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INFORMATION MEMORANDUM

TO: State Agencies Administering or Supervising the Administration of Titles IV-B, IV-D, and IV-E of the Social Security Act

SUBJECT: Requests for Locate Services, Referrals, and Electronic Interface between Child Welfare and Child Support Information Systems

REFERENCE: Sections 453, 454(8), and 471 of the Social Security Act (the Act); 45 CFR 302, 303, and 307; Office of Child Support Enforcement (OCSE) Action Transmittal (AT) OCSE-AT-99-09; 75 FR 81894. This Information Memorandum (IM) supersedes ACYF-CB-IM-99-02, OCSE-IM-99-01, ACYF-CB-IM-07-06, OCSE-IM-07-06, and OCSE-DCL-07-33.

PURPOSE: This IM provides information to State child support agencies authorized under title IV-D and State child welfare agencies authorized under title IV-B and IV-E regarding the child support agency's authority to share Federal and State Parent Locator and other case information with the State child welfare agency.

BACKGROUND:

The child support and child welfare programs have a long history of working together to ensure that parents are involved in the support and care of their children. State child welfare and child support agencies serve many of the same children and families. When these agencies cooperate and exchange pertinent data, children and families are more likely to have improved outcomes. The Administration for Children and Families recognizes the need to ensure that child support and child welfare agencies use every avenue possible to support children and families. The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law (P.L.) 110-

351) (Fostering Connections Act), and the Safeguarding Child Support Information Final Rule¹ offer increased opportunities to promote the safety, permanency, and well-being of families.

INFORMATION:

This IM discusses several topics related to how child support and child welfare programs can improve their work, including through State child welfare agencies' requests for location services from State child support agencies, child welfare agencies making appropriate referrals for child support services, electronic data exchanges between child welfare and child support agencies, and program authority to share information with each other.

Requests for Location Services

Since the passage of the Fostering Connections Act, State child welfare agencies must exercise due diligence to identify and notify all adult relatives² of a child who was removed from the custody of his or her parents within 30 days of the removal, subject to exceptions due to family violence.³ The Fostering Connections Act also expanded OCSE's authority to share data with State child welfare agencies.⁴ To this end, State child support agencies can share information with State child welfare agencies for child welfare purposes.⁵ The State child welfare agency may request the State child support agency's help to find a person who has, or may have, parental rights to a child or is a relative of a child in a child welfare case. This is called a "locate-only" request.

In 2010, OCSE issued revised regulations regarding the State Parent Locator Service (SPLS) and the Federal Parent Locator Service (FPLS) that permit State child support agencies to share certain information about parents and relatives of a child involved in a child welfare case with State child welfare agencies.⁶ The regulations also specify requirements for State child support program safeguards to protect confidential information and for authorized disclosures of child support data to State child welfare agencies.⁷ The regulations address how State child support agencies may release information to State child welfare agencies to carry out their program responsibilities.⁸

The State child support agency obtains locate information from the State Parent Locator Service and/or the Federal Parent Locator Service. The Federal Parent Locator Service is a national

¹ 75 FR 81894.

² 75 FR 81900 notes that OCSE defers to States' definition of "relative."

³ Section 471(a)(29) of the Act.

⁴ For purposes of receiving FPLS information, section 453(c)(4) of the Act defines the term "authorized person" to include "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." OCSE-AT-99-09, issued June 16, 1999, says "Subsection 453(c)(4) permits a State IV-E or IV-B agency to request information from the FPLS to locate or facilitate the discovery of an individual who has or may have parental rights in order to make more informed and timely decisions about permanency." A State title IV-B/IV-E agency must submit its request for FPLS information through the State title IV-D agency's SPLS in accordance with 45 CFR 303.70.

⁵ Section 453(j)(3) of the Act.

⁶ See 45 C.F.R. 302.35(d).

⁷ See 45 C.F.R. 303.21(d) and 307.13(a)(4).

⁸ The final rule was published at 75 FR 81894.

location system that assists States in locating noncustodial parents, putative fathers, and custodial parties for the establishment of paternity and child support obligations, as well as the enforcement and modification of orders for child support, custody, and visitation. It also identifies child support cases involving the same parties in different States. The Federal Parent Locator Service includes two databases; the *National Directory of New Hires* (a central repository of employment, unemployment insurance, and wage data from State Directories of New Hires, State Workforce Agencies, and Federal Agencies), and the *Federal Case Registry* (a national database of child support cases that includes information on individuals involved in those cases). Additionally, the Federal Parent Locator Service has access to external locate sources such as the Internal Revenue Service, the Social Security Administration, Veterans Affairs, the Department of Defense, the Federal Bureau of Investigation, and the National Security Administration.

