

Department of Social and Health Services

Olympia, Washington

Social Service Manual

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Summary

These revisions include updating Good Cause language and requiring Social Workers to use the Barcode program for Good Cause determinations and redeterminations

Good Cause

Revised ~~June 30~~ **November 1**, 2011

Purpose: This chapter provides the department’s policy and procedures for determining if a custodial parent has “Good Cause” (GC) for non-cooperation with department program requirements.

CLARIFYING INFORMATION

Good Cause (GC) means that an individual is relieved of certain program requirements when the individual is unable to participate for various reasons as outlined by each program. The individual must claim, and the department must approve good cause.

Department programs that have requirements that can be waived as a result of an individual having good cause are:

- Division of Child Support (DCS)

- Disability Lifeline (DL)
 - WorkFirst
 - Food Stamp Employment and Training (FSE&T).
 - Child Care Subsidy Programs (Working Connection and Seasonal Child Care).
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WORKER RESPONSIBILITIES

[Equal Access](#)/NSA: Ensure that the individual was screened for Equal Access/Necessary Supplemental Accommodation and that the information is current. If the person's limitation or impairment prevents her/him from following through on all program requirements, determine if she/he has Good Cause per [WAC 388-472-0050](#). If she/he has Good Cause, the Department will not take adverse action.

PROGRAM REQUIREMENTS

1. **Division of Child Support (DCS) - Cooperation with Child Support Collection:**

- **TANF or family medical assistance** - The Division of Child Support (DCS) helps families by providing full child support services. Parents/caretakers receiving TANF or family medical assistance for themselves and their child(ren) are required to cooperate with ~~the~~ DCS to help establish paternity, set a [child](#) support order and [collect enforce](#) cash support. DCS also helps to provide medical insurance coverage by having a noncustodial parent provide medical insurance when children get medical assistance. This requirement is waived if you determine that establishing and/or [collecting-enforcing](#) cash and/or medical support may result in serious physical or emotional harm to the child or parent/caretaker. This requirement may also be waived in instances of rape [or](#)-incest, or when an adoption discussion is taking place. See [WAC 388-422-0020](#) and the [EA-Z Manual - Child Support](#) for more information.

- **Subsidy Child Care Programs (WCCC or SCC)** - The Division of Child Support (DCS) helps families to establish a support enforcement case. Parents/caretakers receiving a child care subsidy must seek child support enforcement services unless [good cause is granted. Good Cause for Child Care Subsidy Programs includes a determination that](#) establishing and/or collecting cash and/or medical support may result in serious physical or emotional harm to the child or parent/caretaker. [There are also additional Child Care Subsidy Program Good Cause criteria.](#) See the Working Connections and Seasonal Child Care manuals, or Child Care Subsidy Programs handbook for information about [cooperating seeking support enforcement services from with](#) DCS as a condition of child care subsidy programs eligibility.

2. **DL:**

To continue receiving DL, the individual must accept and follow through on required medical treatment and referrals to other agencies and services, unless the individual has Good Cause for not doing so as outlined in [WAC 388-448-0130](#). The only exceptions for refusing treatment or other agency referrals are the “valid reasons” found in [WAC 388-448-0140](#). If an individual refuses treatment or agency referral without having valid reasons, GA benefits are terminated.

3. **WorkFirst:**

WorkFirst policy requires parents to participate up to 40 hours a week in approved activities unless the parent is determined to be exempt per [WAC 388-310-0350](#), [WAC 388-310-0300](#) and [WAC 388-310-1450](#) or have a valid Good Cause reason for not participating per [WAC 388-310-1600](#).

See: [EA-Z Manual - WorkFirst -A. - Sanctions](#) and [WorkFirst Handbook / Sanction Chapter 3.6](#)

4. **Food Stamp Employment & Training(FSE&T):**

Persons receiving Food Stamps are required to register for work and must participate in FSE&T unless exempt per [WAC 388-444-0015](#) and [WAC 388-444-0020](#) or have a valid Good Cause reason for not participating per [WAC 388-444-0050](#).

