parenting time provisions to work with other PA offices to gain the necessary knowledge and learn any established best practices. The State Court Administrative Office (SCAO) also has a [Parenting Time Guideline Website](#) with resources to assist PAs in establishing parenting time.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Program Leadership Group
Establishment WIT

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CC:

None

SUPPORTING REFERENCES:

Federal
Code of Federal Regulations (CFR) 303.4(d)
Section 467 of the Social Security Act
Bill H.R. 4980, Section 303

State
Michigan Compiled Law (MCL) 722.25(1)
MCL 722.17a
MCL 722.27a
MCL 722.717b
2013 Michigan Child Support Formula

ATTACHMENTS:

Exhibit 2016-031E1: Program Leadership Group (PLG) Policy Statement –
Parenting Time in Support Orders

EPF/NS

IV-D MEMORANDUM 2016-032

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: October 18, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Mandatory Usage of the MiChildSupport Calculator³⁵⁹ for IV-D Workers and Necessary Preparations for the 2017 Michigan Child Support Formula (MCSF) Revisions

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum provides advance notice of upcoming changes that will affect the support determination processes (order establishment, court-referred support investigations, and review and modification) in PA and FOC offices. The changes announced in this memorandum include:

- A requirement for IV-D workers to use the MiCSES Calculator on or before March 13, 2017;
- Enhancements to training materials for the public Calculator; and
- The transition from the 2013 MCSF to the 2017 MCSF, and IV-D staff preparations for those changes.

The enhancements to the public Calculator training materials will be implemented with a MiChildSupport Portal Release in November or December 2016. The changes related to the 2017 MCSF revisions will be implemented in the MiCSES 9.3 Release on December 2, 2016. Additional policy materials will be published in November 2016.

DISCUSSION:

³⁵⁹ There are two versions of the MiChildSupport Calculator. The MiChildSupport Calculator that IV-D workers access through the Michigan Child Support Enforcement System (MiCSES) will be referred to throughout this memorandum as the “MiCSES Calculator.” The MiChildSupport Calculator that is available to the public on the MiChildSupport portal will be referred to as the “public Calculator.” Ref: [Section 1.35, “MiChildSupport Portal,” of the Michigan IV-D Child Support Manual](#) for more information on the public Calculator.

The MiCSES Calculator was implemented in November 2015³⁶⁰ to improve the overall efficiency and accuracy of calculating child support for IV-D workers. In August 2016,³⁶¹ the public Calculator was released to provide the public with the ability to create a support calculation and help those most directly affected by the calculation to better understand and increase their confidence in the calculation results. Public users will obtain the same results from the public Calculator as IV-D workers who use the MiCSES Calculator if both calculations use the same inputs.

A. Requirement for IV-D Workers to Use the MiCSES Calculator

Federal regulations require IV-D workers to document and maintain information concerning established support orders,³⁶² as well as to use a single statewide automated data processing and information retrieval system.³⁶³ The MiCSES Calculator satisfies this requirement by providing electronic access to a complete history of calculations for each child support case. In addition, the MiCSES Calculator:

- Creates a streamlined order-entry process by allowing IV-D workers to import calculation results directly into MiCSES;
- Allows for electronic access to complete case histories for carrying out IV-D activity (e.g., auditing);
- Aids in identifying cases needing review and modification activities; and
- Assists in tracking information that can be used for future MCSF revisions or MiCSES improvements.

For these reasons, OCS will require IV-D workers to use the MiCSES Calculator to calculate child support on or before March 13, 2017.

OCS recognizes that in the past there were deficiencies with MiCSES that deterred IV-D workers from using it to calculate support. Specifically, there were issues that could occasionally lead to inaccurate results, remote access was limited or unavailable for IV-D workers to run a calculation in the courtroom, and the public did not have access to the same calculator as IV-D workers. Therefore, OCS did not require the use of a standard method for calculating support.

Since that time, OCS, with the help of IV-D partners, has made significant progress in addressing the identified issues and improving the MiCSES Calculator. That has led to OCS's requirement for all IV-D workers who conduct support calculations to

³⁶⁰ Ref: [IV-D Memorandum 2015-027, Updates to Support Order Determination Policy Accompanying the Introduction of the MiChildSupport Calculator and the Calculation Results \(CALCRSLT\) Template.](#)

³⁶¹ Ref: [IV-D Memorandum 2016-028, Introducing the Public Version of the MiChildSupport Calculator and Accompanying Policy Updates.](#)

³⁶² Ref: 45 Code of Federal Regulations (CFR) 307.10(6)(4)(iv).

³⁶³ Ref: 42 United State Code (USC) 654a.

use the MiCSES Calculator.³⁶⁴ In an effort to make the support calculation process more transparent, the Program Leadership Group (PLG) endorsed OCS's decision to require IV-D workers to use the MiCSES Calculator.

IV-D workers who do not currently use the MiCSES Calculator and are responsible for support calculations should start the transition now to become familiar with it prior to the requirement going into effect. OCS encourages IV-D workers involved in the preparation of support calculations to review training materials that are currently available on mi-support, including:

- [MiChildSupport Calculator Web-Based Training](#);
- [MiCSES Screen Description: CALC – MiChildSupport Calculator](#);
- [MiChildSupport Calculator Clarifications](#);
- [MiChildSupport Calculator Basics Webinar](#); and
- [MiChildSupport Calculator Advanced Webinars](#).

There will be additional MiChildSupport Calculator training webinars offered on November 29 and December 6, 2016 that will address IV-D workers' questions. Further information regarding the webinars will be provided via an email notification.

B. Enhancements to Training Materials for the Public Calculator

The implementation of the public Calculator was accompanied by several training documents to provide IV-D workers and public users with support in navigating through the public Calculator. Links to these documents are located on the MiChildSupport portal *Contact Us* page.

OCS is working to develop and provide additional materials as feedback from users is received. New materials and enhancements to the *Contact Us* page from the public Calculator will be implemented with a MiChildSupport Portal Release in November or December 2016. Further information regarding the release will be provided via an email notification prior to the release.

C. Transition From the 2013 MCSF to the 2017 MCSF Functionality in MiCSES

The State Court Administrative Office has published the 2017 MCSF Manual to replace the current 2013 MCSF Manual; however, it will not be effective until January 1, 2017. The 2017 MCSF and its supplement (MCSF-S) will be implemented in MiCSES on December 2, 2016 with the MiCSES 9.3 Release.

Both the MiCSES Calculator and public Calculator use the MCSF to calculate current child support amounts, which are then included within recommendations and

³⁶⁴ While OCS acknowledges that a IV-D worker is unable to calculate spousal support within the MiCSES Calculator, the benefits of having a standard and streamlined process for calculating child support outweigh this absence. Additionally, calculating spousal support is not a IV-D activity.

orders. Because both versions calculate child support in accordance with the MCSF, both will be updated to reflect the changes made with the 2017 MCSF.

1. Transition to the 2017 MCSF

The transition to the 2017 MCSF will affect **all** IV-D workers involved in order establishment, court-referred support investigations, and review and modification activities. The PLG decided that the 2013 MCSF will no longer be maintained in the MiCSES Calculator and the public Calculator; therefore, the 2013 MCSF functionality will not be available after the implementation of the 2017 MCSF. The PLG's decision was based upon:

- The high cost of maintaining two versions of MCSF functionality within the MiCSES Calculator and the public Calculator;
- The volume of calculations using the 2013 MCSF decreasing over time; and
- The fact that the functionality for previous MCSF versions has never been maintained within MiCSES.

On December 2, 2016, both the MiCSES Calculator and the public Calculator will begin calculating in accordance with the 2017 MCSF. As a result, IV-D offices should prepare for this transition in the weeks prior to the release.

Following the MiCSES 9.3 Release, support calculations created using the MiCSES Calculator prior to the release will still exist in the MiCSES Calculator and in MiCSES on the *Order Preparation and Entry* (OPRE) screen (if imported prior to the release). Although these calculations will still exist in the MiCSES Calculator, they will be read-only and archived. A few factors will have been removed or changed with the implementation of the 2017 MCSF; therefore, data entered for factors removed will not appear when IV-D workers are viewing a 2013 MCSF calculation.³⁶⁵ The **results** of a 2013 MCSF calculation will not be changed and will remain the same, despite the fact that IV-D workers will be unable to view all of the data entered when reopening the calculation in the MiCSES Calculator.³⁶⁶

2. Preparation for the Transition

There are three strategies a IV-D office may use to handle 2013 MCSF calculations that are prepared but not imported before the implementation of the 2017 MCSF changes. An office may choose to use any combination of these strategies, depending on office business practices. These strategies will help smooth the transition to the 2017 MCSF.

³⁶⁵ Records that existed on the OPRE screen prior to the 9.3 release will not be changed by the 2017 MCSF revisions.

³⁶⁶ Details about the specific changes implemented with the 2017 MCSF will be announced via a IV-D Memorandum prior to the 9.3 release.

a. Immediately Import Completed Calculations Using the 2013 MCSF to the OPRE Screen Before the Release

Some offices wait for the completion of the 21-day objection period or transfer the calculation to another IV-D worker for importing calculations to the OPRE screen.

To prepare for the transition, IV-D workers in these offices may **immediately** import support calculations that use the 2013 MCSF to the OPRE screen upon their completion rather than wait for the objection period to elapse. This may require that the IV-D worker later edit the OPRE record if there are changes to the recommendation or if a new calculation is necessary. However, this option will eliminate the need for IV-D workers to manually enter the provisions of the support calculation after the release.

Offices that immediately import the calculation to the OPRE screen and do not wait for the objection period to elapse would not need to make any changes to their business process.

Refer to [Section 4.20, "Support Recommendations and Order Entry," of the Michigan IV-D Child Support Manual](#), and to the [MiCSES Quick Reference Guide: OPRE – Prepare a Support Order](#) for more information on importing support calculations to the OPRE screen.

b. Manual Entry After the Release

IV-D workers may wait and manually enter support calculations that used the 2013 MCSF on the OPRE screen after the release. Workers could manually enter the provisions of each support calculation (e.g., parenting time overnights, support amounts for each tier, medical provisions, etc.) on the OPRE screen and then manually associate the Calculation ID to the OPRE record so the link between the calculation and the recommendation and order is preserved. This option may involve substantial manual work, especially for more complex support calculations involving multiple IV-D cases.

c. Temporarily Stop Work on Support Calculations

IV-D workers may temporarily stop running support calculations, unless they know that the calculation will be imported to the OPRE screen prior to the release. This option would likely cause a delay in an office's review and modification, court-referred support investigation, and order establishment work. For cases in which an office chooses this option, IV-D staff should

consider the current step in the process and the remaining steps and time period to complete those activities based on federal requirements.³⁶⁷

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Enforcement Work Improvement Team (WIT)
Program Leadership Group

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CC:

State Court Administrative Office

SUPPORTING REFERENCES:

Federal
42 USC 654a
45 CFR 302.56(a)
45 CFR 303.4(d)
45 CFR 303.8(e)
45 CFR 307.10(6)(4)(iv)

State
MCL 552.519(3)(a)(vi)

ATTACHMENT(S):

None

EPF/MEB

³⁶⁷ 45 CFR 303.8(e) requires that a review be completed within 180 days of receiving the review request or locating the non-requesting parent, whichever occurs later. 45 CFR 303.4(d) requires that an order be established, or service of process be completed, within 90 days of locating the non-custodial parent.

IV-D MEMORANDUM 2016-033

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: October 14, 2016

SUBJECT: Introduction of a State-Specific Welcome Page on the Child Support Portal, and Enhancements to Two Existing Portal Applications

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces the upcoming implementation of the Office of Child Support Enforcement’s (OCSE’s) state-specific Welcome page on the Child Support Portal.³⁶⁸ Michigan IV-D workers with access to the portal will connect to the new Michigan-specific Welcome page after logging into the portal. They will access portal applications from the Welcome page. The process for logging into the portal will not change, nor will there be system changes associated with any of these updates.

This memorandum also explains the July 2016 enhancements to two portal applications: Department of Defense (DoD) Entitlement and eEmployer.

The changes discussed in this memorandum will be incorporated into Section 3.06 of the *Michigan IV-D Child Support Manual* in a future policy update. At that time, the title of Section 3.06 and references to the SSP in the manual section will be changed to reflect the portal’s name change from the State Services Portal to the Child Support Portal.

