

THE SUPPORTING STATEMENT
National Medical Support Notice – Part A

A. JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

Section 401 of the Child Support Performance and Incentives Act of 1998 (CSPIA) Pub.L. 105-200 requires State Child Support Enforcement agencies under title IV-D of the Social Security Act (the Act) to enforce the health care coverage provision in a child support order, and to use the National Medical Support Notice (NMSN) as a means of enforcement. The law requires the NMSN to be promulgated by regulations issued jointly by the Departments of Health and Human Service (HHS) and Labor (DOL).

2. Purpose and Use of the Information Collection

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) requires all child support orders under title IV-D of the Act to have a provision for medical support coverage. CSPIA requires enforcement of this provision and to use the NMSN as a means of enforcement. State and local Child Support Enforcement agencies send the NMSN to known employers where employees/obligors are employed for the purpose of enrollment of the child into the employee/obligor's health plan. The employer retains the severable wage-withholding portion of the form and withholds from the employee/obligor's wages any premium payments that may be required by the plan. The employer sends the remaining portion of the NMSN to the health plan administrator for enrollment of the child.

3. Use of Improved Information Technology and Burden Reduction

Currently, State IV-D agencies are required to automate information collections. State agencies will transfer this information after the order is established. A computer-generated Order/Notice is developed for cases that require sending the NMSN to the employer.

4. Efforts to Identify Duplication and Use of Similar Information

When the State IV-D agency establishes a child support order and the obligor's employer is known, this is the only time that the NMSN is completed and sent to the employer as a means of enforcing the medical support provision which is now required in all child support orders under title IV-D of the Act. This NMSN form replaced individual State forms previously in use.

5. Impact on Small Businesses or Other Small Entities

The NMSN is sent to all known employers where an obligor has a medical support provision included in a child support order. The NMSN is sent to small businesses. Because the NMSN provides the pertinent information needed to enroll a child in the employee/obligor's health plan and to withhold premium payments from the employee/obligor's wages, the NMSN will facilitate meeting the requirements of all child support orders requiring health care coverage for child(ren) under title IV-D of the Act.

6. Consequences of Collecting the Information Less Frequently

The use of the NMSN by State IV-D agencies as a means of enforcing medical support coverage from children was mandated by CSPIA. The Office of Child Support Enforcement (OCSE) coordinated with DOL in the development of the NMSN, since employers considered self-insured under the Employee Retirement Income Security Act are regulated under DOL requirements.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

There are no special circumstances associated with collection of this information.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

The information collection notice was published for comment in the Federal Register on June 28, 2010 (75 FR 36658). OCSE received comments directly from states and one national child support organization. The Department specifically requested comments on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

The comments primarily focused on the quality, utility, and clarity of the information to be collected. Specifically, the comments requested some clarifications to the NMSN so the instructions to employers could be improved and provided electronically. The comments with responses are in the attachment and OCSE proposes to revise the NMSN - Part A in thirty-one areas which includes the new OMB/PRA expiration date.

The comments also made some requests for synchronizing the data elements and the expiration date of Part B of the NMSN. However, since DOL maintains

responsibility and authority for Part B, those comments have been forwarded to DOL.

9. Explanation of Any Payment or Gift to Respondents

Not Applicable.

10. Assurances of Confidentiality Provided to Respondents

The State and local Child Support Enforcement agencies will follow their State legislation that requires assurances of confidentiality.

11. Justification for Sensitive Questions

The State and local Child Support Enforcement agencies follow their State laws and procedures regarding collection of sensitive information.

12. Estimates of Annualized Burden Hours and Costs

When a child support order is established and the obligor’s employer’s name is known, the State or local Child Support Enforcement agency will complete the NMSN. The estimated amount of time to prepare the form is 10 minutes.

Instrument (National Medical Support Notice)	Number of Respondents	Number of Responses Per Respondents Per Year	Average Burden Hours Per Response	Total Burden Hours
45 CFR 303.32	54	13,454	.17 hours	123,507

The annualized costs to respondents for the hour burdens are based on an average wage rate of \$18 per hour for State level employees submitting data.

Reporting	Average Annualized Cost Per Respondent	Total Annualized Cost
States	\$40,218	\$2,171,749

13. Estimate of Other Total Annual cost Burden to Respondents and Record Keepers

There are no estimated costs associated with the annualized reporting and recordkeeping burden.

14. Annualized Cost to the Federal Government

Upon approval of the proposed revisions to the NMSN – Part A, OCSE will post the new version of the NMSN on the internet website for states to download. There are no costs to the Federal Government.

15. Explanation of Program Changes or Adjustments

No difference. The proposed revisions will not increase or decrease the burden. Attached are two documents, NMSN Part A- Highlighted Form showing the changes on the form and NMSN Part A- Changes to Form that list the changes to the form.

16. Plans for Tabulation and Publication and Project Time Schedule

There are no plans to publish results of this information in the immediate future.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

Not applicable.

18. Exception to Certification for Paperwork Reduction Act Submission

There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

The information collection requirements outlines in this report do not employ the use of statistical methods.