

## **Public Comments Received on the Intergovernmental Reference Guide (IRG) (0970-0209)**

Comments received in response to the 60-Day Federal Register Notice regarding the IRG information collection and responses from the Administration for Children and Families Office of Child Support Enforcement (OCSE) follow. This information collection request is for revisions to add six questions to the State Profile, as requested by State Agencies, and eleven questions to the Tribal Profile, as requested by Tribal Agencies. OCSE plans to convene a workgroup to discuss additional revisions to the IRG information collection, which would be incorporated during the next renewal of this information collection (current expiration date: January 31, 2022). The goal is to obtain representative input from OCSE partners to streamline the IRG profiles and make the information more usable and easier to find in order to expedite handling of child support cases.

### **A. Iowa Department of Human Services**

**Comment:** Make Section O in the State Profile Questions not available to the public as answers to state policy and procedure questions designed to protect domestic violence victims may serve to educate domestic violence perpetrators in unforeseen ways.

**OCSE Response:** The suggestion that Section O., Family Violence, will be incorporated and made non-viewable by the public.

### **B. New Hampshire Department of Health and Human Services**

**Comment:** For proposed Section O, Family Violence, to minimize the collection burden on states, provide a “Family Violence Indicator Contact” for each state, which would provide a resource to answer any question sister states might have on the subject.

**OCSE Response:** The suggestion on Section O, Family Violence, will be incorporated and made non-viewable by the public.

### **C. Virginia Division of Child Support**

**Comment:** The state profile is convenient and necessary for the proper performance of agency functions. Agree with annual burden estimates. The quality, utility, and clarity of the Family Violence questions, Section O, will help states to apply the family violence indicator, to whom, and how to remove the indicator, all of which will help states be aware of trends in this area. Changes to the tribal profile cover the most needed information to process paternity and support obligations efficiently and concisely with tribes. Previous tribal questions were left incomplete or with minimal answers. There were no suggestions on how to minimize the annual burdens.

**OCSE Response:** Thank you for the feedback. OSCE is forming a workgroup to evaluate the IRG profile questions for the current information collection, which expires January 31, 2022, and will be revised at that time. Your suggestions for improving the profiles will be valuable.

#### **D. Eastern Regional Interstate Child Support Association (ERICSA)**

**Comment:** ERICSA fully supports the proposed changes of adding Section O to the state profile, Family Violence, which will ensure safety of children and families and new sections A-D, while deleting Sections A-L in the tribal profile, which will assist in the efficient processing of paternity and support obligations.

**OCSE Response:** Thanks for your valuable comments.

#### **E. Port Gamble S’Klallam Tribe**

**Comment:** The proposed changes to the tribal profile on the IRG were developed in concert with tribal child support directors. And although tribes are not required to participate, the streamlined and focused questions are more likely to encourage wider participation. OCSE was thanked for its dedication and partnership in working with tribes prior to implementation of the proposed changes to the IRG tribal profile.

**OCSE Response:** Thanks for your valuable comments.

#### **F. West Virginia Bureau for Child Support Enforcement**

**Comment:** The addition of Section O, Family Violence, is supported, as it will provide additional helpful information to staff and customers, regarding family violence rules. Suggested that a question be added that asks states what enhanced safeguards and precautions they provide for cases or individuals, with a family violence indicator. If questions O6 and O6-1 were intended to cover this, then those two questions need to be clarified with simpler language. The need for Question O5 was raised as there is no other IRG requirement to state a policy effective date and no need for one.

**OCSE Response:** Thank you for the feedback. OSCE is forming a workgroup to evaluate the IRG profile questions for the current information collection, which expires January 31, 2022, and will be revised at that time. Your suggestions for improving the profiles will be valuable.

