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Child Support Report

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Dawn of New Legislation Signals Resolve to Build on Strengths

By: Margot Bean

As you may know, on Feb. 8, President George W. Bush signed into law the Deficit Reduction Act of 2005. Along with the nation, child support professionals had watched the evolution of this bill over the past months, while it was deliberated, changed, refined, and, of course, voted on, in various sessions of the House and the Senate.

The new legislation contains the most sweeping child support enforcement provisions in 10 years. It comes at a time when we are seeing a high demand for change in the way government operates and strong concern about the level of resources committed to government programs, and creates opportunities for child support agencies to improve efficiency and outcomes, as we pursue our goals in the National CSE Strategic Plan. The new legislation rewards us with some long-awaited prospects to direct more child support collections to our customers - the children and families we serve.

Specifically, two provisions provide state options to pass more child support collections through to both current and former TANF families, with the Federal Government sharing in the cost of those increased payments. Another provision halves the arrearage amount triggering passport denial from \$5,000 to \$2,500. And still others authorize collection of arrearages owed to adult children through the Federal income tax refund offset program and federal-level matching of insurance claims data. And, to help us obtain medical support for more children, another

provision requires that both parents be considered as sources for medical support.

As a former state IV-D director, I recognize that the legislation will generate new complications for states, with the end of Federal matching of State expenditures using incentive payments, effective FY 2008. In view of this change, all of us need to strive to reassess and streamline our business practices for improved efficiency. I am committed to joining with all of you now as we work even harder to strengthen our federal, state, private, and community partnerships.

With the enthusiasm and commitment you've demonstrated more times than I can count, I am optimistic that together we can further our goal of making child support a reliable source of income for children and families. I look forward to working closely with you, and I thank you for the work you do every day.

Child Support Provisions - Deficit Reduction Act of 2005

The following is a summary of the child support provisions contained in the Deficit Reduction Act of 2005. (See page 7 for a summary of major changes in other ACF programs.)

- Provides State option to pass through support to TANF families (\$100 for 1 child/\$200 for 2 or more children) with Federal financial contribution effective FY 2009 or FY 2010 at State option.
- Provides State option to distribute more support to former TANF families with Federal financial contribution effective FY 2009 or FY 2010 at State option.
- Ends Federal matching of State expenditures using incentive payments effective FY 2008.
- Requires medical support for children from either parent (with optional enforcement against CP) effective FY 2006.
- Provides for matching of insurance settlement data with the Federal Parent Locator Service effective FY 2006.
- Mandatory review and adjustment of child support orders for families receiving TANF effective FY 2008.
- Decreases the trigger for passport denial from \$5,000 to \$2,500 in unpaid support effective FY 2007.
- Imposes a mandatory annual \$25 collection fee for non-TANF families effective FY 2007 in cases exceeding \$500 in collections.
- Reduces FFP for paternity lab costs from 90% to 66% effective FY 2007.
- Requires tax offset to collect past-due support on behalf of children whether or not they are minors effective FY 2008.

NCSEA Forum Speakers Look Ahead

Panelists discussed the future of child support business during several sessions of the annual Policy Forum and Training Conference, sponsored by the National Child Support Enforcement Association, Jan. 30 in Washington, DC. In a session on global family justice, Dr. Wade Horn, Assistant Secretary for Children and Families, emphasized the government's obligation to help children through healthy-marriage education programs, especially in low-income communities where services may not be available or affordable.

OCSE Commissioner Margot Bean, left, and Pat Redmond from the Center on Budget and Policy Priorities (Philadelphia) joined others to analyze potential medical-support solutions using, as an

Abstinence Education

Authorized through Dec. 31, 2006.

Foster Care/Adoption Assistance

Clarifies administrative claiming in the foster care program related to candidates (in general, no admin. for children in unlicensed relative homes beyond 12 months).

Clarifies eligibility for maintenance payments to remedy the Rosales decision (home of removal used to determine eligibility).

Revises adoption assistance eligibility by requiring that the child meet the AFDC eligibility criteria at the time of removal only.

Revises allowable costs within the Medicaid Targeted Case Management program.**Promoting Safe and Stable Families**

±\$40 million in FY 2006 and FY 2007 (\$345 million)

Revises the State Court Improvement Program to:

1. improve case tracking and analysis of child welfare cases, and
2. train judges, attorneys and other legal personnel in child welfare cases and cross-train with child welfare agency staff and contractors.

±\$20 million per year through FY 2010 - \$10 million for case management and \$10 million for judicial training.

Other Child Welfare Changes

✓ Adds a State plan requirement for collaboration with the courts in the development of State plans and Child and Family Services program improvement plan.

Provides States flexibility to allow public access to child welfare court proceedings.

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Internet: <http://www.acf.dhhs.gov/programs/cse/>

Handout Judicial
 Stakeholders Meeting
 2/6/06



**BUDGET RECONCILIATION ACT
 IMPLEMENTATION AND AUTHORIZATION DATES**

TANF and Child Care Provisions	Date
TANF Grants	Authorized through September 30, 2010
\$2 b Increase to Child Care and Development Block Grant	\$200 million increase retroactive to fiscal year 2006
Supplemental Grants	Authorized through fiscal year 2008
Contingency Funds	Authorized through fiscal year 2010
High Performance Grants	Authorized through fiscal year 2005
Marriage and Fatherhood Grants	\$150m for fiscal years 2006-2010
National Random Sample of Child Welfare	Extended through September 30, 2010
Caseload Reduction Credit Changes	Effective October 1, 2006
Including Separate State Program Participants in the work rate and quarterly reports	Effective October 1, 2006
New oversight of defining and counting work activities	New regulations to be promulgated by June 30, 2006. State compliance by September 30, 2006
Citizenship documentation for Medicaid	Effective July 1, 2006
Child Support Provisions	Date
Changes that require state legislation *note-each year of a 2-yr legislative session is considered as one regular session.	Allowed regular legislative session that begins after final passage of the bill to pass new legislation. After legislative session states have 3 mos. into the first quarter to implement.
✓ Limitation on Incentive Grant Match	Effective October 1, 2007
✓ Reduction in Fed. match for paternity to 66%	Effective October 1, 2006 and applies to costs incurred on or after this date.
✓ Mandatory user fee for never assistance cases	Effective October 1, 2006
Assignment of support rights as condition of TANF	Effective October 1, 2009 (State option to implement as early as October 1, 2008)
Distribution changes	Effective October 1, 2009 (State option to implement as early as October 1, 2008)
✓ Mandatory review and adjustment for TANF	October 1, 2007
✓ State option to pass through additional support	Effective October 1, 2008
✓ Tax intercept to collect on behalf of children who are not minors	Effective October 1, 2007
✓ Change in tax intercept distribution priority from state to family	Effective October 1, 2009
✓ Passport denial trigger lowered to \$2,500	Effective October 1, 2006
State option to use statewide automated data processing and information retrieval system for interstate cases.	Effective October 1, 2005

Information comparisons with insurance data	Effective October 1, 2005
Enforce medical support from either parent	Effective October 1, 2005
Child Welfare Provisions	Dates
Funding for Strengthening Courts	Effective October 1, 2005 (grant funding authorized for FY 2006-2010)
Funding increase to Safe and Stable Programs	Effective October 1, 2005 (mandatory funding increase is authorized just for FY 2006)
Foster Care eligibility changes (Rosales)	Effective October 1, 2005
Foster Care administrative claims limitations	Effective October 1, 2005