

Department of Social and Health Services

Olympia, Washington

EAZ Manual

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Revision Author: Stacey Bushaw
Division: CSD
Mail Stop: 45470
Phone: (360) 725-4622
Email: bushask@dshs.wa.gov

Summary

These revisions include updating Child Support language and moving current language around for readability.

Child Support

Revised ~~July 1~~ November 1, 2011

Purpose: This chapter provides information and instructions on the assignment of support rights to the State. It includes the requirement to cooperate with the Division of Child Support (DCS) as a condition of eligibility for TANF, SFA, and Family Medical Assistance.

[WAC 388-422-0005](#) What happens to my child, spousal and medical support when I get public assistance?

[WAC 388-422-0010](#) Do I have to cooperate with the division of child support (DCS)?

[WAC 388-422-0020](#) What if you are afraid that cooperating with the division of child support (DCS) may be dangerous for you or the child in your care?

[WAC 388-422-0030](#) What happens if my support is more than my TANF or SFA cash benefit?

NOTE:	As condition of receiving a child care subsidy, applicants or recipients must seek child support enforcement services unless they have good cause not to cooperate. Different from the TANF, SFA, and Family Medical Assistance, clients are not assigning their rights. Child Care Subsidy Programs process will not be included in this section, please see the Child Care Subsidy Handbook [b1] for information about seeking support enforcement
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~~services from cooperating with~~ the Division of Child Support (DCS) as a condition of eligibility.

WAC 388-422-0005

WAC 388-422-0005 What happens to my child, spousal and medical support when I get public assistance?

1. **"We"** means the department of social and health services.
 2. **"You"** means a person applying for or getting benefits from us.
 3. **"Benefits"** mean family medical and related alien emergency medical (AEM), TANF or SFA cash assistance.
 4. **"Support"** means the money paid to meet a support order whether it is called child support, spousal support, alimony, maintenance, or medical support.
- **"Medical support"** means either or both:
 1. The set dollar amount for health care costs in a support order; or
 2. Health insurance coverage for a dependent child.
 - **"Assistance unit"** or **"AU"** means the group of people who live together and whose income and resources we count to decide your eligibility for benefits and the amount of those benefits.
 - When you apply for TANF or SFA cash benefits, you permanently assign to the state your current support for the months you get assistance. If you applied for TANF or SFA cash benefits before October 1, 2008, support for months before you begin receiving assistance (also called "arrears" under WAC 388-14A-2036) is temporarily assigned to the state. For more information about permanently and temporarily assigned support see:
 1. Permanently assigned arrears, [WAC 388-14A-2037](#).
 2. Temporarily assigned arrears, [WAC 388-14A-2038](#).
 - You assign your rights to medical support under [WAC 388-505-0540](#) when you apply for or get benefits from the following:
 1. Family medical; or
 2. Children's medical.
 - You assign your rights to support when your application for benefits is approved by the department.
 - If you have a good reason [WAC 388-422-0020](#) DCS may not be able to establish or collect child support [WAC 388-14A-2060](#).
 - If you receive any support payments before you assign your rights to support, we count this as unearned income to your AU [WAC 388-450-0025](#).
 - If you receive any direct support payments during the month you apply, you must report these payments and may count them as unearned income in determining your eligibility for benefits.
 - If you keep any support payments you receive after you assign your rights to support, DCS may collect this money from you [WAC 388-14A-5505](#).

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CLARIFYING INFORMATION

Child Support Requirements [b2]

1. For TANF and SFA eligibility, a client assigns all rights to support, including child support, child care, and spousal maintenance for each person applying for or getting TANF / SFA or certain TANF-related medical assistance.
2. When a client applies for family medical assistance (F04), the client is required to assign all rights to medical support for each person applying or getting family medical unless they have "good cause". Although the client only assigns medical support rights, the client is deemed to have applied for full support enforcement services.
 - a. If a client receiving family medical assistance does not want full child support enforcement services, they can elect to get medical support enforcement services only by completing the DSHS 09-793. Medical support enforcement services include assigning all rights, title and interest to any medical support from a noncustodial parent, including health insurance coverage and health care costs stated as a fixed dollar amount in a support order for each child receiving family medical assistance.
3. When a client applies for children's medical assistance only (F06), DCS does not automatically open a child support enforcement case. However, a parent receiving children's medical only can request DCS to open a child support enforcement case. If a case is opened, the parent/caretaker can request good cause if applicable.
4. If a client retains support payments received after assignment is made, a debt is incurred with DCS.

