



ADMINISTRATION FOR
CHILDREN & FAMILIES

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PIQ-12-02

DATE: December 7, 2012

TO: State IV-D Directors

FROM: Vicki Turetsky, Commissioner, Office of Child Support Enforcement

SUBJECT: Partnering with other programs, including outreach, referral, and case management activities

BACKGROUND: The child support program has a statutory responsibility to locate parents, establish paternity, establish and enforce support orders, and obtain child support for all children requesting assistance. Since enactment of the [Personal Responsibility and Work Opportunity Reconciliation Act of 1996](#), the child support program has made great strides. In 1996, support orders were established in only 59 percent of child support cases in the program, and collections were made in only 35 percent of those cases. In 2011, 81 percent of cases had support orders in place, and collections were made in 70 percent of these cases.

Child support can play a key role in boosting the incomes and well-being of children who live apart from a parent. On average, child support is nearly 40 percent of the income of poor custodial families who receive it, and research shows that dollar for dollar, child support income has a more pronounced effect on children's educational outcomes than other sources of income. Technological advances, coupled with strong enforcement laws, have enabled states to find parents and assets, communicate across state lines, and obtain reliable support for those children who have employed parents or parents with other income and assets. In fact, more than two-thirds of child support is collected automatically through payroll withholding, allowing children to depend upon child support income month after month.

However, the child support program has been less successful in establishing orders and obtaining reliable support for children whose noncustodial parents face barriers to stable employment and have a limited ability to make reliable child support payments. Over the past decade, state and local child support agencies have engaged in outreach, referral, case management, and other activities in partnership with other programs and agencies to remove barriers to nonpayment, increase the consistency of payments, and strengthen parental ties to the child.

In this PIQ, we clarify that certain activities are allowable child support expenditures under title IV-D of the Social Security Act (the Act) if they are incidental and related to establishing paternity, or establishing, modifying, enforcing, and obtaining support. This PIQ recognizes certain allowable activities, such as referrals to other programs, development and dissemination of educational materials about the child support program, child support educators or liaisons, child support case management, and other incidental activities that support the core purposes of the program. While not a comprehensive list of allowable activities under title IV-D, this PIQ highlights selected activities to encourage states to partner with other programs to supplement traditional establishment and enforcement procedures with early intervention and family-centered strategies designed to increase the ability and commitment of parents to support their children.

1. What type of referrals is a child support case manager allowed to make to assist clients who are experiencing social issues that impact their ability to support their children financially and emotionally?

Answer: Many times parents in the child support caseload express or exhibit a need for services that are not provided by the child support program. If left unaddressed, these issues may impact the parent's ability and commitment to sufficiently support his or her children financially and emotionally. [AT-00-08](#) and PIQ 83-6 clarify that the child support service must be related to accomplishing IV-D core goals: establishing paternity, establishing, modifying or enforcing child support orders, and obtaining medical support. As indicated in PIQ-83-6, under certain circumstances, crisis intervention and referral services may be incidental and inseparable from IV-D functions. AT-00-08 (Question and Answer 18) further clarifies that where referral activities performed are primarily directed toward accomplishing child support purposes, the services may be eligible for Federal Financial Participation (FFP). In these situations, child support agencies can assist custodial and noncustodial parents by developing and implementing early intervention, case management and navigator strategies and providing referrals to other social service agencies, workforce programs, and community- and faith-based organizations with missions to address those identified issues. In some circumstances, the services provided to parents by other agencies and programs may be incidental to and inseparable from child support purposes and may qualify for FFP. Such services may be included in a contract or cooperative agreement with the other agency. However, social services provided by other programs that are not reasonably attributable to the child support program, such as substance abuse treatment or domestic violence shelter services, are not eligible for FFP under title IV-D. The cost of such services, including determinations of eligibility for the services, must be allocated to the other program as appropriate. In addition, this guidance does not address providing FFP for work activities under [section 466\(a\)\(15\)](#) of the Act.

The cost of identifying appropriate programs and referring custodial and noncustodial parents to such programs is eligible for FFP. Similarly, child support staff tasked with follow-up and tracking of noncustodial parents ordered to participate in such programs is eligible for FFP if such services are considered administrative or judicial enforcement activity. The child support agency may also maintain written information (e.g., brochures) regarding ancillary

services that commonly affect clients in the child support caseload and assist clients in applying for those services, including linking to on-line applications for other social services programs. FFP, however, is not available for providing the actual service for which the client is referred.

2. Is FFP available for a child support educator to share information about the child support program with other coordinators?