DISCUSSION:

State-Specific Welcome Page

³⁶⁸ The Child Support Portal was formerly known as the State Services Portal (SSP). OCSE changed the name to the Child Support Portal in 2015. OCS postponed announcing the name change from SSP to the Child Support Portal until OCSE updated the name in the portal. Throughout this IV-D Memorandum, the Child Support Portal will be referred to as “the portal.” For more information on the portal, reference [Section 3.06, “State Services Portal \(SSP\),” of the Michigan IV-D Child Support Manual.](#)

OCSE will implement the state-specific Welcome page during the weekend of October 22–23, 2016. It is the first of OCSE’s initiatives to update and improve the Child Support Portal.³⁶⁹ The state-specific Welcome page will include a list of applications that the state has access to, as well as applications that the state could gain access to. It will also inform users of portal application enhancements, provide user documents and resources, and list child support websites.

The Welcome page will open after a IV-D worker logs into the portal and agrees to the authorized user statement.³⁷⁰ From there, the IV-D worker can open the portal applications (s)he is authorized to access.³⁷¹ The applications will appear in a drop-down list from the navigation bar at the top of the Welcome page; they will no longer appear in the left navigation bar. The drop-down list will include only those applications that the IV-D worker is authorized to use. When a IV-D worker navigates to the portal applications, the portal applications will look exactly as they did before OCSE implemented the new Welcome page.

Each state’s Welcome page will have the same structure and categories of information, but much of the data on the page will be state-specific. The page will include the following:

- Welcome – A general description of the portal.
- Broadcast Alerts – Provides information about system changes.
- In the Spotlight – Includes announcements about application enhancements.
- Applications – Identifies applications that the state has implemented, applications that the state has not implemented, and applications that have limited user access (e.g., e-IWO).³⁷²
- Helpful Information – Contains links to user guides, release documents and reports.
- Calendar – Shows upcoming federal holidays and other significant dates.
- Quick Links – Includes links to federal and state child support websites.

A mock-up of a state Welcome page is available in the [Release Specifications](#) for OCSE Release 16-01.

Department of Defense (DoD) Entitlement Enhancement³⁷³

³⁶⁹ Beginning in 2015, OCSE gathered suggestions from the states on ways to make the portal more useful and user-friendly.

³⁷⁰ Ref: [MiCSES Customer Information Guide: State Services Portal](#) for more information on accessing and using the portal.

³⁷¹ Ref: Section 3.06 of the *Michigan IV-D Child Support Manual* for information on obtaining access to the portal.

³⁷² For more information on e-IWO, reference Section 3.06 of the *Michigan IV-D Child Support Manual*.

³⁷³ Ref: Section 3.06 of the *Michigan IV-D Child Support Manual* for more information about DoD Entitlement and other portal applications.

IV-D workers use the DoD Entitlement application for locate³⁷⁴ purposes, which includes finding income information for active and reserve military service members with a child support case. Effective July 2016, the DoD Entitlement application includes the service member's mailing address and the date DoD received the address. IV-D workers who do not have access to the DoD application and need the address data can request access using the *IV-D Program Request for Computer Access* (DHS-393) or the *IV-D Request for Changing Computer Access* (DHS-395).³⁷⁵

eEmployer Enhancements

IV-D workers with access to the eEmployer application now have additional information that may be used to maintain employer records in the Michigan Child Support Enforcement System (MiCSES).³⁷⁶ In July 2016, OCSE enhanced the eEmployer application to include the source of employer address (e.g., Quarterly Wages)³⁷⁷ and the type of employer address (e.g., payroll). OCSE also added a hyperlink to the Federal Employer Identification Number (FEIN) to display other employer names and addresses associated with a FEIN.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Case Management Work Improvement Team
Enforcement Work Improvement Team
Program Leadership Group

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ATTACHMENTS:

None

EPF/VPW

³⁷⁴ Ref: [Locate](#) documentation on mi-support for more information on locate.

³⁷⁵ Ref: Section 3.06 of the *Michigan IV-D Child Support Manual* for more information about gaining access to the portal applications.

³⁷⁶ IV-D workers request changes to employer records in MiCSES using the *Request for New Entry, Merge or Modification of Other Party Information* (OTHP) (DHS-2011). Ref: [Section 3.16, "Other Parties," of the Michigan IV-D Child Support Manual](#) for a description of this process.

³⁷⁷ Initially, only Quarterly Wages and New Hires will be identified as employer address sources.

IV-D MEMORANDUM 2016-034

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff
All Michigan State Disbursement Unit (MiSDU) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: November 28, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Revisions to the Federal Tax Refund Offset (FTRO) Fraud Process and the *FMS Offset Notice*³⁷⁸

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

OCSE published Action Transmittal (AT)-16-03, *Timeframe to Distribute Tax Offsets Referred for Fraud*, which limits the amount of time a state can hold potentially fraudulent FTRO receipts that are referred to the IRS. A state can hold these receipts up to six months from the date the state receives the FTRO.³⁷⁹ This IV-D Memorandum describes the impact of an enhancement in the Michigan Child Support Enforcement System (MiCSES) 9.3 Release (December 2, 2016) that will automatically release potentially fraudulent receipts after six months. IV-D workers may notice that some FTRO receipts that are on hold for potential or confirmed fraud will be released and distributed after six months, regardless of the fraud status. This memorandum also introduces a name change and other minor revisions to the *FMS Offset Notice*.

The MiCSES 9.3 Release will include the following enhancements that will impact the FTRO fraud process:³⁸⁰

- Automatically releasing the *FTRO Tax Fraud Process* (STFP) suspense hold six months from the date MiCSES processes the FTRO receipt;

³⁷⁸ The Financial Management Service (FMS) was previously known as the Fiscal Management Service. Later, it was consolidated with another federal agency and is now known as the Bureau of the Fiscal Service (BFS). BFS is a bureau of the Department of Treasury. BFS, the Office of Child Support Enforcement (OCSE), and the Internal Revenue Service (IRS) administer the FTRO program. The title of the *FMS Offset Notice* has been changed to *BFS Offset Notice*. This is discussed later in this memorandum.

³⁷⁹ OCS announced this policy in IV-D Memorandum 2016-020, *Limit on Holding Potentially Fraudulent Federal Tax Refund Offset (FTRO) Receipts, and Revisions to the FTRO Fraud Process*.

³⁸⁰ Ref: [Section 6.21, "Tax Refund Offset," of the Michigan IV-D Child Support Manual](#) for more information on the FTRO fraud process.

- Gathering and displaying on the *FTRO Fraud Queries* (FFRQ) screen two data elements from the IRS Collection and Adjustment file; and
- Adding an FTRO fraud status update date to the three MiCSES screens that have an *FTRO Fraud Status* field.

Section 6.21 of the *Michigan IV-D Child Support Manual* has been updated to reflect these changes. Section 6.21 has also been revised to incorporate policy from IV-D Memorandum 2016-020. Additional updates to Section 6.21 include changing “FMS” references to “BFS,” as well as changing the name of the *FMS Offset Notice* form. Also, references to the State Services Portal (SSP) have been changed to the Child Support Portal³⁸¹ to reflect the change in the name of the portal.

A change bar in the right margin of Section 6.21 indicates significant changes to the policy since its last publication. Policy incorporated from IV-D Memorandum 2016-020 and content that has been reorganized or reformatted since its last publication is not identified with a change bar. Agency name changes from FMS to BFS and portal name changes from SSP to the Child Support Portal are not identified with a change bar. In addition, the name of the “Potential Fraud Conditions” query, which has been clarified since the previous publication of Section 6.21, is not identified with a change bar.

DISCUSSION:

Automated Six-Month Hold and Release

AT-16-03³⁸² limited the length of time a state could hold a potentially fraudulent FTRO receipt to six months³⁸³ from the date the state received it. Prior to the MiCSES 9.3 Release, OCS Central Operations implemented this requirement by manually removing the STFP hold six months from the date MiCSES processed the FTRO receipt.³⁸⁴ After the 9.3 release, MiCSES will automatically release the STFP hold when the six-month time period ends. The STFP hold will be released even if OCSE has confirmed that the FTRO receipt is fraudulent but the IRS did not reverse the FTRO before the six months ended.

The automatic release will apply to all new FTRO receipts received after December 5, 2016. Potentially fraudulent FTRO receipts held in MiCSES prior to the MiCSES 9.3 Release do not have a documented release date, and therefore would be automatically released upon implementation of the MiCSES 9.3 Release. To prevent these FTRO receipts from releasing prematurely, OCS Central Operations staff will manually remove the STFP hold on them and place them on an *Unidentified Federal Tax Offset* (UFTO)

³⁸¹ Ref: [IV-D Memorandum 2016-033, Introduction of a State-Specific Welcome Page to the Child Support Portal, and Enhancements to Two Existing Portal Applications.](#)

³⁸² OCSE based its guidance on the IRS interim final rule that amended a Treasury rule (31 Code of Federal Regulations [CFR] 285.3).

³⁸³ Prior to AT-16-03, states could hold potentially fraudulent receipts indefinitely.

³⁸⁴ In Michigan, the six-month period begins on the date that MiCSES processes the FTRO receipt, which is usually one or two days after the MiSDU receives the IRS Collection and Adjustment file.

hold prior to the MiCSES 9.3 Release. OCS Central Operations staff will also monitor the receipts and manually:

- Release them when OCSE confirms their validity, or they have been on hold for six months, whichever comes first; or
- Process an offset reversal if it is received within six months of the date MiCSES received the receipt.

New Data Elements in the IRS Collection and Adjustment File

In May 2016, OCSE added two data elements to the IRS Collection and Adjustment file:

- The FTRO reversal reason code; and
- The offset date.³⁸⁵

In the MiCSES 9.3 Release, MiCSES will be enhanced to extract these two data elements from the IRS Collection and Adjustment file and display them in the “Potential Fraud Conditions” query results available on the FFRQ screen. The FTRO reversal reason codes are considered federal tax information (FTI);³⁸⁶ they will be available only to OCS Central Operations staff who have FTRO responsibilities and access to the FFRQ screen.³⁸⁷ OCS Central Operations uses the FTRO reversal reason codes to monitor the FTRO reversal process.

FTRO Fraud Status Update Date

After the MiCSES 9.3 Release, IV-D workers will be able to view the FTRO fraud status update date on the three screens that have the *FTRO Fraud Status* field. The MiCSES 9.3 Release will modify the *Member Demographics* (DEMO), *Federal Offset Information* (FEDH), and *Member SSN History* (MSSN) screens to include the date that MiCSES last updated the FTRO fraud status. MiCSES will remove this date when the FTRO fraud status changes from “Potential or Confirmed Fraud” to “No Fraud.”³⁸⁸

FMS Offset Notice and Updated References to BFS

The title of the *FMS Offset Notice* (Exhibit 6.21E3) has been changed to *BFS Offset Notice* to accurately reflect the name of the agency that sends the notice. In addition to several minor formatting changes on the form, the text that appeared next to “Paying Federal Agency” was deleted. The text stated: “{Paying Federal Agency} If the paying

³⁸⁵ Either the date or the reversal reason code will appear for each FTRO. The reversal reason code will appear for an FTRO that the IRS reversed.

³⁸⁶ Ref: [Section 1.10, “Confidentiality/Security,” of the Michigan IV-D Child Support Manual](#) for more information on FTI and confidentiality.

³⁸⁷ IV-D workers with full FTRO access to the Federal Collections and Enforcement application on the Child Support Portal also have access to the reversal reason codes.

³⁸⁸ MiCSES does not track “No Fraud” status dates.

agency is IRS tax refund include: (See Insert on Tax Refund Offsets for Additional Information).”

Revisions to Section 6.21, “Tax Refund Offset”

In Subsection 9 of Section 6.21, OCS added an explanation that the reversal reason codes are considered FTI and are subject to FTI security requirements.

OCS made the following changes to policy in Subsection 10:

- Revised and rearranged text in the Overview;
- In the fraud conditions table:
 - Clarified the description of the fourth condition for identifying potentially fraudulent receipts; and
 - Reordered the table to reflect the order on the “Potential Fraud Conditions” query;
- Revised the FTRO fraud process workflow task table;
- Included information about the automated STFP hold release process effective with the MiCSES 9.3 Release;
- Included information about the FTRO reversal reason code and offset date being added to the IRS Collection and Adjustment file and to the FFRQ screen; and
- Added information about the FTRO fraud status update date on the DEMO, MSSN, and FEDH screens.