Assignment of rights to child support:

- ~~For TANF and SFA eligibility: A client assigns all rights to support, including child support, childcare, and spousal maintenance for each child applying for or getting TANF/SFA or family medical assistance for themselves and their children.~~
- ~~SSI Children: The Division of Child Support (DCS) considers a child who receives SSI child with a TANF/SFA parent/caretaker a "non-assistance" case. Support isn't assigned because the child does not receive TANF/SFA.~~

NOTE: ~~See Treatment of Income Chart and Child Support Matrix for details.~~

[b3]

WORKER RESPONSIBILITIES

How do I complete child support referrals?

1. Noncustodial parent information for TANF, SFA and family medical applications is entered in ACES on the NCP screen. The ACES Manual [b4] provides information about completing the Noncustodial pParent Screen (NCPS) and processing the case in ACES.
2. The Division of Child Support (DCS) referral (SEMS Quick Referral) is ~~replaced~~ generated by the ACES NCPS. The worker should collect and enter as much information as possible on the NCPS screen to give DCS appropriate data when attempting to establish paternity or collect support.
3. SEMS Quick Cash (QC) is used to check for child support when screening clients for child support income or payments and to send comments to DCS using the freeform text option. SEMS QC can be found at the

[SEMS](#) website (only authorized DSHS staff can enter this website).

4. If a client receives a support payment from any party other than DCS after assignment is completed, notify DCS.
5. Support payments received by the client prior to assignment are treated as unearned income

NOTE: See Treatment of Income Chart and Child Support Matrix for details on how to treat and code child support income.

WAC 388-422-0010

WAC 388-422-0010 Do I have to cooperate with the division of child support (DCS)?

1. When you get benefits, you must cooperate with DCS as required to establish or collect child support, unless you have a good reason for not cooperating.
2. DCS defines what cooperating with them to establish or collect child support means in [WAC 388-14A-2040](#).
3. If you are a two-parent household, you and the other parent must help DCS establish paternity for each child in your AU, if necessary.
4. DCS determines whether you are cooperating with them. See [WAC 388-14A-2041](#) (1) for reasons why DCS might determine that you are not cooperating.
5. If you get TANF or SFA and do not have a good reason for not cooperating with DCS, we:
 - a. Reduce your cash benefits by twenty-five percent; and
 - b. Stop your medical benefits unless you are pregnant. The children in your AU will continue to get medical.
6. If you get family medical and do not have a good reason for not cooperating with DCS, your medical will stop unless you are pregnant. The children in your AU will continue to get medical.
7. If you are afraid that cooperating with DCS may be dangerous for you or a child in your care, see [WAC 388-14A-2045](#) for a definition of what a good reason to not cooperate with DCS is. We also call this "good cause."

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CLARIFYING INFORMATION

[b5] Requirements

- ~~1. For TANF and SFA eligibility, a client assigns all rights to support, including child support, child care, and spousal maintenance for each child applying for or getting TANF / SFA or certain TANF-related medical assistance.~~
- ~~2. When a client applies for family medical assistance (F04), the client is required to assign all rights to medical support for each child applying or getting family medical unless they have "good cause". Although the client only assigns medical support rights, the client is deemed to have applied for full support enforcement services.~~

- a. ~~If a client receiving family medical assistance does not want full child support enforcement services, they can elect to get medical support enforcement services only. Medical support enforcement services include assigning all rights, title and interest to any medical support from a non-custodial parent, including health insurance coverage and health care costs stated as a fixed dollar amount in a support order for each child receiving family medical assistance.~~
3. ~~When a client applies for children's medical assistance only (F06), the client is not required to assign child support rights to the department, and DCS does not automatically open a child support enforcement case.~~
4. ~~If a client retains support payments received after assignment is made, a debt is incurred with DCS.~~
5. ~~Support payments received by the client prior to assignment are treated as unearned income.~~

