

## **REAL Colorado**

**Responsive, Efficient, Accountable Human Services System delivered through a Local – state partnership**

**November 4, 2011**

**2:00 pm– 4:00 pm**

**6<sup>th</sup> Floor Board Room (directly above CCI)**

- **Update on Mandate Reform – Phase I: Federal Regulations Review**  
Lynn Johnson  
Herb Covey
- **REAL Colorado’s role in BOHS Rule Repeal Process**
  - a. Reviewer?
  - b. CCI’s monthly memo
- **Review Bookmark – broader focus beyond just health and human services**
- **CDHS’ Implementation of Executive Order #5**  
*Establishing a Policy to Enhance the Relationship between State and Local Government*  
Mary McGhee, CDHS
- **Future Meetings**  
Friday, December 2<sup>nd</sup> – (?) conflict with BOHS  
Annie E. Casey Presentation in January?
- **Other Business**

**REAL Colorado Presentations:**

**BOHS – Friday, December 2 (tentative)**

# CCI

Colorado Counties, Inc.

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www.ccinline.org

**DATE:** October 18, 2011

**TO:** Governor John Hickenlooper, State of Colorado  
Director Reggie Bicha, Colorado Department of Human Services

**FROM:** REAL Colorado Sub-Committee<sup>1</sup> for the Colorado Counties, Inc. Health and Human Services Steering Committee

**RE:** Commendation on CDHS Rule Review

Thank you both for your strong leadership in the strategic reorganization of CDHS this year. Your shared commitment to cutting administrative burdens and improving government efficiencies and effectiveness has been evident throughout 2011.

Specifically, we thank Governor Hickenlooper for calling on all state agencies to undertake reviews of departmental rules for clarity, necessity and conciseness.

We also thank and commend Executive Director Bicha and his staff for completing the extensive and swift review of more than 4,300 rules over the summer. The department's fast and thorough work in completing this review was outstanding and noteworthy. State staff's recommendations to repeal 850 and revise 2,000 rules found to be duplicative, inconsistent or burdensome signify an important step forward in reforming Colorado's human services system. We also appreciate the time given by CDHS employee Mary McGhee to attend REAL Colorado meetings and keep county commissioners and staff apprised of the rule review criteria and process.

As you are aware, CCI is committed to the principles of: responsible, efficient and accountable health and human services systems delivered through a local/state partnership. We see the rule review as a "win" for counties, the state and citizens, and believe it is an unprecedented model that should be expanded here in Colorado and shared with governmental entities across the nation. By streamlining rules, agency letters and other guidance that help govern how counties deliver services, we can make tremendous strides in effectively serving our most vulnerable citizens in their time of need.

Counties support revising or repealing certain state rules and are very appreciative of the culture of collaboration and innovation that has taken root within the administration. We look forward to continued dialogue with your offices regarding how we can work together to streamline and improve the state's health and human services systems. Thank you again.

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<sup>1</sup>The CCI HHS REAL Colorado Sub-Committee includes: Barbara Kirkmeyer, Weld County Commissioner (Chair); Susan Beckman, Arapahoe County Commissioner; Cindy Domenico, Boulder County Commissioner; Bob Gaiser, City and County of Broomfield Council Member; Sallie Clark, El Paso County Commissioner; Steve Johnson, Larimer County Commissioner; Janet Rowland, Mesa County Commissioner; Tony Carlson, Morgan County Commissioner; Keith Goodwin, Otero County Commissioner; Lynn Padgett, Ouray County Commissioner; Rachel Richards, Pitkin County Commissioner; Diane Mitsch Bush, Routt County Commissioner;



## REAL Colorado Meeting- October 7, 2011, CCI

### Upcoming Meetings at CCI

November 4, 2011, 2-4 p.m.

#### Letter to Legislators:

- Susan Beckman presented the final letter that was edited by Eric at CCI and given to legislators by CCI staff in Sept. with the REAL Colorado bookmark to help introduce concepts of REAL.