Other minor changes to Section 6.21 include:

- Revising the title of Exhibit 6.21E3;
- Updating the agency name “FMS” to “BFS” throughout the manual section;
- Clarifying the name of the “Potential Fraud Conditions” query;
- Adding a footnote about an administrative offset payment received in Michigan; and
- Minor revisions to text and footnote references.

NECESSARY ACTION:

Review Section 6.21 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual section and Exhibit 6.21E3 and add them to the manual. Discard the previously published version of Section 6.21 (published February 29, 2016).

With this publication of Section 6.21, IV-D Memorandum 2016-020 is obsolete.

REVIEW PARTICIPANTS:

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CC:

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ATTACHMENTS:

Section 6.21: Tax Refund Offset

Exhibit 6.21E3: *BFS Offset Notice*

EPF/VPW

IV-D MEMORANDUM 2016-035

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: November 28, 2016

SUBJECT: Implementing the 2017 Michigan Child Support Formula (MCSF) and Transitioning *National Medical Support Notice* (NMSN) Processing to the NMSN Processing Unit

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum explains changes to child support policy to incorporate the 2017 MCSF. OCS first announced the transition from the 2013 MCSF to the 2017 MCSF to IV-D staff in IV-D Memorandum 2016-032.³⁸⁹

OCS has updated the following items with this effort:

- Section 4.20, "Support Recommendations and Order Entry," and Section 6.06, "Medical Support," of the *Michigan IV-D Child Support Manual*;
- The MiCSES Calculator and the public Calculator;³⁹⁰
- The "What's New" content for the public Calculator; and
- The *Calculation Results* (CALCRSLT) template.

The State Court Administrative Office (SCAO) has published the [2017 MCSF Manual](#) to replace the 2013 MCSF Manual; however, the 2017 MCSF will not be effective until January 1, 2017. OCS will implement the 2017 MCSF and its [supplement \(MCSF-S\)](#) in MiCSES with the 9.3 release on December 2, 2016.

³⁸⁹ [Mandatory Usage of the MiChildSupport Calculator for IV-D Workers and Necessary Preparations for the 2017 Michigan Child Support Formula \(MCSF\) Revisions](#)

³⁹⁰ There are two versions of the MiChildSupport Calculator. The MiChildSupport Calculator that IV-D workers access through the Michigan Child Support Enforcement System (MiCSES) will be referred to throughout this memorandum as the "MiCSES Calculator." The MiChildSupport Calculator that is available to the public on the MiChildSupport portal will be referred to as the "public Calculator." Ref: [Section 1.35, "MiChildSupport Portal," of the Michigan IV-D Child Support Manual](#) for more information on the public Calculator.

This memorandum also announces that centralized processing of *National Medical Support Notices* (NMSNs) transitioned from OCS Central Operations to the NMSN Processing Unit³⁹¹ in October 2016. This memorandum describes revisions made to the *Returned NMSNs to FOC Staff* (DHS-1300) and updates to Section 6.06 to reflect this change.

Change bars in the right margin of the manual sections indicate significant changes to the policy since its last publication. The requirement to use the MiCSES Calculator, which was announced in IV-D Memorandum 2016-032, has been incorporated into Section 4.20 but is not identified with a change bar. Additionally, changes to Section 6.06 that were solely made to reflect the name change from OCS Central Operations to the NMSN Processing Unit are not identified with a change bar.

DISCUSSION:

Federal regulations³⁹² require that the IV-D agency review the statewide child support formula every four years. The agency must consider deviations from the formula as part of the review; therefore, IV-D workers are required to record deviations from the MCSF in MiCSES. It is critical to have accurate data regarding the application of and deviation from the MCSF because SCAO uses this information to determine if future changes to the MCSF are necessary.

The MiCSES Calculator and the public Calculator both use the MCSF to calculate current child support amounts, which are then included within recommendations and orders. Because both calculators determine child support in accordance with the MCSF, both will be updated with the MiCSES 9.3 Release (December 2, 2016) to reflect the changes made with the 2017 MCSF.

IV-D workers will be unable to use the 2013 MCSF to calculate child support in either the MiCSES Calculator or the public Calculator after the MiCSES 9.3 Release. Consequently, calculations made in MiCSES after December 2, 2016, should not be entered as orders until January 1, 2017, or later.³⁹³

A. Updates to Sections 4.20 and 6.06, and Impacts to the MiCSES Calculator and the Public Calculator

1. Imputing Income

Imputed income may not result in a support order based upon ability to pay and, ultimately, may not be effective in collecting child support.

³⁹¹ The NMSN Processing Unit performs this work for OCS under a vendor contract.

³⁹² 45 Code of Federal Regulations (CFR) 302.56

³⁹³ Staff can find additional guidance regarding the transition in IV-D Memorandum 2016-032.

The Michigan Child Support Program's Strategic Plan lists "Support Payment" as one of its goals. Ensuring the appropriate level of support is one of the best approaches to ensuring compliance with an order.

OCS has updated Section 4.20 to indicate that the IV-D worker must determine a party's ability to earn income prior to imputing income. Additionally, if income is imputed, a IV-D worker must evaluate and document how each potential income factor identified in the MCSF applies to a party's ability to earn income.³⁹⁴ If a factor does not apply to the potential income analysis, then the IV-D worker must indicate that the factor is not applicable. When a IV-D worker checks the *Potential Income* checkbox on the *Financial* tab, the MiCSES Calculator will populate an income note with the potential income factors.

The 2017 MCSF prohibits imputing income based on generalized assumptions when calculating support.³⁹⁵ Therefore, the IV-D worker is required to complete the potential income analysis and documentation for each factor.

2. Extremely High Family Incomes

To better account for families with extremely high family income, the 2017 MCSF added a provision allowing the court to use discretion to arrive at an appropriate support amount in extremely high-income cases.³⁹⁶ SCAO's interpretation of the MCSF revision allows for anyone calculating support, including IV-D workers, to recommend that the court use its discretion in arriving at an appropriate support amount. Section 4.20 was updated with this language and provides an example to assist IV-D workers with using their discretion in the support calculation and recommendation. Additionally, OCS added an accordion³⁹⁷ to the *Results* page of both the MiCSES Calculator and the public Calculator that will allow a IV-D worker to modify certain inputs for families with extremely high family income.

3. Elimination of Ordinary Medical Expenses (OME)

Previous versions of the MCSF regularly included OME as an obligation. In rare circumstances, the 2017 MCSF allows the court to use its discretion in eliminating the OME obligations in situations where they were previously included.³⁹⁸ OCS has updated Section 4.20 to indicate that IV-D workers may recommend within their support calculation that the court eliminate OME only in the following situations:

³⁹⁴ Ref: the [MiCSES 9.3 Release Notes, section: 2017 Michigan Child Support Formula – Support Calculation Updates](#) regarding the potential income note and populating information in the 11 factors.

³⁹⁵ For more information, refer to 2017 MCSF 2.01(G)(4).

³⁹⁶ 2017 MCSF 3.02(E)

³⁹⁷ "Accordion" refers to a section on the *Results* page of the MiCSES Calculator (and public Calculator) that users can interact with, expand, minimize, and apply changes on.

³⁹⁸ 2017 MCSF 3.04(B)(3)

- When both parents routinely take one or more children-in-common for medical care and incur the qualifying medical expenses; or
- The support payer will likely incur most of the qualifying out-of-pocket costs for the children.

OCS added an accordion to the *Results* page of both the MiCSES and public Calculators that will allow a IV-D worker to eliminate OME when appropriate.

4. Retirement Contributions

The 2017 MCSF removed:

- The deduction for voluntary employee contributions to a retirement account;
- The 5.5% cap on the deduction for employee contributions to a retirement account; and
- Employer contributions to a retirement account from being considered income.

OCS has updated Section 4.20 with this information as appropriate.

5. 2013 MCSF Calculations After the 9.3 Release

Section 4.20 indicates that after December 2, 2016, calculations using the 2013 MCSF will be read-only and archived. IV-D workers will be able to use MiCSES' functionality to duplicate those existing support calculations; however, factors that have been added, removed, or changed with the 2017 MCSF will affect those calculation results. Therefore, IV-D workers should carefully review the duplicated calculation.

Additionally, when viewing 2013 MCSF calculations after the release, IV-D workers will be unable to view all of the data entered because certain factors will have been removed or changed with the implementation of the 2017 MCSF. The **results** of a 2013 MCSF calculation will not be changed and will remain the same, despite the fact that IV-D workers will be unable to view all of the data entered when reopening the calculation in the MiCSES Calculator.

6. Reasonable Cost of Health Care Coverage

The reasonable cost for providing health care coverage for children increased from 5% of the providing parent's gross income in the 2013 MCSF to 6% in the 2017 MCSF.³⁹⁹ Section 4.20 explains to IV-D workers how to indicate a different reasonable cost of health care on the *Uniform Child Support Recommendation*

³⁹⁹ 2017 MCSF 3.05(A)

and Order (USO). Section 6.06 indicates this increase in the reasonable cost of health care coverage.

7. Cost-Benefit Deviation Factor

The 2017 MCSF added a cost-benefit deviation factor.⁴⁰⁰ Section 4.20 indicates that when a support calculation result does not exceed \$15 and the administrative cost to enforce the order outweighs the benefit of the minimal amount, a IV-D worker may deviate from the MCSF. (S)he may do so by recommending a zero-support order⁴⁰¹ or by increasing the amount of support to a level that balances the cost of enforcing the order.

8. Other Revisions to Section 4.20

Updated the name of the State Services Portal to the Child Support Portal;⁴⁰² Changed 2013 MCSF references to the 2017 MCSF where appropriate; and Changed the term “extraordinary medical” to “additional medical.”⁴⁰³

9. Other Revisions to Section 6.06

- Added clarification that a parent may submit a complaint to the FOC for enforcement for a payment of health care expenses in excess of \$100 per child;⁴⁰⁴
- Made minor changes to footnotes and references;
- Provided an email address for OCS Central Operations;
- Changed 2013 MCSF references to the 2017 MCSF where appropriate; and
- Changed the term “extraordinary medical” to “additional medical.”

B. “What’s New” Content

In an effort to inform users of the public Calculator that changes have been made to reflect the 2017 MCSF, OCS plans to display a message in the “What’s New” section of the *Contact Us* page for the public Calculator. This content will be posted as part of a MiChildSupport Portal Release in November or December 2016.

⁴⁰⁰ 2017 MCSF 1.04(E)(20)

⁴⁰¹ For more information on zero-support orders, reference [Section 5.20, “Obligation – Entry, Modification and Adjustments,” of the Michigan IV-D Child Support Manual.](#)

⁴⁰² Ref: [IV-D Memorandum 2016-033, Introduction of a State-Specific Welcome Page on the Child Support Portal, and Enhancements to Two Existing Portal Applications.](#)

⁴⁰³ Templates/Forms were not revised with this memorandum and may still refer to extraordinary medical expenses. OCS staff entered Help Desk ticket INC495447 to revise all MiCSES forms affected by this change.

⁴⁰⁴ Ref: 2017 MCSF 3.04(D)(2).

Section 1.35 of the *Michigan IV-D Child Support Manual* will be updated to reflect the changes to the *Contact Us* page for the public Calculator at the next available opportunity.

C. Changes to the CALCRSLT Template⁴⁰⁵

The following have been added to the CALCRSLT template:

- A “Family/Children Details” section, to clarify the family relationship used for the calculation;
- A disclaimer that will appear when IV-D workers modify and apply marginal percentages to an extremely high family income situation. The disclaimer will summarize the action taken in modifying the marginal percentages;
- In the “Health Care Allocations and Medical Obligations” section:
 - An additional “Uninsured Medical Expense (Per Child)” line; and
 - A disclaimer regarding health insurance being provided by a spouse or other household member; and
- The CAR ID of the court action referral (CAR) associated with the calculation, located in the footer of each page.⁴⁰⁶

Other changes to the 2017 MCSF that are discussed in this memorandum may also affect the CALCRSLT template.

D. Centralized NMSN Processing

In October 2016, the NMSN Processing Unit assumed the responsibility for processing NMSNs for counties that have requested centralization. Within Section 6.06, OCS has removed OCS Central Operations as the staff responsible for centralized NMSN processing and replaced it with the NMSN Processing Unit.