Cooperation

1. Explain to the client that they have assigned the support rights for the client himself/herself and for each child applying for or getting TANF / SFA or family medical by signing the application.
2. At the interview, have the parent or caretaker relative complete the DSHS 18-334, *Your Options for Child Support Collection while receiving Temporary Assistance for Needy Families (TANF) or Medical Assistance Program.*
3. Both parents in a two-parent household must help DCS establish paternity for each child in the assistance unit.
4. For unmarried, two-parent TANF applicants where the father is not named on the child's birth certificate, give the mother and alleged father the pamphlet titled, "Moms, Dads & Paternity Establishment -- Kids Need All Three", DSHS 22-586(X). Encourage them to sign a notarized Paternity Acknowledgment, DOH 110-001 in the CSO. If the parents choose not to sign the Paternity Acknowledgement, explain to them that the father will be referred to DCS for paternity establishment and they both will be required to cooperate with DCS unless good cause exists.
5. When good cause has been claimed and the department's decision is pending, the parent/caretaker relative is not required to cooperate with DCS. For more information, see the Social Services Manual - Good Cause.
6. DCS determines when a client is not cooperating with DCS as required and notifies the CSO what the client must do to be considered cooperating with DCS.
7. DCS also determines when a client has resumed cooperation and notifies the CSO. Any non-cooperation sanctions imposed are to be lifted effective the date that DCS declares is the date the client began cooperating.
8. DCS considers a TANF / SFA parent / caretaker with an SSI child as a "non-assistance" case. A parent / caretaker in this circumstance cannot be required to help DCS. However, DCS may close the case if DCS cannot take the next step in the case without the parent/caretakers cooperation.
9. A non-needy caretaker relative is not required to cooperate with DCS for that child to get Medicaid.
10. A parent getting Family Medical with his/her child and also getting TANF for a relative as a non-needy relative cannot be sanctioned for non-cooperation on the TANF case.

EXAMPLE

Mary receives Family Medical (F04) for herself and her son, Tom. She also receives TANF (F01) for her niece, Hannah. DCS sends a non-cooperation notice to the CSO, stating that Mary is not cooperating with them on Hannah's case. The CSO cannot sanction Mary's Medicaid for herself (F04) because of her non-cooperation on the TANF (F01) case. She is not financially responsible for Hannah, and is not receiving

Medicaid benefits through her. She is linked to Medicaid through her own child, Tom, and is cooperating with DCS on that case.

WAC 388-422-0020

WAC 388-422-0020 What if you are afraid that cooperating with the division of child support (DCS) may be dangerous for you or the child in your care?

1. You can be excused from cooperating with DCS when you have a good reason. A good reason not to cooperate is also called good cause. You have a good reason when you can prove that:
 - a. Cooperating with DCS would result in serious physical or emotional harm to you or the child in your care.
 - b. Establishing paternity or getting support would be harmful to the child who:
 - i. Was conceived as a result of incest or rape; or
 - ii. Is the subject of legal adoption proceedings pending before a superior court; or
 - iii. Is the subject of ongoing discussions between you and a public or licensed child placement agency to decide whether you will keep the child or put the child up for adoption. The discussions cannot have gone on for more than three months.
2. Once you claim good cause, you have twenty days to give us the information that proves you have good cause not to cooperate with DCS. This information can include official records, sworn statements, or other information that supports your good cause claim. If you need to, you may ask for:
 - a. More time to give proof; or
 - b. Help in getting proof.
3. While we review your good cause claim, DCS does not take any action to establish or enforce support on your case.
4. You have the right to:
 - a. Be told of your right to claim good cause for not cooperating with DCS;
 - b. Get benefits while we are deciding your good cause claim, as long as you have given the proof needed to make a decision;
 - c. Get a decision within thirty days from the date you made your good cause claim, as long as you have given the proof needed to make a decision within twenty days; and
 - d. Get information about how to request a fair hearing if we deny your good cause claim.
5. If we approve your good cause claim, we periodically review the claim depending on your circumstances.
6. To see what DCS does when good cause is approved see [WAC 388-14A-2060](#).