#### **G. Florida Department of Revenue**

**Comment:** Add a new question for state procedure to redirect payments to another IV-D agency—(Transmittal 3 or Transmittal 1). Add a question about the adoption of the Uniform Parentage Act, which version, and any exceptions to the Act. Move question K7.4 to Section H. Expand Section N to include the approved closure reasons the state has not adopted. Add questions in the tribal section regarding disbursement and receipt of payments, similar to the international questions in the state profile.

**OCSE Response:** Thank you for the feedback. OSCE is forming a workgroup to evaluate the IRG profile questions for the current information collection, which expires January 31, 2022, and will be revised at that time. Your suggestions for improving the profiles will be valuable. Comments on the tribal profile will be considered.

## H. Sacramento County Department of Child Support Services

**Comments:** Overall comment: Change “paternity” to “parentage”

### **Specific sections:**

Section A. - Add:

Does your state use Electronic Document Exchange?

Does your state use CSENETs?

Does your state use QUICK?

If no, how can another state determine whether your state has an open case?

Add long arm statute to B

D. Age of Majority – change this to D. Emancipation

D6. Change “handicapped” to “disabled”

E2. Regarding paternity establishment should be last in the E. section

Add an E. section regarding whether the parties can waive the Statute of Limitations (i.e. Washington has a form NP signs)

Add F1.1 – link to official online calculator of support

Add section under F2 for who is responsible for calculating interest (i.e. the court clerk or the IV-D agency or the CP)

Change F17. as follows:

F17. Does support follow the child on your state’s orders?

F17.1. If no, what are your state's requirements to redirect payments from the court-ordered payee when a child on the order is receiving TANF with a different payee?

F17.2. In this situation, what type of request should another state send (i.e. modification, termination and establishment, change of payee, etc.)?

F17.3. What are your state's requirements to redirect payments from the court-ordered payee when a child on the order is receiving Medicaid only with a different payee?

F17.4. In this situation, what type of request should another state send (i.e. modification, termination and establishment, change of payee, etc.)?

F17.5. What are your state's requirements to redirect payments from the court-ordered payee when a child on the order is with a different payee and not receiving TANF or Medicaid only?

F17.6. In this situation, what type of request should another state send (i.e. modification, termination and establishment, change of payee, etc.)?

G.

Does your state allow for administrative IWOs issued by the IV-D agency?

If not, what is the process for obtaining an IWO?

H. Parentage (not Paternity)

How can paternity be established without a court order in your state? (i.e., marriage, acknowledgment, etc.)

What are the requirements for a marital presumption? (i.e., married and cohabitating at the time of conception and/or birth)

Is the marital presumption conclusive?

When and how can the marital presumption be rebutted?

What is the name of your parentage acknowledgment? (i.e., Voluntary Declaration of Paternity,

Voluntary Acknowledgment of Paternity, etc.)

When and how can an acknowledgment be rescinded?

When and how can an acknowledgment be set aside?

How can parentage be established by the court in your state? (i.e., genetic testing, relationship, etc.)

What probability for genetic testing creates a presumption of paternity?

How can parentage be disestablished?

K.

If the obligor obtains primary custody of the child, but support is not modified, can the obligor get custody credits for the times he/she had custody?

**OCSE Response:** Thank you for the feedback. OSCE is forming a workgroup to evaluate the IRG state and tribal profile questions for the current information collection, which expires January 31, 2022, and will be revised at that time. Your suggestions for improving the profiles will be valuable.

## **I. North Dakota Department of Human Services**

**Comment:** In the tribal profile, questions C1, C2, and C3, add a request to describe additional information about specific forms, not the UIFSA forms, required by the tribe and how those forms may be accessed.

**OCSE Response:** Requests that tribal questions C1, C2, and C3 include additional specific information about tribal forms that might be required by the tribal agency, not UIFSA forms, and how to obtain/access those specific tribal forms will be submitted for consideration at the next tribal IV-D meeting with OCSE. OSCE is forming a workgroup to evaluate the IRG questions for the current information collection, which expires January 31, 2022, and will be revised at that time. Your suggestions for improving the profiles will be valuable.