The revisions made to the DHS-1300 include:

- Changing “OCS Central Operations” to the “NMSN Processing Unit”;
- Correcting the contact telephone number and address; and
- Adding fields for the batch number and date, envelope number, and incident number to improve tracking of NMSNs processed centrally.

NECESSARY ACTION:

⁴⁰⁵ OCS has not changed Exhibit 1.35E1: *Sample MiChildSupport Calculator Results* printout with this effort; however, it will be updated at the next available opportunity.

⁴⁰⁶ The CAR ID will be an editable field to accommodate unattached calculations.

Retain this IV-D Memorandum until further notice. Review the updated policy in Sections 4.20 and 6.06 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print Sections 4.20 and 6.06 and add them to the manual. Discard the previous versions of Section 4.20 (published August 22, 2016) and Section 6.06 (published August 9, 2016).

REVIEW PARTICIPANTS:

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SUPPORTING REFERENCES:

Federal
45 CFR 302.56

State
2017 MCSF
2017 MCSF-S

ATTACHMENTS:

Section 4.20: Support Recommendations and Order Entry
Section 6.06: Medical Support
CALCRSLT: *Calculation Results* Template
DHS-1300: *Returned NMSNs to FOC Staff*

EPF/MEB

IV-D MEMORANDUM 2016-036

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: November 21, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: New FOC Interactive Voice Response (IVR) System Information and Related Updates

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

The new FOC IVR provides one toll-free number for customers to call to access child support case information over the telephone. Counties began transitioning to the new FOC IVR in September 2016, and the transition will be completed in November 2016.⁴⁰⁷ This IV-D Memorandum announces revisions to child support policy, forms, and websites to reflect the transition to the new FOC IVR.

DISCUSSION:

A. Update to Section 5.65, "Escheatment"

Section 5.65 was updated to include directions for the new FOC IVR for the escheatment of child support payments.⁴⁰⁸ When customers call the IVR, they will follow the prompts to speak to a Michigan State Disbursement Unit (MiSDU) customer service representative who will assist them with questions regarding the completion of the *Notice of Unclaimed Property (Money)* (FEN804) and escheated funds.

B. Changes to Forms

The following MDHHS and MiCSES⁴⁰⁹ forms have been updated to incorporate changes related to the new FOC IVR.

⁴⁰⁷ For more information regarding the FOC IVR implementation and the county rollout schedule, reference [IV-D Memorandum 2016-025, New FOC Interactive Voice Response \(IVR\) System](#).

⁴⁰⁸ This update is indicated by a change bar in the right margin of the manual section.

⁴⁰⁹ MDHHS is the Michigan Department of Health and Human Services; MiCSES is the Michigan Child Support Enforcement System.

1. *Allocation and Distribution of Support Payments (DHS-446)*

The DHS-446 was updated to include the new FOC IVR phone number. Customers will follow the prompts to speak with a customer service representative at the MiSDU. The DHS-446 will be available when the full implementation of the FOC IVR is complete on November 28, 2016.

2. *Electronic Disbursement of Child Support Information Sheet (DHS-1388)*

The DHS-1388 was updated to include the new FOC IVR phone number. It will be available when the full implementation of the FOC IVR is complete on November 28, 2016.

3. *Notice of Electronic Disbursement (FEN801/DHS-823)*

The FEN801/DHS-823 was updated to include the new FOC IVR phone number and will be available in MiCSES with the 9.3 Release on December 2, 2016.

4. *Notice of Unclaimed Property (Money) (FEN804)*

The FEN804 was updated to provide the new FOC IVR phone number and to remove the list of FOC IVR phone numbers attached to the form. It will be available in MiCSES with the 9.3 Release on December 2, 2016.

C. Updates to Websites

The links that open a page listing all individual county IVR numbers will be replaced with the new single FOC IVR number.

1. In the child support section of the MDHHS website, the links to contact the FOC or the MiSDU through the county's 24-hour help-line will be replaced with the new FOC IVR number; and
2. On the MiSDU website, the link to the IVR 24-hour case information access line will be replaced with the new FOC IVR number.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

Review Section 5.65 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual section and add it to the manual. Discard the previously published version of Section 5.65 (published September 4, 2014).

REVIEW PARTICIPANTS:

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CC:

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SUPPORTING REFERENCES:

None

ATTACHMENTS:

Section 5.65:	Escheatment
DHS-446:	<i>Allocation and Distribution of Support Payments</i>
DHS-1388:	<i>Electronic Disbursement of Child Support Information Sheet</i>
FEN801/DHS-823:	<i>Notice of Electronic Disbursement</i>
FEN804:	<i>Notice of Unclaimed Property (Money)</i>

EPF/KAP

IV-D MEMORANDUM 2016-037

TO: All Friend of the Court (FOC) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: November 29, 2016

UPDATE(S):

Manual

Form(s)

SUBJECT: Arrears Management Program (AMP), Payment Plans, and
Arrears Adjustment Reason Codes

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum provides an assessment of Arrears Management Program (AMP) strategies (also known as arrears management strategies) and discusses changes to the administrative procedures for AMP strategies. It also explains several enhancements in the Michigan Child Support Enforcement System (MiCSES) 9.3 Release (December 2, 2016) that will support the changes in administrative procedures for the AMP strategies.

Additionally, this memorandum announces revised policy in the following sections of the *Michigan IV-D Child Support Manual*:

- Section 6.42, "Payment Plans"; and
- Section 6.51, "Arrears Management."

Significant changes to the policy since its last publication are indicated by a change bar in the right margin of the manual sections. Content that has been reorganized or reformatted since its last publication is not identified with a change bar.

IV-D staff should note a change in terminology in Section 6.51 – the terms "Arrears Management Program (AMP)" and "AMP strategies" were introduced to replace "arrears management strategies." This change is not identified with a change bar in Section 6.51.

Finally, this IV-D Memorandum obsoletes the following:

- IV-D Memorandum 2009-033, *Arrears Management: Compromising State-Owed Arrears*; and

- IV-D Memorandum 2012-020, *Arrears Management: Discharging State Owed Arrears*.

Exhibit 6.51E2, Lump-Sum Payment: Examples, which was an attachment to IV-D Memorandum 2012-020, remains unchanged and is being reintroduced with this memorandum.

DISCUSSION:

Michigan's child support program faces a large amount of state-owed arrearages, many of which are considered uncollectible from the non-custodial parent (NCP). The costs of maintaining and enforcing uncollectible arrears take resources away from enforcement and collection on other cases.

The AMP strategies have been in place for several years. However, Michigan's child support program has been unable to adequately track, confirm, and report the results of the AMP strategies. OCS cannot confidently identify the cases on which they are used, the AMP strategies most frequently used, or the amount of debt forgiveness granted. In earlier published policy, FOC staff were required to manually record AMP occurrences in hard-copy logs and submit them to OCS. At times, this did not occur, and when it did, some of the information provided was incomplete and inaccurate, or did not comply with the published policy.

Michigan's child support program must serve as a good steward of the public debt and practice sound accounting measures. It must be able to confidently identify AMP results for itself and other interested parties. In turn, it must revise, enhance, or expand such programs to benefit Michigan families.

The revisions to AMP policy and procedures announced in this IV-D Memorandum reflect OCS's and the Program Leadership Group's desire to encourage IV-D partners to use and fully record the AMP strategies. The MiCSES 9.3 Release (December 2, 2016) includes several enhancements that support the transition of AMP strategies from a manual, time-consuming process to a more efficient, automated, and system-oriented process.

A. Summary Assessment of AMP Strategies

1. Background

OCS introduced Section 6.51 in September 2009 to provide policy and procedures for administratively discharging state-owed arrears. In October 2012, OCS expanded this policy by introducing three AMP strategies:

- Arrears Reduction/Discharge Under Circumstances of Extreme Difficulty (Arrears REDUCED);
- Lump-Sum Payment; and

- Compromise Arrears in Return for On-Time Support (CAROTS), a Retooling Grant pilot program that was implemented in only two counties.⁴¹⁰

2. FOC Staff Use and Submittal of Manual Arrears Management Logs

- a. FOC staff have been manually recording AMP strategies in Arrears Management Logs and submitting the logs to OCS. OCS analyzed FOC staff use and submittal of the logs.⁴¹¹ OCS also received feedback from FOC offices through various venues. Based on this analysis and feedback, OCS concluded that:

- 1) The process for manually completing, analyzing and submitting the logs is time-consuming and cumbersome;
- 2) Some FOC offices did not use AMP strategies and/or submit logs;
- 3) Some FOC offices submitted logs that lacked all the required and/or requested information;
- 4) Some FOC offices submitted logs that included incorrect or nonstandard information, or the offices did not encrypt the logs for submittal; and
- 5) Data inconsistencies in the logs submitted by FOC offices limited the analysis of AMP strategy effectiveness.

- b. OCS recognized that integrating the logs into MiCSES and standardizing them would allow for:

- 1) More consistent and efficient data collection, enabling easier monitoring and analysis of the AMP strategies;
- 2) A more secure method of obtaining the data; and
- 3) OCS to provide better feedback to the IV-D community, respond to external inquiries regarding the AMP strategies, and demonstrate cost-effectiveness and sound stewardship of program funding.

3. State-Owed Arrears Discharged Through AMP Strategies

OCS assessed the amount of arrears discharged according to the logs that were manually submitted by FOC offices for the fourth quarter (Q4) of fiscal year (FY) 2015. The total amount of state-owed arrears discharged was \$30.6 million.

Listed below are the total amounts of state-owed arrears discharged for the AMP strategies and other discharge reasons as reported on the Arrears Management Logs for Q4 of FY 2015; however, these amounts are under-reported and not conclusive given the occurrence of missing logs, the variety of reasons reported, and/or the lack of a reason:

⁴¹⁰ Ref: [IV-D Memorandum 2016-027, Review of the Retooling Michigan Child Support Enforcement Program Grant \(Retooling Grant\) Pilot Programs.](#)

⁴¹¹ Ref: Exhibit 6.51E4, Arrears Management Log: hard-copy representation, for a sample log.

AMP Strategy / Discharge Reason	Total Amount Discharged
Arrears REDUCED	\$25.5 million
Lump-Sum Payment (match)	\$29,000
CAROTS	\$27,600 ⁴¹²
Other discharge reasons that OCS could not attribute to a specific AMP strategy (including variations of “FOC request/NCP qualifies,” “NCP request/NCP qualifies,” “parties married/reconciled,” “poverty level,” “incarceration,” etc.)	\$4.8 million

4. Current Payment Performance

OCS also assessed the fourth quarter of FY 2015 for current payment performance. OCS compared NCP current support payments to current support obligations (i.e., a current support payment percentage) before and after the NCP was enrolled in an Arrears REDUCED or Lump-Sum Payment strategy. Even though these two strategies do not require payments toward current support, one premise is that orders become “right-sized”⁴¹³ and a reduced arrearage incentivizes an NCP to become more engaged and have improved payment performance. However, because of the identified weaknesses of the manual tracking mentioned above, the analysis for these strategies had limitations and was not necessarily conclusive. OCS, the University of Michigan’s School of Social Work (UM-SSW), and CAROTS pilot staff conducted a similar evaluation of the CAROTS pilot. On August 5, 2016, OCS communicated the results of this pilot to IV-D staff in IV-D Memorandum 2016-027. OCS has updated Section 6.51 with references to this memorandum and to UM-SSW’s final report.⁴¹⁴

The following is a summary of the current payment performance for NCPs enrolled in an AMP strategy:

- a. The Arrears REDUCED strategy resulted in a modest improvement in the current support payment percentage. On average, an NCP’s current payment performance increased from 27.8 percent before participating in Arrears REDUCED to 43.2 percent after participating in Arrears REDUCED. The

⁴¹² As of June 2015 (prior to Q4 of FY 2015), FOC staff in the CAROTS pilot counties had discharged approximately \$1.8 million of uncollectible arrears.

⁴¹³ Pursuant to AMP procedures, OCS recommends IV-D staff perform a review and modification for cases in which the support order appears to be inappropriate under the parties’ circumstances and contributing to arrearage accumulation.

⁴¹⁴ Ref: [Re-Tooling Michigan’s Child Support Enforcement Program Compromise Arrears in Return for On-Time Support \(CAROTS\) Pilot - Final Report](#).