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WORKER RESPONSIBILITIES

1. During the TANF interview explain the requirement to help with child support ~~collection~~ establishment and

about good cause for not helping with child support [establishment/collection](#).

2. Have the [client parent or caretaker relative](#) complete the [DSHS 18-334](#), *Your Options for Child Support Collection while receiving Temporary Assistance for Needy Families (TANF) or Medical Assistance Programs*, or send by mail with instructions to complete and return if a telephone interview is done. Do not delay the referral to the WorkFirst social worker for the good cause determination [while you wait](#) for receipt of the form.
3. If a parent receiving TANF or Family Medical Assistance requests good cause over the telephone or in writing, send a request for information letter with instructions to complete and return the [DSHS 18-334](#). Do not delay the referral to the WorkFirst social worker for the good cause determination [while you wait](#) for receipt of the form.
4. When a client requests good cause enter a "Y" in the good cause indicator field, the appropriate code in the Reason field, and a "CP" claim pending in Status field on the NCPS.
5. After entering the NCPS information, refer the parent to the WorkFirst Social Worker who will make the good cause determination.
6. When good cause has been approved or denied by the WorkFirst Social Worker, replace the "CP" with the appropriate code.
7. If a client begins to cooperate with DCS and then requests good cause, ~~DCS will inform you that the client is claiming good cause.~~ Begin the good cause process as detailed above. Change the Reason and Status fields to the appropriate code when the determination is pending and again when it is approved or denied.
8. DCS gets notified in the overnight batch process (e-Referral) when changes have been made to the NCPS.
9. For more information see the [Social Services Manual - Good Cause](#)

NOTE: [When good cause has been claimed and the department's decision is pending, the parent/caretaker relative is not required to cooperate with DCS.](#)

[b6] **WORKER RESPONSIBILITIES**

- ~~1. Explain to the client that they have assigned their support rights for each child applying for or getting TANF / SFA or TANF-related medical by signing the application.~~
- ~~2. For unmarried, two-parent TANF applicants where the father is not named on the child's birth certificate, give the mother and alleged father the pamphlet titled, "Moms, Dads & Paternity Establishment -- Kids Need All Three", [DSHS 22-586\(X\)](#). Encourage them to sign a notarized Paternity Affidavit, DOH 110-001 in the CSO. If the parents choose not to sign the Paternity Affidavit, explain to them that the father will be referred to DCS for paternity establishment and they both will be required to cooperate with DCS unless good cause exists.~~
- ~~3. Non-custodial parent information for TANF, SFA and family medical-only applications is entered in ACES on NCPS. At the interview, give the caretaker relative / legal guardian the [DSHS 18-334](#), *How You Must Help with Child Support Collection for Temporary Assistance for Needy Families (TANF) and Medical Assistance Programs*.~~
- ~~4. If a client receives a support payment from any party other than DCS after assignment is completed, notify DCS. Support payments received by the client prior to assignment are treated as unearned income.~~

benefit?

1. If DCS collects current support that is more than your TANF or SFA cash benefit for two months in a row, your cash benefit stops at the end of the third month.
2. You can read [WAC 388-418-0025](#) for information on continued medical benefits.
3. You may be able to get continued food assistance benefits.
4. You can read [WAC 388-310-0800](#) to see what kinds of support services you may be able to get.

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WORKER RESPONSIBILITIES

A TANF grant will automatically close after the second consecutive month that child support collections exceed the grant payment amount unless there are optional members in a Consolidated Assistance Unit. For instruction about how to close these cases, go to ACES Procedures. See link below.

ACES PROCEDURES

See [Close an Assistance Unit - Close TANF as the Client Has Received Direct Support Above the Grant Standard Two Months in a Row](#)

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