#### Letter to CDHS/Governor

- Susan Beckman presented a draft letter that has been proposed to send to Governor Hickenlooper and CDHS Director Reggie Bicha to recognize their efforts on the agency's rule review
- Susan suggested presenting Director Bicha and Gov. Hickenlooper with a REAL 'seal' or 'certificate' of approval at CCI's Winter conference
- Steve Johnson will distribute the bookmarks to the State Board of Human Services
- Barbara Kirkmeyer reported that CDHS has committed to revise/repeal rules by June 30
- Feedback on memo: make fit to one page, allow CCI staff to edit

#### Wins-to-Date

- Susan Beckman presented REAL PowerPoint to Metro Area County Commissioners committee on Sept. 30 and the group unanimously agreed to support REAL concepts when reviewing legislation
- Changed CCI preamble and policy statement to include REAL
- CCI Board is discussing incorporating REAL Colorado brand in CCI's current branding efforts.
- CCI has incorporated REAL wins into announcement page under section for REAL on [www.ccionline.org](http://www.ccionline.org)
- Susan suggested counting CBMS Executive Oversight Committee as a REAL win.
- CDHS has included counties in 2012 budget process

#### Rule Review

- Rachel Richards suggested REAL-branded executive summary with analysis on rules to be brought before State Board; Susan Beckman suggested letter to State Board
- Gini mentioned that State Board already sees history and background and we could incorporate REAL message in narrative; she will discuss collaboration with Pam Ryken at State
- Herb will share Excel matrix from State rule review; Steve Johnson shared State Board's schedule for rule repeal process

#### Mandate Reform

- Herb Covey reported on child welfare mandate review: State is embracing counties' matrix and trying to meld rule revision/repeal into a single plan and invited counties to assist with prioritizing

#### *Child Welfare:*

- **Rule on Diligent Search** (endless search for kin for adoptable children): Workgroup with state and county staff looking at timeframe for ending diligent search; will go through sub-PAC and PAC, then State Board of Human Services
- **Rule on North Carolina Family Assessment Screen:** Desire to eliminate screening tool mandated by rule; will go through PACs and State Board of Human Services
- **Administrative Review Division:** Counties meeting with State regarding ARD's reviews of child welfare in late October

- **Foster Care Certification/Licensing:** State/County committee looking at certification requirements
- **Child Protection Review Teams:** State law requires that child welfare cases undergo mandatory review process for every referral and case; county child welfare administrators looking at process for time/workload issues
- **IV-E Eligibility Determination:** State could be losing millions in federal IV-E dollars due to more restrictive CDHS rule on 45-Day requirement; Colorado is the only state that is doing this; county workgroup looking at applying for IV-E waiver now or after rule is repealed.

*Public Assistance:*

- Counties working to develop workgroups similar to child welfare for mandate reform; Herb continues to see suggestions for mandate reform in public assistance areas.
- **Public Assistance Application:** Herb announced 26-page application has been reduced to 4 pages as of Oct. 1
- **Withdrawn TANF Agency Letter:** CDHS was proposing agency letter that would have made TANF an entitlement program; due to counties' outreach, the letter was withdrawn by state staff
- **Alignment of Applications/Recertification/ Redetermination Dates:** Streamlining timelines across programs will make big impact
- **Monthly Status Reports:** Colorado is the only state that requires monthly status reports of clients; would require change to CBMS

**Federal Funding Review**

- Herb suggested county workgroup set aside several days to look at core funding streams and federal requirements; we're not aware of other states that have done this work

**Next Steps**

- Barbara Kirkmeyer has suggested that REAL become a standing CCI committee; need more CCI resources at committee
- Eric Bergman with CCI suggests REAL becomes a "super" committee in the respect that liaisons from each steering committee serve on the new committee. It was clarified however that the standing committee would not trump decisions made by other steering committees.
- REAL messages will be incorporated into CCI re-branding