- increase resulted from current obligations being reduced rather than an actual increase in support payment amounts.
- b. The Lump-Sum Payment strategy did not result in a change in an NCP's current payment performance because the cases employing this strategy did not have a charging support obligation – they were arrears-only.
 - c. The CAROTS strategy (pilot) resulted in a significant improvement in current payment performance, including increased collections of current support and arrears.⁴¹⁵

B. Continuation of Existing Arrears Management Policies

OCS would like to remind IV-D staff of existing policy in Section 6.51 that is still in effect:

1. Locally Developed Arrears Management Programs

Any locally developed programs for the discharge of state-owed arrears were to be phased out by April 30, 2013, including any strategies that may have been previously approved or supported by OCS.

2. AMP Outreach – Pathways to Potential

Some NCPs without the ability to pay their state-owed arrears may be referred to the FOC office by the Michigan Department of Health and Human Services (MDHHS) through its [Pathways to Potential](#) outreach program. This program ensures that children are attending school, assists families with job placement, and provides connections to both public and non-profit resources. Pathways to Potential was launched as a pilot in the summer of 2012 and continues to operate in several counties. The parents associated to this program may be more likely eligible for AMPs.

IV-D staff may also receive referrals from other community partners and parent-assistance programs as those programs learn of AMP benefits for financially struggling parents who are in the child support program.

Additional information was added to Section 6.51 about referrals from these programs.

3. Other Statewide AMP Strategies

Establishing policy for the discharge of state-owed arrears in return for an NCP's participation in volunteer work and/or personal development classes will be considered in the future. Improved analysis capability because of the enhanced

⁴¹⁵ Ref: IV-D Memorandum 2016-027.

system support discussed in this IV-D Memorandum will provide opportunities to better evaluate the success of such programs and to expand them as appropriate.

C. Revised Policy and Procedures for AMP Strategies

OCS has updated Section 6.51 to reflect the following revised policies and procedures. In addition, some minor changes were made to references in Section 6.51.

1. Transition From the Manual Arrears Management Log to MiCSES

With the MiCSES 9.3 Release, OCS will implement functionality to record, track and review AMP activities in MiCSES. As a result, FOC staff will transition from entering arrears information in the manual Arrears Management Log to entering it in MiCSES.

a. First Quarter (Q1) of FY 2017

For Q1 of FY 2017, FOC staff must complete and submit the manual Arrears Management Log for activities (e.g., arrears discharge, arrears adjustment, etc.) completed between October 1, 2016 and December 2, 2016. After December 2, 2016 (the MiCSES 9.3 Release), FOC staff will enter into MiCSES any new arrears management activities, as well as any arrears management activities for which an arrears adjustment was not completed before December 2, 2016.

After the end of Q1 of FY 2017 (October 1, 2016 – December 31, 2016), FOC staff will not use the manual Arrears Management Log to track arrears management activities and report them to OCS. Instead, they will enter this information in MiCSES. Refer to Section C(2) in this memorandum for more information.

b. Completing Arrears Adjustments After the 9.3 Release

MiCSES will only enable FOC staff to complete arrears adjustments for AMP strategies on the *Obligation Arrears Adjustment* (OBAA) screen after the MiCSES 9.3 Release **if** staff have entered the pending arrears management activity on the *Arrears Management Reporting* (ARMR) screen.⁴¹⁶ In other words, FOC staff must enter arrears management activities that are pending (i.e., adjustment not completed) as of December 2, 2016 or completed December 3, 2016 and thereafter on the ARMR screen in order to be able to perform the arrears adjustment on the OBAA screen. This will ensure that

⁴¹⁶ The ARMR screen is a new screen that will be implemented in MiCSES with the 9.3 release. Ref: Section C(2) in this memorandum for more information.

AMP adjustments are properly linked to approved AMP activities, and that reports of adjustments are reconcilable to reports of activities.

FOC staff will not be required to enter past arrears management activities onto the ARMR screen for which the arrears discharge adjustment was already completed before December 2, 2016.

c. Availability of the Manual Arrears Management Log

The manual log will continue to be available to IV-D staff on mi-support and in Exhibit 6.51E4, at least until the transition period is over. At that time, OCS will no longer support the manual log, but FOC offices may choose to use it for their own self-managed purpose(s).

2. Entering AMP Strategies and Activities in MiCSES

After the MiCSES 9.3 Release, FOC staff will use the new ARMR screen to record, track and review AMP activities in MiCSES.⁴¹⁷ The ARMR screen will replace the manual log. It will have two functions:

- a. Enrolling and tracking NCPs in AMP strategies; and
- b. Generating a log of arrears adjustments.

3. Assignment of the New Arrears Management Strategy Reviewer Role

The current policy requires another staff member to review each discharge to ensure the IV-D program remains a good steward of the public debt. After December 2, 2016, each FOC office's Local Options Administrator (LOA) will assign the new Arrears Management Strategy Reviewer role to the staff member who will be responsible for reviewing and approving the Arrears Management Log on the ARMR screen for AMP strategies. For example, this may be the staff member(s) who reviewed the manual logs before the MiCSES 9.3 Release.

4. Reviewing AMP Strategy Adjustments and Running the Arrears Management Log

Each FOC office is still required to review AMP strategy arrears adjustments on a quarterly basis. A staff member with the new Arrears Management Strategy Reviewer role will run the log on the ARMR screen and mark those arrears adjustments as reviewed. The review must be completed by the end of the month following the last month of the quarter. IV-D staff without this reviewer role will have the ability to view arrears adjustments by running the log on the ARMR screen.

⁴¹⁷ Ref: [ARMR screen documentation](#) and the [MiCSES 9.3 Release Notes](#) on mi-support.

The ARMR screen's *Log* tab has search criteria restrictions to prevent long wait times for results to be returned. However, IV-D staff may still experience long wait times for the ARMR screen to return results if the log is run for an entire quarter without being restricted to a specific reason code.⁴¹⁸ Consequently, IV-D staff should only generate the log for a month or less at a time when running it for a high-volume county.

5. Recording Discharged Arrears and Worksheet Overrides

To more accurately reflect and track details about arrears discharged through an AMP strategy, the MiCSES 9.3 Release will implement new and revised arrears adjustment reason codes and reason detail codes on the OBAA screen.

OCS has updated policy regarding:

- FOC staff selection of specific reason codes, reason details, and notes entry for AMP strategy arrears adjustments;
- Role-based restrictions between staff overriding the worksheet, performing an arrears adjustment, and reviewing/approving adjustments; and
- Arrears adjustment error corrections.

6. Temporary Use of the ARMR Screen and Arrears Adjustment Codes for the CAROTS Pilot

The CAROTS strategy will be available for entry on the ARMR screen only for a limited time after the MiCSES 9.3 Release to allow IV-D staff in CAROTS pilot counties (Macomb and Genesee) to enter in-progress and/or incomplete CAROTS strategies. OCS anticipates that CAROTS activities will be completed within four to six weeks of the MiCSES 9.3 Release. OCS will work with Macomb and Genesee counties to determine when CAROTS activities have been completed and when to restrict the enrollment/entry of NCPs for CAROTS on the ARMR screen.

Only FOC IV-D staff in the pilot counties of Macomb and Genesee will be authorized to enter the CAROTS strategy on the ARMR screen and select CAROTS reason details on the OBAA screen. FOC staff in the non-pilot counties must **not** enter a CAROTS strategy on the ARMR screen or select a CAROTS reason detail for arrears adjustments on the OBAA screen.

7. AMP Eligibility When Settlement or Lien Funds Are Pending

OCS has incorporated the content from Frequently Asked Question (FAQ) 1277 (published March 17, 2016) into Section 6.51. FOC staff will consider pending lawsuits, insurance claims, or workers' compensation settlements when

⁴¹⁸ Ref: Section C(5) in this memorandum for information about reason codes.

determining an NCP's eligibility for an AMP strategy. OCS also clarified information regarding the insurance levy and FIDM/MSFIDM match report(s) that OCS Central Operations provides to the FOC office.⁴¹⁹

8. Timeframes for Initiating an AMP Strategy and Determining Eligibility

OCS has clarified that no specific timeframes are required for initiating an AMP strategy, submitting requests, obtaining documentation from the NCP, and/or determining an NCP's eligibility. However, once FOC staff determine an NCP is eligible for an AMP strategy, FOC staff will promptly enter the NCP's enrollment into MiCSES.

9. Determination of Eligibility Under Poverty Guidelines

The reference in Section 6.51 regarding using the poverty guideline in the 2013 Michigan Child Support Formula (MCSF) for determining an NCP's AMP eligibility was updated to the 2017 MCSF. In the 2017 MCSF, the multiplier for adjusting the NCP's earnings based on the number of children in the home did not change.

10. Clarification of Role involved in Cross-County Coordination

Manual Section 6.51 was updated to clarify that the Arrears Management Coordinator is the person to contact for AMP coordination in the other county if the NCP has a docket in another county.

D. Unreimbursed Grant (URG) Adjustment Requests

OCS has updated Sections 6.42 and 6.51 with the following policy.

1. Submitting URG Adjustment Requests

IV-D staff will continue sending URG adjustment requests manually to OCS. Arrears Management Joint Application Design (JAD) participants discussed automating URG adjustments in MiCSES and/or having OCS Central Operations staff use the new arrears log on the ARMR screen to prompt URG adjustments. However, OCS is not implementing URG-adjustment functionality in MiCSES because the complex case conditions involved in URG adjustments require manual review and coordination by FOC and OCS staff.

2. Assistance Case ID (AC-ID)

For URG adjustments, IV-D staff will not solely rely on the Assistance Case ID (AC-ID) that MiCSES records on the ARMR screen's *Log* tab. The AC-ID on the

⁴¹⁹ Ref: [Section 6.27, "Liens – FIDM/MSFIDM,"](#) and [Section 6.30, "Liens – Insurance,"](#) of the *Michigan IV-D Child Support Manual*.

ARMR screen will be the latest AC-ID for the case, but it may not necessarily be the correct AC-ID for the URG adjustment. IV-D staff will continue to manually determine the appropriate AC-ID to identify for URG adjustment requests.

3. Docket ID, IV-D Case Number(s) and Note in Lieu of Encrypted Email

IV-D staff will begin including a docket ID and IV-D case ID(s) when submitting URG adjustment requests. IV-D staff may use the docket ID provided in the log on the ARMR screen. FOC staff may choose to document the necessary URG information on the *Notes Processor* (NOTE) screen instead of sending all the necessary information in an encrypted email. The procedure for submitting URG requests has been updated in Section 6.51.

E. Statutory/Judicial Payment Plans and Other Arrears Adjustments

Section 6.42 was updated with the following policy for judicial payment plans and other arrears adjustments. OCS also made some minor changes to references in Section 6.42. In addition, OCS revised a reference in Section 6.51 that refers readers to Section 6.42 for details regarding payment plans. The reference was clarified to cover all statutory payment plans rather than only arrears payment plans.

1. Payment Plan Entry

FOC staff will continue to enter statutory/judicial payment plans such as Arrears Payment Plans, Enforcement Payment Plans, or Surcharge Payment Plans into MiCSES on the *Support Order Entry* (SORD), *Obligation Maintenance* (OBLG), and NOTE screens. The ARMR screen will not include the ability to enter any of these payment plans. Within Section 6.42, OCS updated references to the *Obligation Entry* (OBLE) and *Obligation Maintenance* (OBLM) screens for entering an *Ordered on Arrears* amount to refer to the OBLG screen instead.⁴²⁰

2. Arrears Adjustments

In addition to implementing new adjustment methods and codes for the AMP strategies, the Arrears Management JAD participants reviewed the use, volumes, and amounts associated with existing arrears adjustment codes. The JAD participants anticipate the MiCSES 9.3 Release will provide a more streamlined way of entering arrears adjustments on the OBAA screen via a tiered and filtered approach. The release will inactivate some existing codes that do not clearly indicate the appropriate reason. OCS added or renamed other codes to differentiate between administrative, judicial, and AMP adjustments and to reflect

⁴²⁰ In the MiCSES 8.1 Release (July 8, 2012), the OBLG screen replaced the OBLE and OBLM screens.

business practices. Section 6.42 was also updated to provide more information about reinstating arrears discharged through a statutory payment plan.⁴²¹

3. Tracking and Reporting

FOC staff will not have the ability to enter statutory/judicial payment plans on the new ARMR screen, but may use the log on the ARMR screen for reviewing non-AMP arrears adjustments, such as statutory payment plan adjustments. FOC staff are not required to review/approve non-AMP arrears adjustments via the ARMR screen; however, the log may help offices with managing office business.