See: [EA-Z Manual - Food Stamp Employment and Training - F. - Good Cause](#)

5. **Child Care Subsidy Programs**

Parents/caretakers receiving a child care subsidy must seek child support enforcement services unless they have ‘Good Cause’ per WAC 170-290-0030. See the Working Connections and Seasonal Child Care manuals, or Child Care Subsidy Programs handbook for information about [seeking support enforcement services cooperating with](#) from DCS as a condition of child care subsidy programs eligibility.

NON-COOPERATION WITH DCS

All requests for Good Cause for non-cooperation with DCS due to serious physical or emotional harm to the child or parent/caretaker are referred to the WorkFirst Social Worker. The social worker will review any documents associated with the referral including [but not limited to](#):

- DSHS 18-334(X), Your Options for Child Support Collection, for the parent's/caretaker's statement of claim outlining their fears and concerns;
- DSHS 14-194 (X), Medical Coverage Information; and

Additional documents, statements or other types of verification that has been gathered that support the parent's/caretaker's Good Cause request.

PARENT INTERVIEW

When possible, interview the parent/caretaker on the same day you receive the Good Cause referral. If the interview is not done the same day the referral is received, schedule the interview within 30 days, if possible. During the interview the WorkFirst Social Worker will:

1. Find out why the parent/caretaker does not want to pursue Child Support. Ask if there are current issues around Family Violence, rape, incest or pending adoption. Review eJAS for possible Family Violence. If you feel that the parent/caretaker or child(ren) is endangered, or at risk of serious harm, seek assistance from an on-site or community-based domestic violence advocate.
2. Talk with the parent/caretaker about what she/he views as the pros and cons of establishing paternity and/or collecting Child Support. If you feel the parent/caretaker is misinformed about a child's rights to resources, benefits, or entitlements, help the parent to seek advice from appropriate resources. Services and resources may include legal advocacy, the local DCS office, a family violence advocate, etc.
3. Inform the parent/caretaker:
 1. About the advantages and disadvantages of pursuing Child Support.
 2. About their choice between Good Cause Level A and Level B options. (See Section 7 for more information about Level A and B)
 3. If there is more than one noncustodial parent (NCP) for the children in the assistance unit, the parent/caretaker must be given the option of claiming Good Cause for each NCP.
 4. Once a support order has been established, the NCP has an obligation to pay child support and/or provide medical support for the child. Granting either level of Good Cause does not cancel the support order or any existing child support debt. However when Good Cause Level A is granted, DCS closes the case and does not take any action to establish paternity or to establish/ enforce a child support order against that NCP until the Good Cause claim is withdrawn or the parent/caretaker files an application for non-assistance support enforcement services. This makes it important to obtain and maintain accurate information about the basis for the Good Cause exemption.
 5. If Good Cause is granted now but later withdrawn, DCS will begin necessary actions to establish paternity and/or to establish/enforce both past and current child support from the NCP. It is important that a victim of family violence understand this if there are any continuing safety risks at the time DCS action begins.
 6. If Good Cause Level A is approved and has not been denied or withdrawn at the time the parent's/caretaker's cash assistance is terminated, DCS will not open the case at that time. DCS will reopen the case only if the parent/caretaker applies for TANF again without claiming Good Cause, or submits a non-assistance support enforcement application to DCS.
 7. If cash assistance is closed after Good Cause Level A is approved, the Good Cause claim will not close. It will remain open through the next review period.
 8. If the NCP is in another state, DCS may need to ask the other state to help. DCS may be required to provide the parent/caretaker address to the other state and rely on that state to keep it confidential.
4. Ask the parent/caretaker for verification. Discuss with the parent/caretaker the verification that can be provided to substantiate the Good Cause claim. Verification may include one the following:

- Completed 18-334(X) or other signed statement from the victim herself or himself, outlining his/her fears and concerns, or
- Civil or criminal court orders (domestic violence protection orders, restraining orders, no-contact orders), or
- Medical, police, or court reports, or
- Written statement from clergy, friends, relatives, neighbors or co-workers.