# Colorado

Office of Economic Development and International Trade

## I. Build a Business-Friendly Environment

Action	1A. Change practice of issuing unfunded mandates to local government	1B. Increase level of customer service and responsiveness of State Government	1C. Work closely with local governments to create a more uniform tax and fee procedure	1D. Initiate and pursue legislative and administrative changes that improve efficiency and effectiveness in government
<b>Goal</b>	For Colorado to be seen as the most effective state in the country in its state and local government relations	To build trust in government and adopt a culture of transparency and efficiency in serving the people, businesses and communities of Colorado	To address the lack of uniformity in how sales and use tax is collected across jurisdictions in order to help the business community prosper	To see legislative or executive professional internal rule-making appropriate, to reduce red tape and increase government efficiency and performance
<b>Details</b>	<ul style="list-style-type: none"> <li>Issue an executive order concerning unfunded mandates in order to establish a policy to enhance the relationship between state and local government</li> <li>Implement a proactive process for engaging local governments regarding new rules and regulations to ensure that no unfunded mandates are issued to local governments without due process</li> <li>Engage local governments for feedback on such rules and regulations through an online, paperless system</li> <li>Assemble a working group including cabinet members and the executive directors of CML, CCL, SDACO, and CASB to advise the process and provide accountability</li> </ul>	<ul style="list-style-type: none"> <li>Coordinate with OIT and SIPA to lead a cross-agency round-table on improving and strengthening online presence, including a function to accept constituent suggestions online</li> <li>Each agency to conduct internal evaluation to identify redundancies and inefficiencies and partner across agencies, as appropriate to reduce redundancies increase responsiveness</li> <li>Establish a regulatory help line within DORA for the purpose of increasing customer service and responsiveness to citizens and businesses with questions on regulations</li> <li>Create inefficiency identification group known as Pits &amp; Peeves which sponsored roundtable discussions with industry representatives</li> <li>Require all Senior Executive Service classification employees to re-interview for their jobs</li> <li>DPA to survey all state employees in order to identify opportunities to improve customer service</li> <li>Design a more customer-friendly Colorado.gov portal</li> </ul>	<ul style="list-style-type: none"> <li>Gather input through Pits &amp; Peeves roundtables</li> <li>Establish a working group with local governments, state officials and the private sector to define opportunities to improve filing process for state and local taxes</li> <li>Review previous studies of sales and use tax collection in Colorado</li> <li>Study efforts of the national Streamlined Sales Tax Project to identify best practices that can be replicated</li> <li>Develop tax collection recommendations, paying special attention to companies that currently file state and local taxes in multiple jurisdictions using multiple processes</li> <li>Create a more efficient, effective and uniform tax filing system through leveraging of technology and sharing of information while being mindful of local control issues</li> </ul>	<ul style="list-style-type: none"> <li>Explore opportunity to design and implement periodic rule review mechanism for all agencies</li> <li>Work with the legislature on additional rule review reforms including streamlining the process for cost-benefit analyses in connection to rule-making</li> <li>REAL Colorado partnership of OIT, CDHS, HCPI, counties and others to make the human services system more responsive, efficient and accountable, including an update of Colorado Benefit Management System (CBMS)</li> <li>Identify opportunities for legislative and administrative fixes necessary to reduce redundancy, red-tape and increase efficiency from "bottom-up" input, Pits &amp; Peeves roundtables, internal audits of agencies, recommendations for needed alignment and sunset provisions</li> </ul>