NECESSARY ACTION:

Review Sections 6.42 and 6.51 of the *Michigan IV-D Child Support Manual*. For those maintaining a hard copy of the manual, print the manual sections and add them to the manual. Discard the previously published versions of Section 6.42 and Section 6.51 (both published June 28, 2016).

With the publication of this policy, IV-D Memorandums 2009-033 and 2012-020 are obsolete. Exhibit 6.51E2, an attachment to IV-D Memorandum 2012-020, remains unchanged and is being republished with this memorandum.

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⁴²¹ OCS intends to update Chapter 5.0, "Financials," of the *Michigan IV-D Child Support Manual* in the future to provide additional policy regarding the arrears adjustment reason codes and reason detail codes.

ATTACHMENTS:

- Section 6.42: Payment Plans
- Section 6.51: Arrears Management
- Exhibit 6.51E2: Lump-Sum Payment: Examples

EPF/CPT

IV-D MEMORANDUM 2016-038

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: December 1, 2016

SUBJECT: Changes and Clarifications to the Calculation of the Arrears
Case Percentage and Support Order Percentage Performance
Measures

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

Since the beginning of fiscal year (FY) 2016 (October 1, 2015), OCS and other IV-D staff have identified the need for clarifications and several system corrections to two of the federal IV-D performance incentive factors. OCS recognizes that IV-D staff continue to have questions regarding the calculation of federal performance measures.

This IV-D Memorandum will:

- A. Provide background information on federal reporting of child support performance factors in Michigan;
- B. Clarify how and when cases are counted as part of the Arrears Case Percentage and Support Order Percentage measurements;
- C. Explain recent and upcoming system changes to the calculation of the Arrears Case Percentage incentive factor;
- D. Explain upcoming system changes to the calculation of the Support Order Percentage incentive factor;
- E. Announce recent changes to the Business Objects reports *Improving OCSE-157 Performance Indicators – Current Support* (FR-002B) and *Improving OCSE-157 Performance Indicators – Arrears Cases* (FR-002C); and
- F. Discuss the timing of these federal reporting changes.

This memorandum also introduces an updated version of Exhibit 1.30E1, Performance Factor Indicators. The exhibit has been updated with clarifying information.

SUMMARY:

In April 2016 (Data Warehouse Release 2.24), OCS made changes to the calculation of the Arrears Case Percentage incentive factor. On or about December 2, 2016 (Data Warehouse Release 2.26.2), OCS will make additional changes to the calculation for Arrears Case Percentage as well as a change to the Support Order Percentage incentive factor. All Business Objects reports associated with federal reporting will include the updated logic for calculating these factors.

OCS will *retroactively* adjust the Arrears Case Percentage and Support Order Percentage calculations for all periods within FYs 2016 and 2017 (i.e., from October 1, 2015, forward). After the December 2, 2016 release, a IV-D worker running the *County Performance Incentive Factors* (FR-004) or *Child Support Enforcement Annual Data Report* (FR-157) for any time period in FY 2016 or later will see an Arrears Case Percentage and Support Order Percentage that reflect updates made in the Data Warehouse 2.24 and 2.26.2 releases. The Data Warehouse (DW) Business Objects Michigan Child Support Program Dashboard (DB-001 and DB-002) will also reflect the adjusted calculations.

To reflect the updated calculations on the quarterly reports found on mi-support's Performance Management page, OCS will update and re-issue the following FY 2016 reports for Quarters 1 and 2, which have been temporarily removed from mi-support:

- *County Performance Indicators;*
- *County Performance Indicators Line Comparison; and*
- *Performance Factor Comparison.*

OCS will announce the availability of all FY 2016 quarterly reports in an upcoming email notification.

DISCUSSION:

A. Child Support Performance Factors and Federal Reporting – Background

The federal Office of Child Support Enforcement (OCSE) measures each state's performance on five factors.⁴²² Arrears Case Percentage and Support Order Percentage are two of those factors.

Each year, each state submits a *Child Support Enforcement Annual Data Report* to OCSE. This report is also known as the OCSE-157. The OCSE-157 provides information on the state's caseload and collections. OCSE uses information from the OCSE-157 to measure the state's performance. States submit an initial OCSE-157 by October 30 of each year, and may submit revised numbers by December 31.

More information can be found in the instructions for the OCSE-157: [Instructions for Completing Form OCSE-157; The Child Support Enforcement Annual Data Report.](#)

⁴²² Ref: [Section 1.30, "Performance Factors, Incentives, and the Data Reliability Audit," of the Michigan IV-D Child Support Manual.](#)

In Michigan, IV-D staff can obtain information related to the OCSE-157 or county-level performance factor information from the DW by running the following Business Objects reports:

- The FR-157, which OCS uses to report statewide performance to the OCSE and to provide quarterly reports on mi-support;⁴²³
- The FR-004, which provides a county-level breakout of the performance incentive factor information related to the OCSE-157.⁴²⁴ OCS uses it to provide quarterly reports on mi-support; and
- The Dashboard, which provides a point-in-time look at performance incentive factor information (statewide and county-level) related to the OCSE-157 and FR-004.⁴²⁵

B. Clarification: How and When Cases Are Counted

OCS Planning and Evaluation and DW staff have fielded many questions regarding when a case is counted toward a specific incentive factor or on a specific line of the FR-157. [Exhibit 1.30E1, Performance Factor Indicators](#), provides detailed information on the calculation of performance measures, including which case types and debt types are considered IV-D. OCS has updated this exhibit to more clearly illustrate how the performance factors are measured.

Areas related to federal reporting that cause confusion are discussed below.

1. Statewide vs. County-Level Reporting

While the FR-157, the FR-004, and the Dashboard report numbers from the same data sources and use the same rules, there is a significant difference between the total statewide numbers reported on the FR-157 and on the Dashboard, and the total of all county numbers reported on the FR-004 and on the Dashboard. This is because of “case rollup logic” and “county credit logic.”

2. Case Rollup Logic

Because of federal requirements relating to duplicate cases, the FR-157 uses “case rollup logic” when reporting statewide numbers. Case rollup logic identifies groups of cases that share both a custodial party and a non-custodial parent (with each having the same MiCSES⁴²⁶ member ID across all cases). A group of these cases is called a “rollup case.” Since multiple cases are grouped together into a single case, and those cases might be in different counties, county-level numbers from the Dashboard or the FR-004 cannot be added together to equal

⁴²³ Ref: [Business Objects Report Description: Child Support Enforcement Annual Data Report \(FR-157\)](#).

⁴²⁴ Ref: [Business Objects Report Description: County Performance Incentive Factors](#).

⁴²⁵ Ref: [MiCSES Customer Information Guide: Michigan Child Support Program Dashboard](#).

⁴²⁶ MiCSES is the Michigan Child Support Enforcement System.

the statewide number on the Dashboard or on the FR-157. All county breakouts must be at a raw case level (pre-rollup). However, county breakouts are also influenced by “county credit logic.”

Case roll-up logic exists on any line of the FR-157 where data is driven by a MiCSES case.

3. County Credit Logic

When determining incentive factors at the county level (on the Dashboard or on the FR-004), “county credit logic” allows multiple counties to get credit for the same case or child. For example, both the case county and docket county (if they are different) will get credit for a case when calculating incentives. Since a single case can be counted in multiple counties, county-level numbers from the Dashboard or the FR-004 cannot be added together to equal the statewide number on the Dashboard or on the FR-157.

County credit logic allows multiple counties to receive credit for the same case or child on the following federal reporting lines of the Dashboard and the FR-004: 1, 2, 5, 6, 21, and 21a.

Lines 24, 25, 26, 27, 28, and 29 of the Dashboard and the FR-004 count transactions (or cases affected by transactions) at the docket county level.

4. Arrears Case Percentage

The Arrears Case Percentage is calculated by dividing the number of cases on Line 29 of the FR-157 (Cases Paying Toward Arrears During the Fiscal Year)⁴²⁷ by the number of cases on Line 28 (Cases With Arrears Due During the Fiscal Year).⁴²⁸

Federal requirements around this calculation are complex, specifically in terms of when a payment counts toward an arrearage. OCS Planning and Evaluation and DW staff have received questions from IV-D staff about which conditions allow a case to be included in the Arrears Case Percentage calculation.

A IV-D case will count as having an arrears payment when one of the following factors applies:

⁴²⁷ A payment of any amount is sufficient for a case to be counted.

⁴²⁸ When the Arrears Case Percentage is calculated for a time period other than the fiscal year (e.g., through Quarter 1 of a fiscal year), the number of cases paying toward arrears during the time period is divided by the number of cases with arrears due during the time period.

- Arrears are owed to both the family and to the state on a former-assistance case, and at least part of the arrears payment is distributed and disbursed to the family;⁴²⁹
- Arrears are owed to both the family and to the state on a current-assistance case, and the arrears payment is distributed and disbursed to either the state or the family;
- Arrears are owed only to the family, and the arrears payment is distributed and disbursed to the family;
- All arrears are owed to the state, and the arrears payment is distributed and disbursed to the state; or
- The case is a IV-D case (i.e., not an “L” type case in MiCSES) at the time of the distribution and disbursement.

5. Support Order Percentage

The Support Order Percentage is calculated by dividing the number of cases on Line 2 of the FR-157 (Cases Open at the End of the Fiscal Year with Support Orders Established) by the number of cases on Line 1 (Cases Open at the End of the Fiscal Year).

A IV-D case is counted as having an order established when there is an open support order associated with the case, **and** at least one of the following is also true:

- There is an active IV-D obligation on the case;
- Medical support has been ordered;
- Insurance has been ordered;
- The order is a zero support order; or
- The case has IV-D arrears.

C. System Changes to the Calculation of the Arrears Case Percentage

There are three system changes that OCS has made or will make to the calculation of the Arrears Case Percentage incentive factor.

1. System Issue #1 – Arrears Case Percentage: Count Open IV-D Cases in Year

As explained in a [July 2016 email notification](#), the DW 2.24 release, which occurred April 29, 2016, implemented changes to the way the Arrears Case Percentage is calculated. During case closure efforts in October 2015, OCS and DW staff discovered that, on Line 28⁴³⁰ of the FR-157, Michigan had been reporting IV-D cases that were open at the *end* of the fiscal year, rather than cases that were open *at any point* in the fiscal year. This was not a change to

⁴²⁹ Federal tax refund offset (FTRO) collections pay state-owed arrears first. If an FTRO collection is the only collection that is paid on a former assistance case in a fiscal year, the case will not count toward this performance factor if the entire FTRO is disbursed to the state.

⁴³⁰ Line 28 is Cases with Arrears Due During the Fiscal Year.

federal reporting business requirements nor a new interpretation of the federal requirements; the reports were not correctly adhering to the requirements.

OCS manually adjusted its reporting of the OCSE-157 for FY 2015 to reflect cases that were open at any point in the fiscal year, as the business requirements intended.

This change in reporting of the FR-157 necessitated similar changes in the FR-004 and the Dashboard.⁴³¹ OCS made these changes in the DW 2.24 release.

By making these changes, Michigan will correctly follow the federal OCSE's instructions for reporting. This coding change will also allow Michigan's IV-D program to better measure its effectiveness in obtaining past-due support payments for the families it serves.

2. System Issue #2 – Arrears Case Percentage: Intergovernmental and Non-IV-D Payments

While reconciling the changes made to the Arrears Case Percentage calculation in the DW 2.24 release, representatives of the Performance Management Workgroup identified an issue with Line 29⁴³² that was unrelated to the DW 2.24 changes. The federal reports were not counting the following cases that should have been counted:

- Intergovernmental responding cases that received payments; and
- IV-D cases that received payments but became non-IV-D cases later in the reporting period.

Modifying the federal reports to count these cases is not a new interpretation of or a change to the federal reporting business requirements; rather, it is a corrective action to ensure that the reports meet those requirements.

By correctly calculating Line 29, OCS expects that as many as 18,000 additional cases may be counted on Line 29 for FY 2016, and that Michigan's Arrears Case Percentage measurement may increase by 2 to 3 percent.

OCS will implement the fix for this issue on December 2, 2016, as part of the DW 2.26.2 Release.

⁴³¹ When the Arrears Case Percentage is calculated for a time period other than the fiscal year (e.g., through Quarter 1 of a fiscal year), the number of cases paying toward arrears during the time period is divided by the number of cases with arrears due during the time period.