NOTE: DSHS cannot require a parent to provide court orders or police records in order to support a claim of Good Cause. There are many reasons why a victim of family violence would not be in possession of these. For example, if s/he has fled and left these papers behind, or if seeking copies of these documents would alert a perpetrator to her/his whereabouts. In addition, many victims, for a variety of good reasons, have never sought help from systems like the police, courts or medical facilities.

5. Offer a referral to the on-site or community based domestic violence advocate.
6. If the parent/caretaker does not want to proceed with the Good Cause claim ~~due to serious physical or emotional harm to the child or parent/caretaker~~ **the y parent** can withdraw their request at anytime. Remind the parent that she/he may request Good Cause at anytime if her/his circumstances change. Document the parent's request to withdraw the claim. Send a DSHS 18-444 (X), Good Cause Decision, to the parent/caretaker, DCS, and financial marked "withdrawn." If the parent/caretaker has questions or fears about issues related to custody, visitation or paternity, refer the parent/caretaker to the legal services CLEAR line (1-888-201-1014).
7. If it is necessary for you to conduct a review of the parent's/caretaker's statement or other verification provided, consult as needed with the on-site or community-based family violence advocate to ensure the parent's/caretaker's safety and make third party contacts, as needed, only with the knowledge and consent of the parent/caretaker. Inform the parent/caretaker of each specific contact.
 - a. Offer the parent/caretaker the opportunity to obtain the information on his/her own.
 - b. If the parent/caretaker needs help getting verification and consents to your helping her/him, have the parent/caretaker complete and sign the DSHS 14-012 - Authorization to Release Information.
 - c. If the parent/caretaker does not consent to department assistance, talk with the parent/caretaker in more depth to either:
 - i. Be convinced of the efficacy of her/his claim, or
 - ii. Problem-solve with her/him to identify other ways to get the verification.

- d. When the decision is based upon phone verification, document the date, phone number, the person you talked with, and the information you received.
8. Explain to the parent/caretaker that when Good Cause is approved, the parent/caretaker will have the opportunity to decide what level of protection is necessary. There are two levels:
- **Level A:** DCS **will not** pursue the establishment of paternity, establishment of a support order, collection of child support or medical insurance coverage from the NCP because any contact with the NCP poses a risk of serious harm to the child or parent/caretaker. DCS closes the child support case, takes no actions on the child support case and the parent/caretaker will not receive child support. Since a child support case is not opened the parents/caretakers address remains protected. Even if DCS closes the child support case, any child support owed under an existing child support order continues to accumulate each month that it is not paid. In the future, if good cause is not an issue, DCS will collect both current and past due child support.
 - **Level B:** DCS **will** pursue the establishment of a support order and collect child and/or medical support without the parent's/caretaker's cooperation, as long as such activity would not result in risk of serious harm to the child or parent/caretaker. Even though DCS opens a child support case the parent's/caretaker's address remains protected. Cooperation is voluntary and the parent/caretaker can stop cooperating at anytime without penalty. Although the parent/caretaker is not required to cooperate with DCS; she/he may elect to cooperate if there is no risk of serious harm. For example, if the parent's/caretaker's county of residence is already known to the non-custodial parent and the parent/caretaker wishes to establish paternity, DCS will provide this service. (NOTE: Generally, paternity establishment is not pursued in Level B cases because these proceedings usually take place in the county of residence of the child and require the cooperation and involvement of the child and custodial parent.)

NOTE: Good Cause Level A and Good Cause Level B apply only to recipients of TANF and/or family medical assistance. <u>For Child Care Subsidy Program clients there is only Level A.</u>
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See [Appendix II](#) for information about DCS that provides additional information to the parent about DCS functions and the DCS Handbook for Child Support policies.