<b>Partners (Lead)</b>	<ul style="list-style-type: none"> <li>Executive Director of DORA</li> <li>Executive Director of OSBP</li> <li>Chief Policy and Political Director</li> <li>Additional Cabinet members, legislators</li> <li>Executive Director of CML, CCL, SDACO, CASB</li> </ul>	<ul style="list-style-type: none"> <li>Governor's Chief of Staff and Deputy Chief of Staff</li> <li>Executive Director of DORA</li> <li>Executive Director of OED, DPA, DORA, SIPA/ED</li> <li>Governor's change-management advisor</li> <li>Secretary of Health Policy/Chief Information Officer/OIT</li> </ul>	<ul style="list-style-type: none"> <li>Executive Director of DORA/Chief of Staff</li> <li>Executive Director of CML, CCL and SDACO</li> <li>Executive Director of CML, CPA Society, Colorado Retail Council</li> <li>Representatives of SIPA and OIT, as needed</li> </ul>	<ul style="list-style-type: none"> <li>Chief Policy and Political Director</li> <li>Legislative Services Director</li> <li>Governor's Legislative Liaison</li> <li>Legislative Work Group Governor, Chief of Staff, General Counsel and Department Executive Director</li> <li>Executive Director of Industry Associations, CML, CCL, SDACO and CASB</li> <li>Governor's Sports &amp; Communities and ENMHC</li> <li>County Director of Human Services</li> </ul>
<b>Measurable Outcomes</b>	<ul style="list-style-type: none"> <li>Issuing of executive order concerning unfunded mandates in order to establish a policy to enhance the relationship between state and local government</li> <li>Utilization of online paperless system by local governments</li> <li>Mitigation of Intergovernmental issues regarding new rules and regulations</li> </ul>	<ul style="list-style-type: none"> <li>Number of agencies enhancing and improving web presence in a coordinated manner</li> <li>Each Executive Director to identify minimum of 3 opportunities to specifically decrease redundancy and leverage technology to increase customer service within their office or agency</li> </ul>	<ul style="list-style-type: none"> <li>Thorough analysis of ideas for the development of a uniform process to apply for and pay business and income taxes within Colorado</li> <li>Meaningful recommendations developed and considered</li> <li>Creation of new uniform tax filing system that reduces redundancy and confusion with tax collection across multiple jurisdictions</li> </ul>	<ul style="list-style-type: none"> <li>Number of regulatory reforms</li> <li>Upgraded functionality of Colorado Benefit Management System (CBMS)</li> </ul>
<b>Timeline</b>	<ul style="list-style-type: none"> <li>Issuance of Executive Order by 2011 Q2 in January 2011</li> <li>Assembly of working group for monthly meetings in March 2011; transitioning into quarterly meetings thereafter</li> <li>Launching of online paperless system to gather feedback from local governments on new rules and regulations by October 2011</li> </ul>	<ul style="list-style-type: none"> <li>Completion of internal evaluation by each agency for redundancies and inefficiencies by November 2011 and announcement of how employees as appropriate</li> <li>Posting of agency website accessible (OIT and SIPA) by December 2011</li> <li>Launching of DORA regulatory help line by early 2012</li> <li>Survey of state employees by DPA by September 2011</li> <li>Completion of Pits &amp; Peeves roundtables by October 2011</li> <li>Completion of interviews and re-interview of SES employees by October 2011</li> <li>Launch of revised Colorado.gov portal by 3rd quarter 2011</li> </ul>	<ul style="list-style-type: none"> <li>Completion of input and data through Pits &amp; Peeves roundtables and review of previous studies through September 2011 for purpose of establishing working group/discussion</li> <li>Distribution of draft paper letter to uniform tax filing in December 2011</li> <li>Establishment of working group by October 2011</li> <li>Development of recommendations by mid-2011</li> <li>Implementation and launch of uniform tax filing system by December 2011</li> <li>Improvement in the tax filing system by January 2012</li> </ul>	<ul style="list-style-type: none"> <li>Gov. Action of CBMS approved by September 2011</li> <li>Legislative studies of rule review mechanism by December 2011</li> <li>Implementation of streamlined cost-benefit analysis process by early 2012 based on General Assembly</li> <li>Completion of Pits &amp; Peeves roundtables by December 2011 (which will be included in roundtable)</li> <li>Gov. Action of legislative and administrative recommendations and fixes by December 2011 leading to legislative agenda for 2012</li> </ul>