Answer: Yes. In accordance with [section 454](#)(23) of the Act, child support agencies funded under title IV-D are required to publicize the availability of child support services. State child support programs can fund a child support educator to provide information, answer questions, and address the unique paternity and child support issues of specific groups such as students, teen and unwed parents, members of the military, men and boys, and prisoners. These educators may also conduct child support outreach and education to other family service providers and practitioners who work with low-income mothers and families, to promote referrals to the child support program and participate in the development of an on-line application process through which custodial and noncustodial parents can apply for benefits that incorporate a request for child support services, including requests for review and modification of child support orders. Educators and interpreters also may provide information and assistance to increase *pro se* access to adjudicative and alternative dispute resolution processes in IV-D cases. The educator can also provide cross-training for child support, domestic violence, TANF, and child welfare caseworkers, as well as youth leaders, to explain and promote the availability of child support services and also sensitize child support staff to issues for which they may need to screen families and make appropriate referrals. (See [45 CFR 304.21](#)(a)(2), [304.23](#)(d), and [AT-81-18](#).)

Such staff may be co-located in courts, hospitals, schools, youth organizations, pregnancy prevention programs, fatherhood programs, health clinics, community- and faith-based organizations, home visiting programs, prisons, reentry programs, employment offices, and other state and community partners. They also may be employed by private, public, or nonprofit community organizations pursuant to a cooperative agreement or contract. If an educator also performs functions unrelated to child support outreach or other child support purposes, the agency must allocate costs as appropriate.

3. Can child support funds be used to publicize the child support program?

Answer: Yes. In accordance with [section 454](#)(23) of the Act, state child support programs are **required** to regularly and frequently publicize the availability of child support services under the plan and otherwise. The child support program should share information regarding application fees for child support services, information that publicizes the availability and encourage the use of procedures for voluntary establishment of paternity and child support, and a telephone number or postal address at which further information may be obtained. The state may deem the following activities appropriate to publicize available child support services:

- media campaigns via radio, television, brochures, internet, text messages, and print advertisements;
- written and audiovisual materials about paternity establishment; and
- short-term training, including one-time classes for new fathers at the hospital, associated with accomplishing a core IV-D objective, including sharing information regarding the financial cost of raising a child.

4. What are examples of ways in which child support funds can be used to provide case management that helps achieve the core mission of the program?

Answer: There are several ways in which child support funds can be used to achieve the program’s core mission of collecting support and disbursing the payments to families. Child support agencies can promote economic stability and improve child support outcomes through case management activities including:

- identifying noncustodial parents that are unemployed or experiencing other social and family circumstances that impede the parent’s ability to pay child support;
- making referrals to other service agencies;
- tracking and monitoring child support payments;
- follow-up and tracking noncustodial parents where the court issued an order directing a noncustodial parent to attend a work program;
- collecting and analyzing data, as well as entering documentation in the state child support system;
- conducting timely review and modification; and
- providing specialized enforcement.

Case managers may be employed by private, public, or nonprofit community organizations pursuant to a cooperative agreement or contract. If a case manager also performs functions unrelated to child support outreach or other child support purposes, the agency must allocate costs as appropriate.

[Section 466\(a\)\(15\)](#) of the Act requires states to have a procedure for ordering noncustodial parents who owe overdue support with respect to a child receiving TANF to pay support according to a plan approved by a court, or at the option of the state, a plan approved by the state child support agency.¹ Development of a work plan, case monitoring, or tracking to

¹ **Section 466(a)(15).** In order to satisfy section 454(20)(A), each State must have in effect laws requiring the use of the following procedures, consistent with this section and with regulations of the Secretary, to increase the effectiveness of the program which the State administers under this part:

Procedures under which the State has the authority, in any case in which an individual owes overdue support with respect to a child receiving assistance under a State program funded under part A, to issue an order or to request that a court or an administrative process established pursuant to State law issue an order that requires the individual to—

(A) pay such support in accordance with a plan approved by the court, or, at the option of the State, a plan approved by the State agency administering the State program under this part; or

(B) if the individual is subject to such a plan and is not incapacitated, participate in such work activities (as defined in section 407(d)) as the court, or, at the option of the State, the State agency administering the State program under this part, deems appropriate.

ensure that noncustodial parents are complying with the approved plan may be eligible for FFP. (See [AT-00-08](#).) Such plans may be individualized or customized for certain noncustodial parents such as incarcerated parents, ex-offenders, veterans, and those dealing with substance abuse issues. This customization may be necessary to ensure that persons owing overdue support work or pay the support. In addition, by extension, the monitoring of other activities that a noncustodial parent may be required to complete or participate in as part of an administrative or judicial enforcement activity, may be eligible for FFP if primarily directed toward accomplishing the IV-D services and activities of establishing paternity and establishing and enforcing support obligations delineated in [45 CFR 304.20](#)(b)(2) and (3). This guidance does not address providing FFP for work activities under section 466(a)(15).