Similarly, each State child support agency maintains a State Parent Locator Service that contains information obtained from the Federal Parent Locator Service and other sources, such as the State's motor vehicles department, utilities, and State Department of Corrections, among others. We encourage State child welfare and child support agencies to collaborate to identify the information the State child support agency needs to process a locate request from the State child welfare agency, such as the Social Security Number.

The information a State child support agency may share with a State child welfare agency varies based on the relative's relationship to the child in the child welfare case. For a custodial or noncustodial parent, or a putative father, a State child support agency may share the following information with the State child welfare agency:

1. Person's Name;
2. Person's Address;
3. Social Security Number;
4. Employer's Name;
5. Employer's Address;
6. Federal Employer Identification Number;
7. Wages, income, and benefits of employment, including healthcare coverage; and
8. Type, status, location, and amount of any assets, or debts owed by or to, any such individual.

When locating a relative for title IV-B/IV-E program purposes, a State child support agency may only share the first six elements listed above.

Referrals for Child Support Services for Children Receiving Title IV-E Foster Care Payments

A State child welfare agency must take steps to secure an assignment to the State of any rights to child support on behalf of each child who is receiving title IV-E foster care maintenance payments by referring the case to the State child support agency for child support services if the

State agency finds it is “appropriate” to do so based on the circumstances of the case.⁹ When a child is in out-of-home placement, both parents are noncustodial and may be required to pay child support. The State child support agency must take the following actions when it receives a referral for child support services from the State child welfare agency for a child who is receiving title IV-E foster care payments:

- Open a case for child support services and attempt to locate the parents or other relatives of the child;
- Establish paternity; and
- Establish and enforce a child support order.

While it is the State child welfare agency’s responsibility to determine which cases to refer, we encourage State child welfare and child support agencies to work together to develop criteria for appropriate referrals in the best interests of the child involved.

Examples of Appropriate Referral Circumstances

- *If a child is receiving title IV-E foster care maintenance payments and it is likely that the child will remain in foster care for a sufficient period of time that justifies establishing a child support case.* There is no minimum amount of time that a child needs to be in foster care before the State child welfare agency refers a case to the State child support agency for child support services. Thus, we encourage State child welfare and child support agencies to collaborate in assessing case circumstances under which a referral is appropriate.
- *If establishing a child support case will aid in permanency planning for a child in foster care.* Establishing a child support order and collecting child support against one or both parents of a child who is receiving title IV-E foster care maintenance payments reinforces a message of parental responsibility and may motivate the parent(s) to take the steps necessary to regain or assume custody of the child.
- *If child support collected on behalf of a child in foster care will support relatives who want to care for a child.* Child support can be an important resource for relatives who are willing to care for a child who is in foster care.

Examples of Inappropriate Referral Circumstances

- The child’s adoption proceedings are pending in court.
- The parent(s) would be unable to comply with the permanency plan of reunification due to the financial hardship caused by paying child support.
- The child is expected to be in foster care for only a short time.
- The noncustodial parent is a potential placement resource. (However, in this situation, the child welfare agency may determine that it is still appropriate to pursue child support from the custodial parent from whom the child was removed.)

⁹ Section 471(a)(17) of the Act requires that a state’s title IV-E plan “provides that, where appropriate, all steps will be taken, including cooperative efforts with the State agencies administering the program funded under part A and plan approved under part D, to secure an assignment to the State of any rights to support on behalf of each child receiving foster care maintenance payments under [title IV-E].”

Applications for Child Support Services for Children Not Receiving Title IV-E Foster Care Payments

Section 471(a)(17) of the Act does not apply to children in foster care who are not receiving title IV-E foster care maintenance payments. These children may be in state-funded foster care or receiving in-home services to prevent their removal from home.

However, according to OCSE policy, a State child welfare agency may submit an application for child support services on behalf of a child in foster care who is not receiving title IV-E foster care maintenance payments.¹⁰ In the case of a family receiving in-home child welfare services, the case manager may encourage the parent to apply for child support services when appropriate.

If the child is in foster care: The State child welfare agency may seek the State child support agency's assistance to establish a child support order and paternity, collect child support, and locate parent and non-parent relatives of the child. If the State child welfare agency is applying for child support services for a non-title IV-E eligible child, the State child welfare agency must submit an application and pay the application fee on behalf of the family. A State child support agency may not waive the application fee, but may pay the fee out of state funds.¹¹ Each State child welfare agency should consult with the State child support agency to determine the fee policy.