**RULE-MAKING COVER SHEET**

Title of Proposed Rule: Repeal Unnecessary Sections of the Child Support Enforcement Rules.

Rule-making#: 11-9-2-1

Office or Division/Program: Office of Economic Security/ Child Support Enforcement      Rule Author: Anne Seymore      Phone: (303) 866-4427  
 E-Mail: anne.seymore@state.co.us

**Type of Rule: (complete a and b, below)**

- a.     Board       Executive Director
- b.     Regular       Emergency

**This package is submitted to State Board Administration as:**

- Initial Circulation      (check all that apply)
- that creates a rule(s)
- that revises a rule(s)
- that is technical clean-up of a rule(s)
- Update # \_\_\_\_\_
- that revises a proposed rule
- that is technical clean-up of a proposed rule
- Cancel

**Specify reason(s) for update or cancellation:**

What month is being requested for this rule to first go before the State Board?      December, 2011

What date is being requested for this rule to be effective?      March, 2012

I hereby certify that I am aware of this rule-making and that any necessary consultation with the Executive Director's Office, Office of Policy & Legislative Initiatives, Office of Budget Services, Office of Operations & Financial Services, and Division of Information Technology has occurred.

Deputy Executive Director Approval: \_\_\_\_\_ Date: \_\_\_\_\_

**TO BE COMPLETED BY STATE BOARD ADMINISTRATION**

Approved		Date:	
Conditional		Comments:	
Disapproved			

Pre-Board	1st Board	2nd Board	Effective Date
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Approved to go to AG: \_\_\_\_\_ Code: \_\_\_\_\_

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**STATEMENT OF BASIS AND PURPOSE**

Summary of the basis and purpose for the rule or rule change.

Repeal various sections of volume 6, the Child Support Enforcement rules, because:

- They are repetitive within other sections of volume 6
- They direct state staff and should be removed to a Management Directive
- They should be moved to a procedure
- They should be moved to a more appropriate section of volume 6.

An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

<input type="checkbox"/>
<input type="checkbox"/>

to comply with state/federal law and/or

to preserve public health, safety and welfare

Explain:

Authority for Rule:

**State Board Authority:** 26-1-107, C.R.S. (2009) - State Board to promulgate rules; 26-1-109, C.R.S. (2009) - State Board rules to coordinate with federal programs; 26-1-111, C.R.S. (2009) - State Board to promulgate rules for public assistance and welfare activities.

**Program Authority:** §14-5-507 C.R.S. (2011) – administrative enforcement; §14-5-603 C.R.S. (2011) – registering a foreign order; §14-10-115 C.R.S. (2011) – child support guidelines; §14-14-102(4.7) C.R.S. (2011) – child support definitions; §14-14-104 C.R.S. (2011) – recovery of child support debt; §19-4-102 C.R.S. (2011) – parent and child relationship; §19-4-108 C.R.S. (2011) – statute of limitations for parent and child relationship; §19-6-101 C.R.S. (2011) – initiating support proceedings; §26-5-102 C.R.S. (2011) – system reforms for Child Welfare services; §26-13-105 C.R.S. (2011) – child support enforcement services; §26-13-106 C.R.S. (2011) – eligibility for child support enforcement services; §26-13-107 C.R.S. (2011) – state parent locator service; §26-13-108 C.R.S. (2011) – recovery of public assistance; §26-13-109 C.R.S. (2011) – UIFSA support; §26-13-121(1)(a) C.R.S. (2011) – review and modification of child support orders; §26-13.5-102 C.R.S. (2011) – definitions for administrative procedure; §26-13.5-103 C.R.S. (2011) – genetic tests; §26-13.5-106 C.R.S. (2011) – default administrative procedure order; §26-13.5-112 C.R.S. (2011) – modification of an administrative procedure order; 45 CFR §301.10 – definitions; 45 CFR §302.15 – reports and maintenance of records; 45 CFR §302.31 – establishing paternity and support; 45 CFR §302.32 – collection and disbursement of support payments; 45 CFR §302.33 – non-IV-A services; 45 CFR §302.35 – state parent locator service; 45 CFR §302.50 – assignment of rights; 45 CFR §302.51 – distribution of support payments; 45 CFR §303.6 - enforcement; 45 CFR §303.7 – provisions of services in interstate IV-D cases; 45 CFR §307.10 – requirements for automated systems; 42 USC §653(e)(2) – Federal Parent Locator Service; 42 USC §654 – state plan.

Does the rule incorporate material by reference?

<input type="checkbox"/>
<input type="checkbox"/>

Yes

X
X

No

Does this rule repeat language found in statute?

Yes

No

If yes, please explain.

Title of Proposed Rule: Repeal Unnecessary Sections of the Child Support Enforcement Rules.

Rule-making#: 11-9-2-1

Office or Division/Program: Office of  
Economic Security/ Child Support  
Enforcement

Rule Author: Anne Seymore

Phone: (303) 866-4427

E-Mail: anne.seymore@state.co.us

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*State Board Administration will send this rule-making package to Colorado Counties, Inc., Office of State Planning and Budgeting, and the Joint Budget Committee. The program has sent this proposed rule-making package to which stakeholders?*

IV-D Task Force; IV-D Administrators; Colorado Legal Services; Self-Sufficiency Sub-PAC; Ray Washington and Ken Sanders as members of two different Fatherhood Groups.