The child support agency may also fund mediation and alternative dispute resolution, peer group counseling or education, domestic violence services, and specialized case management services, (e.g., staff that work specialized caseloads in which the noncustodial parents are fathers, or members of the military or veterans and have distinct service needs) to accomplish child support outcomes, including establishing paternity, establishing the legal support obligation, and enforcing support orders. (See PIQ-92-01 and PIQ-83-6.)

5. What can child support programs do to increase health care coverage?

Answer: Ensuring that families have good health care coverage is core to the child support program's role in obtaining medical support under [section 466](#)(a)(19) of the Act; therefore, activities that support increased health care coverage, such as those listed below can be funded with federal IV-D funds. In addition, child support programs can increase health care coverage in the following ways:

- Carry out medical support activities under 45 CFR [303.30](#), [303.31](#), and [303.32](#), including identifying, ordering, and enforcing employer-sponsored health care insurance coverage and establishing and enforcing cash medical support;
- Provide information about, applications for, and effective referrals to Medicaid, Children's Health Insurance Program (CHIP), and other appropriate coverage options including those described at the new Department of Health and Human Services web site <http://finder.healthcare.gov/>;
- Provide a medical support facilitator to work with families in the child support program and liaison with CHIP, Medicaid, and other health insurers to facilitate children's stable enrollment in appropriate health care coverage and in obtaining health care coverage information for enrolled children;
- Provide information to CHIP and Medicaid to assist in identifying and enrolling eligible children;
- Develop and implement effective, appropriate child support referral policies for families who receive Medicaid, including an offer of full child support services;
- Develop and implement child support education and outreach for families whose children are on CHIP;
- Provide cross-training for child support, Medicaid, and CHIP workers on child support and children's health care coverage;

- Develop and provide training to judges, attorneys, and other child support staff on health care coverage options;
- Review and modify guidelines regarding medical support;
- Develop and implement effective referral strategies for noncustodial and custodial parents in the child support program to Medicaid, CHIP, insurance exchanges, and other health care services, including mental health and substance abuse treatment; and
- Maximize resources among agencies (child support, Medicaid, CHIP) by sharing outreach materials and information and collaborating on grant projects and initiatives to connect children to health coverage.

In addition, [45 CFR 304.20\(b\)\(1\)\(ix\)](#) indicates that FFP is available for the establishment of agreements with Medicaid agencies necessary to carry out required IV-D activities and to establish criteria for:

- referring cases to the IV-D agency;
- reporting on a timely basis information necessary for the determination and redetermination of eligibility for Medicaid; and
- transferring collections from the child support agency to the Medicaid agency in accordance with [45 CFR 302.51\(c\)](#).

As stated in 45 CFR 304.20(b)(4)(vi), FFP is also available for the collection and distribution of support payments including making the Medicaid agency aware of amounts collected and distributed to the family for the purposes of determining eligibility for assistance under the state title XIX plan. Required medical support activities also qualify for FFP. (See 45 CFR 303.30, 303.31, and 303.32.)

According to [45 CFR 304.23\(g\)](#), medical support services performed under cooperative agreement with title XIX Medicaid agencies are not eligible for FFP from OCSE. Third-party liability reimbursement activity performed by the child support agency under cooperative agreement with the Medicaid agency that is beyond the scope of activity required under 303.30, 303.31, and 303.32 is not eligible for FFP under title IV-D. Examples of such activity include filing of insurance claims or initiating actions for recovery of Medicaid costs against liable third parties other than the noncustodial parent.

As indicated in [AT-91-01](#), “Federal financial participation under the IV-D program would not be available for those activities which are not considered necessary expenditures properly attributable to the IV-D program, including ‘planning, developing, and implementing automated systems or changes to Medicaid systems’ and ‘costs of litigating or otherwise enforcing cooperation of non-AFDC Medicaid recipients.’ However, outreach activities to secure referrals from Medicaid would be considered a proper IV-D activity.”

6. What are examples of ways in which child support funds can be used to prevent and reduce domestic violence?

Answer: Federal IV-D funds may be used to provide information about family violence and to screen and make effective referrals to emergency shelters and family violence services, including advocacy and counseling services, for families in the child support caseload. As stated in PIQ-83-06, “Under certain circumstances, crisis intervention and referral services may be incidental and inseparable from IV-D functions. In such situations, these services might be construed as ‘necessary expenditures properly attributable to the child support program.’” Additionally, [AT-00-08](#) states “where the counseling activities performed are primarily directed toward accomplishing child support purposes, the services may be eligible for FFP.” Additionally, funds may be used to develop, produce, disseminate, and present outreach, education materials, and curricula about safe access to child support services.

