



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF WELFARE AND SUPPORTIVE SERVICES

1470 College Parkway
Carson City, NV, 89706
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<http://dwss.nv.gov>

PUBLIC HEARING NOTICE AND AGENDA

July 18, 2019

NOTICE OF PUBLIC HEARING ON ADOPTION OF AMENDMENTS OF CHILD SUPPORT ENFORCEMENT PROGRAM MANUAL

The Nevada Division of Welfare & Supportive Services (DWSS) will hold a public hearing in Carson City and Las Vegas to obtain comment and input from interested persons on changes to the Child Support Enforcement Program Manual.

The public hearing will be conducted via videoconference beginning at 12:00 PM on Thursday, July 18, 2019, at the following locations:

Division of Welfare and Supportive Services 1470 East College Parkway, Room 149 Carson City, Nevada 89706	Division of Welfare and Supportive Services 701 North Rancho Drive, Training Room 5 Las Vegas, Nevada 89106
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If unable to attend in person, teleconferencing will be available. Please call in with one of the following numbers:

(702) 486-8777 (South)
(775) 684-8777 (North)
Access Code: 7777

AGENDA

1.	Public Comment on Child Support Enforcement Manual Amendment: An amendment to Section 103 of the Child Support Enforcement Program regulation is proposed increasing the annual federally mandated fee for each non-assistance child support case and revising the amount that must be collected and disbursed to a family to be subject to the fee
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Nevada Revised Statute (NRS) 425.365 authorizes the Administrator of the Division of Welfare and Supportive Services to adopt such regulations as are necessary with respect to the Child Support Enforcement Program. DWSS is exempt from 233B according to NRS 233B.039 and is not required to comply with the open meeting law in this process.

An amendment to Section 103(E) of the Support enforcement Manual is proposed increasing the annual federally mandated fee for each non-assistance child support case and revising the amount that must be collected and disbursed to a family to be subject to the fee.

Federal law requires states to impose an annual fee for each case that receives Title IV-D child support services and in which the individual receiving services has never received Title IV-A assistance. The Bipartisan Budget Act of 2018 amended Section 454(6)(B)(iii) of the Social Security Act increasing the mandatory annual fee from \$25 to \$35. This law also revised the amount that the state must collect and disburse to the family before imposing the fee from \$500 to \$550 each federal fiscal year. Assembly Bill 527 of the 2019 Legislature amends NRS 425.3847 increasing the fee amount and threshold pursuant to the Social Security Act.

The existing regulation is further amended to update statutory references and clarify that, with respect to the annual federal fee, international cases include those initiated by countries that are signatories to the Hague Convention.

A copy of the proposed amendment is available at DWSS.nv.gov. If you are unable to access these documents, please contact Joy Tomlinson at (775) 684-0698 or by e-mail at jtomlinson@dwss.nv.gov. A copy of this notice and the state plan/regulations/policy changes are available at the following locations for inspection and copying:

DWSS Central Office	1470 College Parkway	Carson City	89706
Las Vegas Belrose DWSS Office	700 Belrose St	Las Vegas	89158
Reno DWSS Office	4055 S Virginia St	Reno	89502
Elko DWSS Office	1020 Ruby Vista Dr #101	Elko	89801

Note: Testimony and written materials submitted during the Public Hearing will be considered. Persons wishing to comment may appear at the scheduled public hearing or address their comments in writing to:

**Administrator
Nevada State Division of Welfare and Supportive Services
1470 College Parkway
Carson City, NV 89706**

*****IMPORTANT NOTICE*****

Persons with disabilities who require special accommodations or assistance at the meeting are requested to notify Joy Tomlinson at the Nevada Division of Welfare and Supportive Services, 1470 College Parkway, Carson City, Nevada, 89706 or by calling (775) 684-0698 no later than five (5) working days before the public hearing.



PUBLIC HEARING POSTING LOCATIONS:

Health Division	4150 Technology Way	Carson City
DWSS Central Office	1470 College Parkway	Carson City
Elko DWSS Office	1020 Ruby Vista Drive, #101	Elko
Reno DWSS Office	4055 S. Virginia St.	Reno
Las Vegas Flamingo DWSS Office	3330 E. Flamingo, Suite 55	Las Vegas
Las Vegas Belrose DWSS Office	700 Belrose St.	Las Vegas
Las Vegas Henderson DWSS Office	520 South Boulder Highway	Henderson

Proposed Regulation

(Matter in ~~red strikethrough~~ is material to be deleted. Matter in *italics* is new.)

Support Enforcement Manual (SEM) Section 103

(E) ANNUAL ~~\$25~~ *\$35* FEE FOR NEVER ASSISTANCE CASES

~~The Deficit Reduction Act of 2005, Public Law 109-171, and Chapter 425 of the Nevada Revised Statutes Section 454(6)(B)(iii) of the Social Security Act and NRS 425.3847~~ mandate an annual ~~\$25~~ *\$35* fee for IV-D cases in which at least ~~\$500~~ *\$550* in child support is collected and disbursed, but only if the child for whom the collection is made and the custodian of the child in the case are not and have never received assistance under Title IV-A of the Social Security Act.

The Chief shall impose a ~~\$25~~ *\$35* fee each federal fiscal year (FFY) in all “never assistance” Title IV-D cases in which Nevada is the initiating jurisdiction and more than ~~\$500~~ *\$550* in child support has been collected and disbursed to the family during the ~~FFY~~ *federal fiscal year*. The ~~FFY~~ *federal fiscal year* is defined as the period beginning October 1st and ending September 30th. For the purposes of the annual fee, a case is defined as an obligor, an obligee and the child(ren) in common.

The Chief shall retain ~~\$25~~ *\$35* from child support payments collected on behalf of the individual receiving Title IV-D services for each ~~FFY~~ *federal fiscal year* in which the case is subject to the annual federal fee.

With respect to international cases, pursuant to ~~federal law~~ *45 CFR 302.33*, the annual fee shall not be retained from child support collections. For purposes ~~for~~ *of* the annual fee, an international case is one in which a foreign reciprocating country *or a signatory to the Hague Convention* requests the assistance of the Nevada Child Support Enforcement Program, or a case in which a foreign obligee residing in a foreign country applies for services directly with the enforcing authority.

Obligors will receive credit for the full amount of any child support payment from which the annual fee, or a portion thereof, has been retained.

This regulation expires on the date on which the provisions of 42 U.S.C. § 654 requiring each state to impose an annual fee are repealed by the Congress of the United States.