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**Attachments:**

Regulatory Analysis

Overview of Proposed Rule

Stakeholder Comment Summary

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## REGULATORY ANALYSIS

1. List of groups impacted by this rule:

 This rule change has no impact on any stakeholders because the rules being repealed are elsewhere in the Child Support Enforcement rules or Colorado's statutes, or direct state staff.

2. Describe the qualitative and quantitative impact:

The short term and long term consequences of this rule are the same; there is no impact to this rule change.

3. Fiscal Impact:

State Fiscal Impact

None

County Fiscal Impact

None

Federal Fiscal Impact

None

Other Fiscal Impact

None

4. Data Description:

The rule review process showed where duplicate rules existed, and also helped determine which rules were directed to state staff, and therefore needed to be removed.

5. Alternatives to this Rule-making:

No alternative was considered as these are sections that need to be removed from the Child Support Enforcement rules.

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### OVERVIEW OF PROPOSED RULE

Compare and/or contrast the content of the current regulation and the proposed change.

<u>Section Numbers</u>	<u>Current Regulation</u>	<u>Proposed Change</u>	<u>Stakeholder Comment</u>			
6.101.2	Duties of the state department of Child Support Enforcement.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.102.32	Allocation of staff	Repeal because these sections are based on a staffing study that is now outdated.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.130.1	Compliance with regulations.	Repeal because it does not compel any staff to take any action.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.130.2 and 6.130.21	State department to supervise counties.	Repeal because it does not compel any staff to take any action.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.130.22	Child Support Enforcement compliance reviews.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.205.21	Original order for interstate cases.	Repeal because there is no need to define original order.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.205.22 and 6.205.23	Change of venue for intergovernmental cases.	Repeal because there is no need to define original order.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.1	Functions to be performed by the Child Support Enforcement Unit.	Repeal because the language is duplicated in section 6.102 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.11	Functions to be performed by the Child Support Enforcement Unit.	Repeal because the language is duplicated in sections 6.201.3 and 6.230 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.12	Intake.	Repeal because the language is duplicated in section 6.400 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.13	Locate.	Repeal because the language is duplicated in section 6.502 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.14	Establish the support obligation.	Repeal because the language is duplicated in section 6.600 to 6.604 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.15	Establish paternity.	Repeal because the language repeats §19-4-102, C.R.S.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.16	Collect child support.	Repeal because the language is duplicated in section 6.805 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.240.17	Enforce child support orders.	Repeal because the language is duplicated in section 6.901 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

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6.240.18	Investigation.	Repeal because the language is duplicated in section 6.901 of the rules.	—	Yes	<u>X</u>	No
6.240.19	Report health insurance information to noncustodial parents.	Repeal because there is no statutory or regulatory requirement for this.	—	Yes	<u>X</u>	No
6.240.20	Review of support orders.	Repeal because the language is duplicated in section 6.261 of the rules.	—	Yes	<u>X</u>	No
6.250.24	Responding state responsibilities.	Remove because the rules direct state staff.	—	Yes	<u>X</u>	No
6.250.25 to 6.250.291	Responding state responsibilities.	Renumber.	—	Yes	<u>X</u>	No
6.270.2	Child Support Enforcement Program Plan.	Move to a procedure.	<u>_X</u>	Yes	—	No
6.270.21	Child Support Enforcement Program Plan.	Move to a procedure.	—	Yes	<u>X</u>	No
6.270.22	Child Support Enforcement Program Plan.	Move to a procedure.	—	Yes	<u>X</u>	No
6.270.23	Child Support Enforcement Program Plan.	Move to a procedure.	—	Yes	<u>X</u>	No
6.270.24	Child Support Enforcement Program Plan.	Move to a procedure.	—	Yes	<u>X</u>	No
6.270.25	Child Support Enforcement Program Plan.	Move to a procedure.	—	Yes	<u>X</u>	No
6.270.3	Child Support Enforcement Program Plan.	Eliminate the rule as the information is incorrect, and number next sentence.	—	Yes	<u>X</u>	No
6.300.1	Interface functions between Child Support Enforcement and the TANF program.	Remove because the language is duplicated in section 6.230 of the rules.	—	Yes	<u>X</u>	No
6.300.11	Interface functions between Child Support Enforcement and the TANF program.	Repeal because the language is duplicated in sections 6.230.4 and .5 of the rules.	<u>_X</u>	Yes	—	No
6.300.12	Interface functions between Child Support Enforcement and the TANF program.	Repeal because there is no regulatory authority for this rule.	<u>_X</u>	Yes	—	No
6.300.13	Interface functions between Child Support Enforcement and the TANF program.	Remove because the rules direct state staff.	—	Yes	<u>X</u>	No
6.300.14	Interface functions between Child Support Enforcement and the TANF program.	Remove because the rules direct state staff.	—	Yes	<u>X</u>	No
6.300.2	Interface functions between Child Support Enforcement and the Child Welfare program.	Remove because the rules direct state staff.	—	Yes	<u>X</u>	No