CLAIM DETERMINATION AND PROCESSING

1. If possible, make a determination within 30 days. Social Workers are required to use the Barcode Good Cause program for claim determination and processing. Good Cause is found if the parent's/caretakers written statement outlining their fears and concerns, or other verification, indicates that the likelihood of harm to the parent/caregiver or child(ren) is too great to safely seek collection of child support. When verification has been received and/or the review of the verification is completed, you are ready to make a decision.
2. If you approve Good Cause, set the review date for six months or shorter if circumstances warrant.
3. If TANF/SFA, family medical benefits or child care is provided to the parent who requested Good Cause due to serious physical or emotional harm to the child or parent/caretaker but assistance is

terminated while the claim is still pending, the CSO Social Worker must complete the Good Cause determination. DCS must be informed to know if further action concerning the child support case is necessary.

4. If, because of loss of contact or some other reason, the CSO Social Worker is unable to make a determination, the default decision is approval of the good cause claim.
5. Later, if the parent reapplies for cash, family medical assistance or child care, the CSO Social Worker can explain that the CSO granted Good Cause due to serious physical or emotional harm to the child or parent/caretaker in the absence of verification in order to err on the safe side. Now, with a new cash, medical assistance or child care application, Good Cause must be re-determined according to the standard process.
6. If the parents/caretakers cash, family medical assistance or child care is terminated before the Good Cause decision is made, you must complete the Good Cause determination.
7. Supervisory approval of the decision ~~prior to the parent's notification~~ is required on all Good Cause decisions before the decision letter can be generated. The supervisor approves ~~by signing~~ the DSHS 18-444(X), Good Cause Decision by checking the 'reviewed by Supervisor' box in the Barcode Good Cause system.
8. If the parent/caretaker is receiving TANF or family medical, notify the parent/caretaker of the final decision on the DSHS 18-444(X), Good Cause Decision. Copies of the decision must also be provided ~~copies~~ to the FSS and DCS.
9. If the parent/caretaker is receiving a child care subsidy, ~~notify the child care worker of the final decision by sending a DMS tickle @DLW pool~~ notify the parent/caretaker on the DSHS 18-713, CCSP Good Cause Decision. A copy must also be provided to the child care worker.
10. If Good Cause is denied, advise the parent/caretaker that:

She/he has a right to a fair hearing.

- a. If circumstances change, the parent/caretaker may, at any time, request another good cause determination due to serious physical or emotional harm to the child or parent/caretaker by completing and signing another "Your Options for Child Support Collection" (DSHS 18-334(X)).
 - b. Offer the parent/caretaker a referral to the on-site or community based domestic violence advocate.
10. Document essential case information in the appropriate confidential notes section (Barcode Good Cause Program, ACES, and eJAS). Your notes may be needed in the future to:
- Support the decision;
- a. Aid at review; and
 - b. Provide information if the decision goes to a fair hearing.

REVIEWING GOOD CAUSE DETERMINATIONS

Review Good Cause determinations at intervals consistent with the family circumstances. Social Workers are required to use the Barcode Good Cause program for reviewing good cause determinations.

- ⚡ If Good Cause is approved because the child was conceived as a result of rape or incest, it is not necessary to review the Good Cause decision. However, advise the parent/caretaker that they can

withdraw their claim of Good Cause at any time if she/he wishes to do so. ~~If Good Cause is approved based on any other circumstance (e.g. physical or emotional harm to the child or caretaker or adoption discussions or proceedings), Good Cause will be reviewed periodically, usually every six months.~~