⁴³² Line 29 is Cases Paying Toward Arrears During the Fiscal Year.

3. System Issue #3 – Arrears Case Percentage: Case Count Timing

OCS found an additional Arrears Case Percentage issue where cases on Line 28 are being counted as IV-D cases on a date other than the first day of the month. This issue involves only about 400 cases at any point and has virtually no effect on Michigan's Arrears Case Percentage measurement. This is not a change to the federal reporting business requirements or a new interpretation, but rather an issue where the reports have not been correctly meeting those requirements.

OCS will implement the fix for this issue on December 2, 2016, as part of the DW 2.26.2 Release.

D. System Change to the Calculation of the Support Order Percentage

There is one change that OCS will make to the calculation of the Support Order Percentage – fixing the case count (System Issue #4 of this memorandum).

In October 2016, OCS Planning and Evaluation discovered a discrepancy in the OCSE-157 while preparing the preliminary submission for FY 2016. Michigan reported approximately 6,300 cases on Line 2⁴³³ that should not have been included in the case totals. These cases had an open docket/court case, but the IV-D case was closed. As with the Arrears Case Percentage issues, this was not a change to federal reporting business requirements nor a new interpretation of the federal requirements; the reports were not correctly adhering to the requirements.

OCS will fix this issue December 2, 2016, as part of the DW 2.26.2 Release. This correction is expected to reduce Michigan's Support Order Percentage calculation by about half a percentage point.

E. Changes to the FR-002B and FR-002C

The FR-002B allows IV-D workers to identify cases that can be worked to improve the Current Support Percentage. The FR-002C allows IV-D workers to identify cases that can be worked to improve the Arrears Case Percentage. Both reports were updated in the DW 2.25.2 Release on September 7, 2016.

IV-D workers are now able to run the reports for the fiscal year-to-date, rather than just for the previous month.

Running the FR-002B for the fiscal year-to-date will allow the IV-D worker to identify financial information for IV-D cases that appear on Line 24⁴³⁴ but do not appear on Line 25⁴³⁵ (i.e., cases for which current support is owed, but none has been paid during the fiscal year).

⁴³³ Line 2 is Cases Open at the End of the Fiscal Year with Support Orders Established.

⁴³⁴ Line 24 is Total Amount of Current Support Due for the Fiscal Year.

⁴³⁵ Line 25 is Total Amount of Support Distributed as Current Support During the Fiscal Year.

Running the FR-002C for the fiscal year-to-date will identify IV-D cases that appear on Line 28 of the OCSE-157, but do not appear on Line 29 (i.e., IV-D cases with arrears that have not yet received a payment this fiscal year).

F. Timeline of the Changes and Program Actions

On and after December 2, 2016, all FY 2016 and FY 2017 reports (the FR-157, the FR-004, and the Dashboard) will be updated. An FR-157 or FR-004 run for any period of time within FY 2016 or FY 2017 will produce results using updated logic from both the DW 2.24 and DW 2.26.2 releases (i.e., all four system issues identified in this memorandum).

The 2016 fiscal year-end Dashboard, as well as any FY 2016 “previous year” Dashboard figures, will also use the updated logic.

To summarize, OCS made corrections to federal reports and communicated these corrections to staff at the following times:

- In October 2015, OCS staff manually adjusted the FR-157 for the end of FY 2015 to correct the Arrears Case Percentage incentive factor for System Issue #1 identified in this memorandum before it was submitted to OCSE.
- From October 2015 through March 2016, OCS staff manually adjusted the Dashboard reports to correct the Arrears Case Percentage incentive factor for System Issue #1 identified in this memorandum.
- On October 20, 2015, OCS staff sent an email notification indicating that the FR-004 and FR-157 would not be revised to correct System Issue #1 identified in this memorandum, and advised users to look to the Dashboard reports for performance factor information. However, OCS’s quarterly reports for the first and second quarters of FY 2016 were based on unadjusted information drawn from the FR-004 and the FR-157.⁴³⁶ Data drawn from these reports run prior to the DW 2.24 release did not match data shown on the Dashboard.
- On April 29, 2016, with the DW 2.24 release, OCS updated the FR-004 and FR-157. At that time, System Issue #1 identified in this memorandum was corrected moving forward only – no retroactive changes were applied to prior reporting periods.

⁴³⁶ These quarterly reports may be found on mi-support’s [Performance Management](#) page.

- On July 22, 2016, OCS Planning and Evaluation staff sent an email notification explaining the changes to the calculation of the Arrears Case Percentage identified as System Issue #1 in this memorandum.⁴³⁷
- On September 7, 2016, OCS made updates to the FR-002B and FR-002C.
- In October and November 2016, OCS notified staff to consider the Arrears Case Percentage and Support Order Percentage calculations on the Dashboard as preliminary calculations.

On December 2, 2016, OCS will make updates to correct System Issues #2, #3, and #4 identified in this memorandum. OCS will make those updates and System Issue #1 retroactive to the beginning of FY 2016.

OCS provides its initial OCSE-157 to OCSE no later than October 30 of each year. For FY 2016, the initial OCSE-157 *did not* include the DW 2.26.2 fixes (i.e., System Issues #2, #3, and #4 identified in this Memorandum). However, the revised (final) OCSE-157, which OCS will provide to OCSE by December 31, 2016, will be updated with the changes. Federal incentive payments are based on the final OCSE-157.

OCS will issue or reissue its quarterly reports for all FY 2016 quarters after the December 2 release. OCS will send an email notification to announce their availability. (These reports can be found on mi-support's Performance Management page.)

OCS staff recognize that they should have communicated about System Issue #1 more explicitly and clearly at the time of the DW 2.24 release. To help prevent confusion in the future, OCS and DW staff will strive to make any necessary changes to the FR-157, the FR-004, and the Dashboards simultaneously. They will also communicate changes to federal reporting, and the projected impacts of those changes, before the changes are made.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. For those maintaining a paper copy of the *Michigan IV-D Child Support Manual*, print Exhibit 1.30E1 and add it to the manual. Discard the previous version of Exhibit 1.30E1 (Rev. 4/15).

REVIEW PARTICIPANTS:

Performance Management Workgroup
 Program Leadership Group

⁴³⁷ The July 2016 email notification indicated that the Arrears Case Percentage's Dashboard figures for the previous year would be incorrect through April 2017. After December 2, 2016, this will no longer be true.

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CC:

None

SUPPORTING REFERENCES:

Federal
Instructions for Completing Form OCSE-157; The Child Support Enforcement
Annual Data Report

ATTACHMENT:

Exhibit 1.30E1: Performance Factor Indicators

EPF/JJV

IV-D MEMORANDUM 2016-039

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: December 5, 2016

SUBJECT: Revised Fair Credit Reporting Act (FCRA) Requirements and Requests to Third-Party Verification of Employment (VOE) Providers

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum discusses the guidance provided in the federal Office of Child Support Enforcement (OCSE) [Dear Colleague Letter \(DCL\)-16-01, Guidance about Third-Party Verification of Employment Providers](#). DCL-16-01 explains that a 2015 amendment to section 604 of the FCRA⁴³⁸ removed the requirement that child support agencies give 10 days' notice to the non-custodial parent (NCP) before requesting consumer information⁴³⁹ that will be used for enforcing a child support order.

FCRA requirements apply to requests for information that IV-D agencies make to some third-party VOE providers. Some employers contract with third-party VOE providers to respond when the employers receive requests for their employees' employment and income information. Some third-party VOE providers are considered CRAs and are subject to the FCRA requirements. When IV-D workers request employment and income information directly from a CRA or directly from a third-party VOE provider that is considered a CRA, the IV-D worker must comply with the FCRA requirements for submitting these requests.

This memorandum obsoletes IV-D Memorandum 2013-004, *Fair Credit Reporting Act (FCRA) Requirements and Requests to Third-Party Verification of Employment (VOE) Providers*. Some of the content in IV-D Memorandum 2013-004 was based on DCL-12-12, *Third-Party Verification of Employment Providers and the Fair Credit Reporting Act*

⁴³⁸ 15 United States Code (USC) 1681 et seq.

⁴³⁹ Consumer information refers to data provided by credit reporting agencies (CRAs). Ref: Section A of this memorandum for more information about CRAs.

*Requirements.*⁴⁴⁰ OCS has transferred policy from IV-D Memorandum 2013-004 to this IV-D Memorandum regarding the following topics:

- Why some third-party VOE providers are subject to the FCRA;
- Types of information requests;
- Identification and certification requirements; and
- Penalties for failing to comply with the FCRA.

Much of the content in this memorandum comes from IV-D Memorandum 2013-004. New content in this memorandum is indicated by a change bar in the right margin.

DISCUSSION:

A. Overview

IV-D workers sometimes request employment and income information from employers for establishing child support orders, reviewing and modifying child support orders, creating income withholding notices (IWNs), and locating parents. States are required to have procedures that give them the authority to require employers to respond to requests for employment and income information for any employee. Michigan law requires employers to respond to FOC and OCS requests for employment and income information.⁴⁴¹ Employers must also respond to these requests from PA staff since OCS has delegated some of its functions to the PA per contractual agreements between the Michigan Department of Health and Human Services and the offices of the PA.⁴⁴² If an employer refuses to provide the required information, other action may be taken.

Some employers contract with third-party VOE providers to respond when the employers receive requests for their employees' employment and income information. Some of the third-party VOE providers are considered CRAs,⁴⁴³ and requests to these providers are subject to the FCRA requirements. The FCRA governs CRAs and imposes restrictions on a CRA's distribution of consumer reports.

The FCRA defines a CRA as any "person" who assembles or evaluates "consumer credit information ... for the purpose of furnishing consumer reports to third parties." Consumer reports are defined as "any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character or general reputation, personal characteristics, or mode of living...."⁴⁴⁴

⁴⁴⁰ OCSE obsoleted DCL-12-12 with the publication of DCL-16-01.

⁴⁴¹ Michigan Compiled Law (MCL) 400.234; MCL 552.518

⁴⁴² 45 Code of Federal Regulations (CFR) 302.12

⁴⁴³ OCSE and the FCRA use the terms "consumer reporting agencies" and "consumer credit reporting agencies" to refer to CRAs such as Equifax, Experian, and TransUnion. Unless directly quoting another source, the term "credit reporting agency" will be used in this memorandum.

⁴⁴⁴ 15 USC 1681a

When IV-D workers request employment and income information directly from a CRA or directly from a third-party VOE provider that is considered a CRA, the IV-D worker must comply with the FCRA identification and certification requirements for submitting these requests.⁴⁴⁵

B. Sending VOE Requests

When a IV-D worker sends a VOE request directly to an employer or to an employer who forwards the request to a third-party VOE provider, the employer is required to respond to the request.⁴⁴⁶ The FCRA requirements do not apply to these requests.

Some IV-D workers submit VOE requests directly to third-party VOE providers. When a IV-D worker does this, the request is subject to FCRA identification and certification requirements. For example, IV-D workers have submitted VOE requests to the TALX Corporation via The Work Number, an employment and income verification service, to obtain or confirm employment and income information for the purpose of locate and establishment. TALX is a subsidiary of Equifax, a CRA, and is subject to the FCRA. Therefore, IV-D workers must follow the FCRA requirements when submitting a request directly to this third-party VOE provider. There are penalties, including fines and imprisonment, for failing to comply with the FCRA requirements or for obtaining information under false pretenses.⁴⁴⁷

C. Types of Information Requests

The FCRA allows for three types of information requests from the IV-D agency to CRAs:

- Information requests for enforcement of a child support order;⁴⁴⁸
- Information requests for establishment or modification of a child support order; and
- Limited information requests.

The three types of information requests are discussed below. For all types of information requests, IV-D workers must comply with the identification and certification requirements described in Section D. For information requests that will be used to enforce a child support order, IV-D workers must comply with the additional certification requirements described in Section C(1).

⁴⁴⁵ The identification and certification requirements are described in Sections C and D of this IV-D Memorandum.

⁴⁴⁶ MCL 400.234; MCL 552.518

⁴⁴⁷ Ref: Section E of this memorandum.

⁴⁴⁸ Before the FCRA was amended in 2015, OCSE interpreted language in the law to permit requests for child support enforcement purposes. The 2015 revisions to the FCRA explicitly state that using consumer information for the purpose of enforcing a child support order is a legitimate purpose.