If the child and family are receiving in-home services from the State child welfare agency: The State child welfare agency may provide the custodial parent or relative information about child support services and, if appropriate, encourage the parent or relative to submit an application for child support services to the State child support agency. The State child welfare agency may not submit an application on behalf of a custodial parent or relative to pursue child support collections from a noncustodial parent. The custodial parent or relative must pay the application fee and any other fees the State child support agency may charge an applicant. Augmenting a custodial parent or relative's household financial resources with child support can help reduce family stress and improve outcomes for the child and the family.

Domestic Violence Prevention and the Family Violence Indicator

States must weigh the need to locate parents and other relatives of a child against the danger posed by releasing confidential information of individuals who are at risk for domestic violence victimization. The State child support agency must have safeguards in effect and must not disclose information to anyone if the State child support agency has reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or child.¹² State child support agencies respond to these situations by placing a Family Violence Indicator (FVI) on any individual in the automated case file who needs protection. The State child support agency will not disclose locate information on a person who has an FVI.

¹⁰ OCSE-PIQ-07-03 Question #8.

¹¹ Section 454(6) of the Act.

¹² Section 454(26) of the Act, 45 C.F.R. 302.35(e), 303.21(e) and 307.11(f)(1)(x)

State Child Support Systems Codes

State child support agencies use an automated process to locate parents or relatives using the FPLS. The State child support agency submits a query to the FPLS to locate a parent or relative via “locate” and “participant type” codes. The codes serve two purposes: 1) they automatically return the appropriate information the requestor is permitted to have; and 2) they allow child support agencies to track what entities are requesting locate information from State child support agencies. The proper code for location requests on behalf of the State child welfare agency is the “adoption locate” (“AD”) code, which is the code most relevant to finding the parent, putative father, or relative of a child, instead of a general “locate” code. Prior to OCSE issuing the Safeguarding Final Rule, FPLS responses to the “AD” locate request only provided address and employer information on parents. OCSE implemented changes so that now a State child support agency can specify a “participant type” code with the locate request.

When the State child support agency needs to locate a parent or putative father on behalf of the State child welfare agency, we strongly encourage the State child support agency to specify the participant type code as noncustodial parent, putative father, or custodial party with the “AD” locate request code. The FPLS will then return all eight elements specified on page three. Alternatively, when the State child support agency needs to locate a relative on behalf of the State child welfare agency, it should not enter a participant type code and therefore the FPLS will only return the first six elements specified on page three.

Automated Data Exchanges

We encourage State child support and child welfare agencies to work together to automate locate requests and share case information necessary to carry out their mutual responsibilities under title IV of the Act and in the best interests of children. Automating the locate request process between the two agencies will save child support and child welfare caseworkers’ time. The agencies can work together to coordinate on electronic information interface and exchange efforts so that child welfare agencies can effectively carry out their expanded responsibilities under the Fostering Connections Act. At the same time, the agencies can work together to develop good referral policies so that child support services may be provided in appropriate cases and tailored to the needs of individual families in the best interests of the child. Since these agencies serve many of the same children and families, the cooperative interaction and the exchange of pertinent data between the two programs can lead to improved outcomes for children and families, such as improved case planning and management and increased child support collections. We are also exploring providing child welfare agencies with locate data through the FPLS portal.

INQUIRIES: Direct inquiries to the appropriate Regional OCSE or Children’s Bureau Program Manager.

/s/

Vicki Turetsky
Commissioner
Office of Child Support
Enforcement

/s/

Bryan Samuels
Commissioner
Administration on Children, Youth
and Families

Attachments:

[A - List of Children’s Bureau Regional Program Managers](#)

[B - List of OCSE Regional Program Managers](#)