2. If Good Cause is approved based on any other circumstance (e.g. physical or emotional harm to the child or parent/caretaker or adoption discussions or proceedings), Good Cause will be reviewed periodically, usually every six months.
3. At the time of review:
 1. Review the documented facts in the case record. Determine if contact with the custodial parent is necessary to make the determination to continue Good Cause.
 2. If there is sufficient verification in the record to continue the Good Cause determination without contacting the parent, authorize continued Good Cause and establish a new review date at an appropriate time in the future.
 3. If contact is necessary:
 1. Interview the parent/caretaker to determine if the circumstances have changed since the last Good Cause determination. If additional verification is available and necessary to make a re-determination, inform the parent about what she/he will be expected to provide. Ask the parent/caretaker if she/he expects to have any problems in providing the information and offer to assist the parent if she/he needs special accommodations or is unable to obtain the verification.
 2. Evaluate the new verification and circumstances against the previous Good Cause determination.
 4. If the parent/caretaker is receiving TANF or Family Medical, complete a DSHS 18-444(X), Good Cause Decision:
 1. Mark the box to indicate it is a **Good Cause** re-determination; and
 2. Send copies to the parent, DCS, and FSS.
 5. If the parent/caretaker is receiving a child care subsidy, complete a DSHS 18-713, CCSP Good Cause Decision:
 1. Mark the box to indicate it is a re-determination; and
 2. Send copies to the notify the child care worker of the final decision by sending a DMS tickle @DLW pool parent and child care worker.

REFERRALS AND RESOURCES

1. Offer the parent/caretaker a referral to the **CSO on-site** or community-based domestic violence advocate who may be able to help the parent address the circumstances creating the need for the Good Cause claim. Document the family violence related referrals in ACES and ~~or~~ the Barcode Good Cause program. For TANF parents also document the referral in eJAS in the "Family Violence" Special Records note type.
2. Explain the use of the medical "service card" to obtain medical care for the family. Ask the parent/caretaker if she/he needs any special accommodations to seek services or use the medical "service card".
3. Give the parent/caretaker available informational brochures related to DCS or Good Cause due to serious physical or emotional harm to the child or parent/caretaker and discuss any other pertinent

issues related to the parents/caretakers situation.

4. Encourage the parent/caretaker at risk of family violence to determine if enrolling in a community support group, counseling activities or contacting legal services (1-888-201-1014) is in their best interest.
5. If the parent would like more information about DCS support enforcement services, have the client call 1-800-442-KIDS.
6. Some parents may be participating in the Address Confidentiality Program (ACP) through the Office of the Secretary of State. The ACP protects the address of persons attempting to escape from family violence or sexual assault situations. Participants use a substitute address in place of their actual physical or mailing address. See the EA-Z Manual if the parent is participating in, or you would like more information about the [Address Confidentiality Program](#).

FORMS USED FOR GC

Form Number	Title	Use	Distribution
DSHS 14-012(X)	Authorization to Release Information	To obtain evidence when the custodial parent is unable to provide it directly	Original to verification source, copy to custodial parent and case record
DSHS 18-334(X)	Your Options for Child Support Collection	Custodial Parent's statement outlining their fears and concerns why a Good Cause claim is needed	Social Services receives a copy with the referral to determine Good Cause
DSHS 18-444(X)	DCS Good Cause Decision	Notify custodial parent, DCS and financial services of Good Cause determination	Original to custodial parent, copies to case record, financial services and DCS
DSHS 18-713	CCSP Good Cause Decision	Notify custodial parent and child care worker of Good Cause determination	Original to custodial parent, copies to case record and child care worker
DSHS 22-235(X)	Legal Issues in Domestic Violence	Give to custodial parent as resource	To custodial parent
DSHS 22-583(X)	Facts about the DCS Child Support Enforcement Program	Give to custodial parent	To custodial parent
DSHS 22-688(X)	Support their future	Give to custodial parent with Toll-free DCS number	To custodial parent
DSHS 14-475	Appointment Letter for Division of Child Support (DCS) Good Cause Determination	Send to the custodial parent for a Good Cause appointment.	To custodial parent
DSHS 18-011	DCS Information Request	DCS sends to CSD requesting good cause information within 30 days.	CSD staff send back to DCS

DSHS 18-011(A)	DCS Information Update	DCS sends to CSD to begin the good cause process when a parent has informed DCS about family violence in the home.	Copy to case record
DSHS 09-793	Medical Assistance Only-Election of Support Enforcement Services	Give to custodial parent if parent does not want full child support enforcement and wants medical support establishment and enforcement services only.	To custodial parent

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