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6.300.21	Interface functions between Child Support Enforcement and the Child Welfare program.	Repeal because the language is duplicated in sections 6.230.4 and .5 of the rules.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
6.300.22	Interface functions between Child Support Enforcement and the Child Welfare program.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.300.23	Interface functions between Child Support Enforcement and the Child Welfare program.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.504	Federal Parent Locator Service.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.505	Project 1099	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.506 to 6.506.3	Locate attempts	Re-number.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.506.4	Repeated locate attempts.	Repeal because the language is duplicated in section 6.500 of the rules.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
6.700.35	Assignment of support to another state.	Repeal because the definition of assignment of rights tells counties when the assignment begins.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.700.36	Dismissal	Re-number.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.700.37	Retroactive support	Re-number.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.700.38	Establishing retroactive support and debt.	Re-number.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.715.2	Modification of administrative orders.	Repeal because the language is duplicated in section 6.261 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.715.3	Modification of administrative orders.	Repeal because the language is duplicated in section 6.261 of the rules.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.801.1	Procedures to monitor collections.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.801.11	Receivable records for support obligations.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.801.12	Financial reports.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.801.13	Referring collection information to IV-A.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.801.14	Referring collection information to IV-A.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.801.15	Referring collection information to Child Welfare.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.801.16	Referring collection information to Child Welfare.	Remove because the rules direct state staff.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

Title of Proposed Rule: Repeal Unnecessary Sections of the Child Support Enforcement Rules.

Rule-making#: 11-9-2-1

Office or Division/Program: Office of Economic Security/ Child Support Enforcement

Rule Author: Anne Seymore

Phone: (303) 866-4427

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6.801.17	Referring collection information to state Medicaid.	Remove because the rules direct state staff.	—	Yes	<input checked="" type="checkbox"/>	No
6.801.18	Delinquency report.	Remove because the rules direct state staff.	—	Yes	<input checked="" type="checkbox"/>	No
6.801.19	Fees and costs collected.	Remove because the rules direct state staff.	—	Yes	<input checked="" type="checkbox"/>	No
6.805.32	Disbursement registers.	Remove because the rules direct state staff.	—	Yes	<input checked="" type="checkbox"/>	No
6.805.33 and 6.805.34	Erroneous intercept collection.	Renumber.	—	Yes	<input checked="" type="checkbox"/>	No
6.805.35	FIDM appeal.	Renumber.	—	Yes	<input checked="" type="checkbox"/>	No
6.805.5	Medicaid referral cases.	Remove because the rules direct state staff.	—	Yes	<input checked="" type="checkbox"/>	No
6.805.6	Over collection to the noncustodial parent.	Repeal because this section is duplicated in sections 6.805.11, 6.805.13, and 6.805.14 of the rules.	—	Yes	<input checked="" type="checkbox"/>	No
6.805.7	Administrative costs.	Repeal because this is a function of the Division of Accounting.	—	Yes	<input checked="" type="checkbox"/>	No

## STAKEHOLDER COMMENT SUMMARY

### DEVELOPMENT

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, Sub-PAC, and the Child Welfare Action Committee):

CSE Administrators

### THIS RULE-MAKING PACKAGE

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

IV-D Task Force; IV-D Administrators; Colorado Legal Services; Self-Sufficiency Sub-PAC; Ray Washington and Ken Sanders as members of two different Fatherhood Groups.

Are other State Agencies (such as the Department of Health Care Policy and Financing) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

Yes       No

Have these rules been reviewed by the appropriate Sub-PAC Committee?

