

Child Support/Garnishment Subcommittees Meeting

May 14, 2008

Austin, Texas

Meeting began at 6:00 PM

Bill Dunn, Pam, Don, Amy, Sherri, Rachel, Cindy, Nancy

Discussed goals for garnishment committee

IRS electronic payments (IRS in government forum workshop said that was going to be an involved task. Nothing for committee to do at this time

Approach to changing state laws through legislation to make state garnishment regulations more employer friendly. OCSE asked what types of changes we are looking for. Discussed need for partners in legislation.

Discussed lump sum payment issues

Goals

Immediate: Determine if current information on Matrix is correct. Amy says she cannot find a statute supporting AK and CO claim that employers must report. OCSE will follow up with matrix information.

Immediate: Cindy said she had asked the OCSE attorney to determine if employers should voluntarily provide lump sum information to a state if there is no legal requirement to do so. Concern about violation of employees rights.

Future: Determine next approach e.g. create and send a letter to IV-D directors requesting they involve the APA when drafting legislation or policy that affects employers. Don and Bill will write the letter

Develop best practices for how to report lump sum. Use Texas on-line as the recommendation, but only for states that actually require reporting.

Discussed issues with agency fee collections

Goal Immediate Send a letter to every agency with recommendation of best practice. Include fees as a part of withholding, include fee with regular deduction and send with regular deduction such as Ohio and Georgia. One time deductions create additional work. Cannot always collect in one deduction because of CCPA limits.

Feel sending to a different address is a violation of requirement for states to have one address within each state to send payment.

Discussed changes in state statues regarding medical support. Several states have legislated changes to medical Support based on recommendations that OCSE made. While the federal recommendations have not been adopted yet, states are implementing. Key features seem to be identifying a “reasonable cost” of premiums e.g. 5% of earnings and determining which parent has the best overall policy. This means that it will not be unusual for a CP to be subject to the medical support order, while the NCP pays cash medical support.

Meeting adjourned at 7:15 PM

Amorette N. Bryant, CPP