

## Chapter 13: Tribal

### Section 13.025: Taking Action when Tribal TANF Terminates

This section describes what actions to take on a case when DCS becomes aware that a tribal TANF grant has ended.

#### Contents

- Laws:**
- 42 USC 612 Tribal TANF
  - 42 USC 654 Cooperative Child Support Agreements
  - Chapter 26.25 RCW Cooperative child support services - Tribes
  - WAC 388-14A-5000 - 5100 Allows DCS to distribute support money to a tribe with TANF program or cooperative agreements
- Policy:**
- Tribal TANF programs notify the Division of Child Support (DCS) when tribal Temporary Assistance for Needy Families (TANF) terminates and whether they want the case closed.
- After tribal TANF terminates, the Tribal Liaison will:
- Continue to collect tribal TANF arrears owed to the tribe, unless the tribe requests case closure.
  - Request a payment record from the tribe showing distribution of child support, if necessary.
  - If there is an original DCS case, transfer any Temporarily Assigned Arrears back to the main DCS case.
  - If current support remains owing, transfer it back to the original case.
- Procedure:**
- If there is not an original DCS case, open a new case if the CP applies for DCS services. See **B 6** below for exceptions.
  - Treat tribal TANF cases the same as responding intergovernmental cases from a tribal IV-D agency for the purposes of case closure.

Set special instructions (SI) if you have a question regarding whether or not there are eligible children in the home.

Make necessary adjustments to the Support Enforcement Management System (SEMS) screens.

**Visual Aids:** Tribal Relations Internet site

**Automated Actions:**

**SEMS Screens:** CF, BC, IA, WB, CC

**Forms Used:** 18-571, 18-617

**Hearing and Conference Board Rights:** Refer all requests to the Tribal Liaison or Tribal Claims Officer.

13.015 Establishing and Setting Up a Tribal TANF Case  
13.020 Processing and Distributing Tribal TANF Child Support Payments  
14.000 Continuation of Services When Public Assistance Ends  
18.000 Identifying a Case for Closure  
At-04-01 Final Rule: Tribal Child Support Enforcement Programs  
Final Rule on Tribal Child Support Enforcement Programs

**See Also:** OCSE-AT-05-07 Miscellaneous Issues regarding 45 CFR part 309, the Tribal Child Support Enforcement Program Final Rule  
45 CFR Part 309 Tribal Child Support Enforcement Programs  
Previous Policy September 10, 2015  
Previous Policy November 12, 2008  
Previous Policy

## Procedures

### A. How will I know if tribal TANF terminates?

- You will receive notification from:
  - a. The tribal TANF program, or
  - b. The custodial parent (CP).

**Note:** The Tribal Liaison verifies with the tribal TANF program that the CP has stopped receiving tribal Temporary Assistance for Needy Families (TANF).

### B. What case actions do I take when tribal TANF terminates?

1. The Tribal Liaison will continue to collect on the tribal TANF arrears owed to the tribal TANF program, and work other cases associated with NCP.
2. On the basic case (**BC**) change case Type to **0** (blank) and Subro to **1** (TANF).
3. Set special instructions (**SI**) if there is a question about whether or not there are eligible children in the home.
4. Request a copy of the payment record showing distribution of payments from the tribal TANF program, if needed.

**Note:** You may need the payment record to determine the amount of nonassistance arrears and tribal TANF arrears.

5. If there is an original case, transfer any temporarily assigned arrears back to the original Division of Child Support (DCS) case as CP arrears.

**Note:** The original case is the case that you originally transferred CP's current child support and CP's arrears from when the tribal TANF case opened.

6. If there is not an original case, only open a new case if:

- a. The CP applies for DCS services,
- b. The tribal TANF assignment or referral has language that gives continuation of services to DCS,
- c. A cooperative agreement, protocol or memorandum of understanding gives continuation of services to DCS.

**Note:** See Section 2.045 for instructions on opening a new DCS case.

7. If the NCP owes current support, transfer it back to the original case. See Section 14.000.

**Exceptions:**

- a. The CP requests case closure of the original case in writing, and the original case is nonassistance.
  - b. No eligible children remain in the home.
  - c. There is not an original DCS case and DCS does not have continuation of services.
8. Follow closure procedures outlined in Sections 18.045 or 18.047, depending on the closure reason.
    - Send the **Child Support Enforcement Transmittal #2 - Subsequent Actions**, DSHS 18-571. **Note:** Depending on the local agreement with the tribe, you may also send the **DCS and Tribe Information Change Notice**, DSHS 18-617.