ATTACHMENT A: Children’s Bureau Regional Program Managers

I	<p>Region I - Boston Bob Cavanaugh bob.cavanaugh@acf.hhs.gov JFK Federal Building, Rm. 2000 Boston, MA 02203 (617) 565-1020 States: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont</p>	VI	<p>Region VI - Dallas Janis Brown janis.brown@acf.hhs.gov 1301 Young Street, Suite 945 Dallas, TX 75202-5433 (214) 767-8466 States: Arkansas, Louisiana, New Mexico, Oklahoma, Texas</p>
II	<p>Region II - New York City Junius Scott junius.scott@acf.hhs.gov 26 Federal Plaza, Rm. 4114 New York, NY 10278 (212) 264-2890 States and Territories: New Jersey, New York, Puerto Rico, Virgin Islands</p>	VII	<p>Region VII - Kansas City Rosalyn Wilson rosalyn.wilson@acf.hhs.gov Federal Office Building Room 349 601 E. 12th Street Kansas City, MO 64106 (816) 426-3981 States: Iowa, Kansas, Missouri, Nebraska</p>
III	<p>Region III - Philadelphia Lisa Pearson lisa.pearson@acf.hhs.gov 150 S. Independence Mall West - Suite 864 Philadelphia, PA 19106-3499 (215) 861-4030 States: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia</p>	VIII	<p>Region VIII - Denver Marilyn Kennerson marilyn.kennerson@acf.hhs.gov 999 18th Street South Terrace, Suite 4-265 Denver, CO 80202 (303) 844-3100 States: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming</p>
IV	<p>Region IV - Atlanta Ruth Walker ruth.walker@acf.hhs.gov Atlanta Federal Center 61 Forsyth Street, S.W. , Suite 4M60 Atlanta, GA 30303 (404) 562-2900 States: Alabama, Mississippi, Florida, North Carolina, Georgia, South Carolina, Kentucky, Tennessee</p>	IX	<p>Region IX - San Francisco Douglas Southard douglas.southard@acf.hhs.gov 90 7th Street, 9th Floor San Francisco, CA 94103 (415) 437-8425 States and Territories: Arizona, California, Hawaii, Nevada, Outer Pacific—American Samoa Commonwealth of the Northern Marianas, Federated States of Micronesia (Chuuk, Pohnpei, Yap) Guam, Marshall Islands, Palau</p>
V	<p>Region V - Chicago Angela Green angela.green@acf.hhs.gov 233 N. Michigan Avenue Suite 400 Chicago, IL 60601 (312) 353-9672 States: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin</p>	X	<p>Region X - Seattle Tina Minor tina.minor@acf.hhs.gov 2201 Sixth Avenue, Suite 300, MS-70 Seattle, WA 98121 (206) 615-3657 States: Alaska, Idaho, Oregon, Washington</p>

ATTACHMENT B: Office of Child Support Enforcement Regional Program Managers

I	<p>Region I - Boston Charles Kenher Charles.kenher@acf.hhs.gov JFK Federal Building, Rm. 2000 Boston, MA 02203 (617) 565-2477 States: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Tribal Programs</p>	VI	<p>Region VI - Dallas James Travis james.travis@acf.hhs.gov 1301 Young Street, Suite 945 Dallas, TX 75202-5433 (214) 767-6239 States: Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Tribal Programs</p>
II	<p>Region II - New York City Jens Feck jens.feck@acf.hhs.gov 26 Federal Plaza, Rm. 4114 New York, NY 10278 (787) 766-5196 x2 States and Territories: New Jersey, New York, Puerto Rico, Virgin Islands, Tribal Programs</p>	VII	<p>Region VII - Kansas City Nancy Thoma Groetken nancy.thomagroetken@acf.hhs.gov Federal Office Building Room 349 601 E. 12th Street Kansas City, MO 64106 (816) 426-2270 States: Iowa, Kansas, Missouri, Nebraska, Tribal Programs</p>
III	<p>Region III - Philadelphia Juanita DeVine juanita.devine@acf.hhs.gov 150 S. Independence Mall West - Suite 864 Philadelphia, PA 19106-3499 (215) 861-4054 States: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia</p>	VIII	<p>Region VIII - Denver Diane Degenhart diane.degenhart@acf.hhs.gov 999 18th Street South Terrace Suite 499 Denver, CO 80202 (303) 844-1139 States: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming, Tribal Programs</p>
IV	<p>Region IV - Atlanta Jacqueline Mull jacqueline.mull@acf.hhs.gov Atlanta Federal Center 61 Forsyth Street, S.W. , Suite 4M60 Atlanta, GA 30303 (404) 562-2958 States: Alabama, Mississippi, Florida, North Carolina, Georgia, South Carolina, Kentucky, Tennessee</p>	IX	<p>Region IX - San Francisco John Kersey john.kersey@acf.hhs.gov 90 7th Street, 9th Floor San Francisco, CA 94103 (415) 437-8415 States and Territories: Arizona, California, Hawaii, Nevada, Guam, Tribal Programs</p>
V	<p>Region V - Chicago Michael Vicars michael.vicars@acf.hhs.gov 233 N. Michigan Avenue Suite 400 Chicago, IL 60601 (312) 886-5339 States: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin</p>	X	<p>Region X - Seattle Levi Fisher levi.fisher@acf.hhs.gov 2201 Sixth Avenue, Suite 300, MS-70 Seattle, WA 98121 (206) 615-2519 States: Alaska, Idaho, Oregon, Washington, Tribal Programs</p>