Funds may also be used to create domestic violence units that include trained case workers to provide specialized child support services. Consultation with community-based domestic violence experts is often very useful and we encourage grantees to hold consultations with experts in the field of domestic violence.

Finally, funds may be used to develop and implement alternative order establishment/court procedures to limit survivor-perpetrator contact. This could mean having electronic participation in hearings or using separate access to negotiation conferences. A state could also use FFP to develop alternative address/confidentiality systems for survivors in the child support program. This may be in partnership with family violence service organizations.

7. Is FFP available for child support agencies to prevent and reduce family violence in relation to child welfare cases? If so, in what ways can the funds be used?

Answer: Yes. Federal IV-D funds may be used to provide cross-training for child support, child welfare caseworkers, and domestic violence coordinators on child support enforcement and family violence, including screening for risk and making appropriate referrals between programs. FFP is available for any short-term training that would directly improve any individual’s ability to perform his or her current job or another related job to carry out IV-D activities. FFP is not available if the training is taken merely as a general education for an individual or is taken for the sole purpose of earning credit hours toward a degree or certificate. (See [45 CFR 304.23\(d\)](#) and [AT-81-18](#).)

Additionally, funds may be used to provide designated child support and child welfare caseworkers to deliver specialized case management and child support services for child welfare cases (e.g., specialized domestic violence units which house staff that are available to consult on domestic violence issues that impact child support case processing). This includes providing a single point of contact to collaborate with child welfare agencies to develop and implement a child welfare case plan. Although a child welfare agency funded under title IV-E has the statutory authority to determine when it is appropriate to secure an assignment

of support rights to the state for children receiving federally funded foster care maintenance payments, each title IV-E agency should collaborate with the state title IV-D agency to determine what constitutes an “appropriate referral.” (See [IM-07-06](#).)

It is also allowable for child support agencies to exchange data with child welfare agencies, consistent with child support rules, in order to locate fathers and relatives as potential placements for children removed from their mother’s custody and to obtain other information needed to determine appropriate placement.² Upon request, the child support agency may disclose confidential information to state agencies as necessary to carry out state agency functions under plans or programs under titles IV (including tribal programs under title IV), XIX, or XXI of the Act, and the Supplemental Nutrition Assistance Program (SNAP) ([45 CFR 303.21\(d\)\(1\)](#)).

8. How can states conduct research and evaluation to learn more about how to improve child support outcomes?

Answer: Research, evaluation, and analysis are critical to build the child support evidence base, inform the development of new policies and practices, and assess the effectiveness of partnership programs and strategies in improving child support outcomes. These activities are allowable under title IV-D.³ One way that state child support programs can build their research capacity in order to improve program effectiveness is by developing partnerships with state universities. State universities may meet the requirement for state matching funds through providing their services as an in-kind contribution or committing matching funds.

² **Section 453(a)(2)(A)(iv) and (c)(4).** The Federal Parent Locator Service shall obtain and transmit to any authorized person specified in subsection (c)— information on, or facilitating the discovery of, the location of any individual—

(iv) who has or may have parental rights with respect to a child

As used in subsection (a), the term “authorized person” means—

(4) a State agency that is administering a program operated under a State plan under subpart 1 of part B, or a State plan approved under subpart 2 of part B or under part E.

Section 453(j)(3). INFORMATION COMPARISONS AND DISCLOSURES OF INFORMATION IN ALL REGISTRIES FOR TITLE IV PROGRAM PURPOSES.—To the extent and with the frequency that the Secretary determines to be effective in assisting States to carry out their responsibilities under programs operated under this part, part B, or part E and programs funded under part A, the Secretary shall—

(A) compare the information in each component of the Federal Parent Locator Service maintained under this section against the information in each other such component (other than the comparison required by paragraph (2)), and report instances in which such a comparison reveals a match with respect to an individual to State agencies operating such programs; and

(B) disclose information in such components to such State agencies.

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³ 45 CFR 304.20(b)(1)(ii)

9. Are there any funds available for states that have innovative non-IV-D activities that could contribute to the effectiveness and efficiency of the child support program?

Answer: Yes. In accordance with [section 458\(f\)](#) of the Act and using the instructions issued in AT-01-04, states can request permission to reinvest IV-D incentive payments for any activity (including cost effective contracts with local agencies) approved by the Secretary, whether or not the expenditures for the activity are eligible for reimbursement under title IV-D, which may contribute to improving the effectiveness or efficiency of the state's child support program. Under the [Deficit Reduction Act of 2005](#), activities paid for with incentive funds are no longer eligible for FFP.

cc: Tribal IV-D Directors
ACF/OCSE Regional Program Managers