1. Information Requests for Enforcement of a Child Support Order

The 2015 amendments to the FCRA removed the 10-day notice requirement imposed on IV-D agencies requesting information to enforce a child support order. IV-D workers are not required to provide the NCP with 10 days' notice prior to requesting information from a CRA or third-party VOE provider that is considered a CRA to enforce a child support order.

Section 604 of the FCRA states that it is permissible for a CRA to provide information to a state or local child support agency if the person submitting the request makes the required certifications. IV-D workers who submit requests for information that will be used to enforce a child support order must make all of the following certifications in addition to the requirements identified in Section D of this IV-D memorandum. The IV-D worker will certify:

- That the information will be used “for the purpose of establishing an individual’s capacity to make child support payments, determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment”;
- That the requested report is for an NCP for whom paternity has been established or acknowledged for the obligation being enforced; and
- That the report will be kept confidential and not used for any purpose other than the one described above.⁴⁴⁹

The FCRA does not specify how to make the required certifications. OCS suggests making the certifications in the same manner that the request is made. For example, if the request is made and accepted verbally, IV-D workers may provide the certifications verbally.⁴⁵⁰

Prior to submitting an information request for enforcement purposes, IV-D workers should consider whether a limited information request will provide the necessary information.⁴⁵¹

2. Information Requests for Establishment or Modification of a Child Support Order

The FCRA allows CRAs to provide consumer reports to child support agencies “for use to set an initial or modified child support award.”⁴⁵² In this situation, the certifications described in Section C(1) of this memorandum are not required.

⁴⁴⁹ 15 USC 1681b(a)(4)

⁴⁵⁰ The State Court Administrative Office recommends that FOCs provide *written* certifications in all instances.

⁴⁵¹ Ref: Section C(3) of this memorandum for information on limited information requests.

⁴⁵² 15 USC 1681b(a)(5)

However, the IV-D worker will comply with the identification and certification requirements described in Section D of this memorandum.

3. Limited Information Requests

The FCRA allows a IV-D worker to obtain limited information about an NCP or a custodial party (CP) from a CRA without restricting how the IV-D worker uses the information. The information is limited to the name, address, former addresses, places of employment, and former places of employment of the NCP or CP.⁴⁵³ OCS staff use this type of request when they request the data elements listed above via the TALX website for locate purposes. The IV-D worker will comply with the identification and certification requirements described below.

D. Identification and Certification Requirements

Under the FCRA, CRA procedures must require that individuals or entities requesting consumer information “identify themselves, certify the purposes for which the information is sought, and certify that the information will be used for no other purpose.”⁴⁵⁴ The identification and certification requirements are intended, in part, to ensure that information obtained from the CRA is being used for the purposes allowed under the FCRA.

The identification and certification requirements described in this section apply to all information requests. Requests for information submitted to CRAs or third-party VOE providers considered to be CRAs should incorporate these identification and certification requirements since they eliminate the need for the CRA or third-party VOE provider to contact the IV-D worker to confirm the certification requirements for every request. They also prevent delays in obtaining information from the CRA.

As for limited information requests, only governmental agencies can submit these requests to CRAs or third-party VOE providers that are considered CRAs. Therefore, when a IV-D worker makes a limited information request, (s)he must certify that it is being made on behalf of a governmental agency. However, the IV-D worker is not required to certify the purpose of obtaining the limited information.⁴⁵⁵

The following forms generated in the Michigan Child Support Enforcement System (MiCSES) are used to verify employment and income information. Current language on these forms satisfies the identification and certification requirements described in this section:

- *Employer’s Verification of Income* (2030);
- *Employer’s Verification of Income and Health Insurance Information* (2031);
- *Employer’s Disclosure of Income and Health Insurance Information* (FEN305);

⁴⁵³ 15 USC 1681f

⁴⁵⁴ 15 USC 1681e(a)

⁴⁵⁵ 15 USC 1681f

- *Employer's Disclosure of Health Insurance Information* (FEN306);
- *Employment Status Disclosure* (FEN307);
- *Employer Information Request* (LOC_Employer); and
- *Employment Status Disclosure* (RNMFOC22).

When the information request is for enforcement purposes, the above MiCSES-generated VOE forms do not contain language which certifies that the requested report is for an NCP for whom paternity has been established or acknowledged for the obligation being enforced.⁴⁵⁶ Therefore, IV-D workers must include this additional information when making a request to a CRA.

E. Penalties for Failing to Comply with the FCRA or Obtaining Information Under False Pretenses

A IV-D worker who intentionally does not comply with the requirements of the FCRA or obtains a consumer report under false pretenses is responsible for paying for damages suffered either by the consumer or the CRA.⁴⁵⁷ Additionally, a IV-D worker who intentionally obtains information on a consumer from a CRA under false pretenses may be fined or imprisoned or both.⁴⁵⁸

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. With the publication of this Memorandum, IV-D Memorandum 2013-004 and Exhibit 2013-004E1 are obsolete.

REVIEW PARTICIPANTS:

Case Management Work Improvement Team (WIT)
Enforcement WIT
Establishment WIT
Program Leadership Group

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CC:

None

⁴⁵⁶ Help Desk ticket 426792 was entered to request that the appropriate forms committee review and modify forms needing this additional certification language.

⁴⁵⁷ 15 USC 1681n

⁴⁵⁸ 15 USC 1681q

SUPPORTING REFERENCES:

Federal

15 USC 1681 et seq.
15 USC 1681a
15 USC 1681a(j)(2)
15 USC 1681b(a)(4)
15 USC 1681b(a)(5)
15 USC 1681e(a)
15 USC 1681f
15 USC 1681n
15 USC 1681q
42 USC 666(c)(1)(C)
45 CFR 302.12

DCL-16-01, *Guidance about Third-Party Verification of Employment Providers*

State

MCL 400.234
MCL 552.518

ATTACHMENT(S):

None

EPF/VPW

IV-D MEMORANDUM 2016-040

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: December 29, 2016

SUBJECT: Hague Maintenance Convention Case-Processing Forms

RESPONSE DUE: None

POLICY EFFECTIVE DATE: January 1, 2017

PURPOSE:

Effective January 1, 2017, Hague Maintenance Convention (Convention) forms must be used in:

- All new international child support cases involving countries that have ratified the Convention (i.e., Hague Member States); and
- All existing cases with Hague Member States after a major case action.⁴⁵⁹

This IV-D Memorandum describes when certain Convention forms should be used and how to determine which forms should be used for a given country. It also explains terminology differences between U.S. child support cases and Convention cases.

DISCUSSION:

A. Hague Maintenance Convention Forms

The Convention will become effective for the United States on January 1, 2017.⁴⁶⁰ After that date, U.S. states will process cases with Hague Member States under the requirements of the Convention and Article 7 of the Uniform Interstate Family Support Act of 2008 (UIFSA).⁴⁶¹ For a current list of Hague Member States, reference the [Hague Conference website](#).

⁴⁵⁹ "Major action" is a term that has been used, but not defined, by the federal Office of Child Support Enforcement (OCSE). Until further notice, IV-D staff will treat all petitions for Registration for Enforcement and/or Modification as "major actions."

⁴⁶⁰ Ref: [Dear Colleague Letter \(DCL\)-16-11, U.S. Ratification of Hague Child Support Convention; DCL-16-21, Open Comment Period – Hague Child Support Convention Case Processing Forms](#).

⁴⁶¹ Public Act 255 of 2015

UPDATE(S):

Manual

Form(s)

The Convention and UIFSA require the use of specific forms when handling a child support case with a Hague Member State. These Convention forms will supersede the country-specific forms for those Hague Member States that have indicated in their Country Profile⁴⁶² that their prescribed or preferred forms for incoming cases are the standard recommended forms published by the Hague Conference.

The Convention forms are called Annexes. The Convention Annexes include a Mandatory Transmittal, a Mandatory Acknowledgment, and five Recommended Annexes. These are explained below.

1. Mandatory Transmittal and Mandatory Acknowledgment

Once the Convention is in effect, child support agencies must use the:

- Mandatory Transmittal form for outgoing cases to Hague Member States; and
- Mandatory Acknowledgment form for incoming cases from Hague Member States.

Likewise, Hague Member States must use these forms when processing cases with the United States.

2. Recommended Annexes

Each Hague Member State determines its own requirements regarding the use of the five Recommended Hague Maintenance Convention Annexes. The Recommended Annexes are groups of forms that make up a specific request.

When a country ratifies the Convention, it completes a Country Profile, which is a country-specific reference document published on the Hague Conference website. The Country Profile is similar to the Intergovernmental Reference Guide (IRG). In its Country Profile, a country may identify whether it wants other Hague Member States to use the standard Recommended Annexes when sending an application under the Convention.⁴⁶³

Alternatively, a Hague Member State may require use of a different form or may indicate that it does not have a prescribed or preferred form. Countries can also require additional information along with the Recommended Annexes. If a country chooses to use a Recommended Annex, all of the included forms must be used to complete the application. The Country Profile for the United States will indicate that other countries must use all the Convention's Recommended Annexes when sending cases to the United States.

⁴⁶² Ref: Section A(2) of this memorandum for information about the Country Profile.

⁴⁶³ Ref: the Hague Conference website for a list of available [Country Profiles](#).

B. List of Hague Maintenance Convention Forms⁴⁶⁴

The Convention forms will be available in the Michigan Child Support Enforcement System (MiCSES) with a future release. IV-D staff will be notified through an email notification when the forms are available. Currently, the Convention forms can be accessed through the [OCSE website](#) or from [mi-support](#).⁴⁶⁵

- Mandatory Annexes
 - Annex I: Transmittal form under Article 12(2)
 - Annex II: Acknowledgement form under Article 12(3)
- Recommended Annexes, which include:
 - **Annex A: Recognition or Recognition and Enforcement**
 - Application for Recognition or Recognition and Enforcement
 - Abstract of a Decision
 - Statement of Enforceability of a Decision
 - Statement of Proper Notice
 - Status of Application Report – Article 12
 - **Annex B: Enforcement of a Decision Made or Recognised in the Requested State**
 - Application for Enforcement of a Decision Made or Recognised in the Requested State
 - Status of Application Report – Article 12
 - **Annex C: Establishment of a Decision**
 - Application for Establishment of a Decision
 - Status of Application Report – Article 12
 - **Annex D: Modification of a Decision**
 - Application for Modification of a Decision
 - Status of Application Report – Article 12
 - **Annex E: Financial Circumstances**
 - Financial Circumstances Form

⁴⁶⁴ Ref: [Convention on the International Recovery of Child Support and Other Forms of Family Maintenance](#). The Articles in this document refer to the Convention, not UIFSA.

⁴⁶⁵ The Convention forms are located on mi-support at Program Library > Index > International.

For instructions and more information about the forms, see the [Practical Handbook for Caseworkers under the 2007 Child Support Convention](#), Chapter 15, “Completing the Forms.”

More information regarding the processing of cases with Hague Member States will be published in a future publication of the *Michigan IV-D Child Support Manual*.

C. Hague Maintenance Convention Terminology

The Convention uses different terminology than what is commonly used in U.S. child support cases. The table below shows common U.S. child support terminology and the equivalent terms used by the Convention:

U.S. Child Support Term	The Hague Maintenance Convention Term
Treaty	Convention
Obligee/Custodial Party	Creditor
Obligor/Non-Custodial Parent	Debtor
Country	State
Support	Maintenance
Order	Decision
Referral	Application
Transmittal	Annex
Initiating State	Requesting State
Responding State	Requested State
Registration	Recognition
Maintenance Agreement	Foreign Support Order
Limited Service Request	Request for Specific Measures

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. After January 1, 2017, any new child support cases involving a Hague Member State must be processed using the Convention forms as directed by the Country Profile. Any child support case involving a Hague Member State already under way as of January 1, 2017 will be processed using the current procedures until there is a major case action. The IV-D worker will consult the Country Profile to determine which forms to use.

REVIEW PARTICIPANTS:

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SUPPORTING REFERENCES:

Federal

Convention on the International Recovery of Child Support and other forms of Family Maintenance

State

None

ATTACHMENTS:

Annex I: Transmittal form under Article 12(2)

Annex II: Acknowledgement form under Article 12(3)

Annex A: Recognition or Recognition and Enforcement

Annex B: Enforcement of a Decision Made or Recognised in the Requested State

Annex C: Establishment of a Decision

Annex D: Modification of a Decision

Annex E: Financial Circumstances

EPF/ATM