Yes       No

Date presented September 8, 2011. Were there any issues raised?     Yes     No

If not, why.

Comments were received from stakeholders on the proposed rules:

Yes       No

*If "yes" to any of the above questions, summarize and/or attach the feedback received by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.*

The CSE administrators provided individual feedback. Some of the feedback was about the rules in general, such as the style, and some was for individual rule sections. Any feed back on the sections in this rule have been incorporated into the rule.

6.100 ADMINISTRATION OF THE COLORADO CHILD SUPPORT ENFORCEMENT PROGRAM

6.101 STATE DEPARTMENT OF HUMAN SERVICES

6.101.1 The State Department of Human Services is responsible for statewide supervision or administration and, as provided in these rules, direct administrative activities concerning the Child Support Enforcement Program as required by the federal government under its provisions for financial participation.

~~6.101.2 DUTIES OF THE STATE DEPARTMENT~~

~~Rev. eff.~~

~~11/30/00 Duties of the State Department include:~~

~~A Establishing and administering the State Plan for the Child Support Enforcement Program;~~

~~B Providing financial control of the operation of the Child Support Enforcement Program;~~

~~C Establishing necessary agreements with other states and local agencies or private providers for the provision of services in support of the Child Support Enforcement Program. These agreements may include:~~

~~1 Provision of necessary administrative agreements for support services;~~

~~2 Utilization of state and local information resources; and~~

~~3 Cooperation with courts and law enforcement officials;~~

~~D Securing compliance with the requirements of the State Plan under any agreement;~~

~~E Establishing and operating the State Parent Locator Service (SPLS) to assist county departments or their authorized agent and other states in the location of parents for CSE purposes and to assist courts or district attorneys in connection with parental kidnapping or child custody cases. SPLS includes:~~

~~1 Utilizing the Federal Parent Locator Service; and~~

~~2 Utilizing appropriate state, local and federal sources to locate absent parents in accordance with established procedures.~~

THIS REVISION:	VI-00-4	LAST REVISION:	VI-98-3	REVISION NUMBER
Adopted:	8/4/2000	Adopted:	11/6/98	7
Effective Date:	10/1/2000	Effective Date:	1/1/99	

6.102.3 ESTABLISHMENT OF THE COUNTY DEPARTMENT CHILD SUPPORT ENFORCEMENT UNIT

6.102.31 For purposes of this section "professional staff member" is defined as a person occupying a position within a county personnel system that is certified by the State Department to be in conformance with Federal standards or, in the case of an agency under agreement, a person occupying an equivalent position.  
 Rev. eff. 1/1/99

6.102.32 Allocation of Staff

~~Rev. eff. 12/1/07 A. Each county department with an IV-A caseload of 250 or more cases as of January 1, 1983, shall establish a separate Child Support Enforcement Unit which shall be responsible for the operation of the Child Support Enforcement program in that county. A separate Child Support Enforcement Unit is defined as one professional staff member or more assigned full-time to the operation of the Child Support Enforcement program. The Child Support Enforcement Unit may be created in the county department, may be delegated to another agency under formal agreement with the county department, or may be comprised of county department staff and staff of an agency under formal agreement with the county department. No professional staff members of the county department assigned to the Child Support Enforcement Unit may perform functions other than required by these rules. Such county shall delegate one of the professional staff members full-time responsibility for the supervision of the Child Support Enforcement Unit.~~

~~B. Each county department with an IV-A caseload of less than 250 cases as of January 1, 1983, shall designate as the Child Support Enforcement Unit one professional staff member to be responsible for all Child Support Enforcement activities in that county. Such professional staff member may perform other functions in addition to Child Support Enforcement activities. If the Child Support Enforcement activities workload necessitates more than one assigned professional staff member, additional professional staff may be assigned to perform Child Support Enforcement functions. The Child Support Enforcement Unit may be created in the county department or may be delegated to another agency under formal agreement with the county department.~~

C.A. Sufficient staff shall be assigned to the Child Support Enforcement Unit to provide the following child support enforcement functions: intake, locate, legal determination of parentage, establishment of the legal obligation, collection, enforcement, investigation and reporting as prescribed by these rules.

6.103 - (None)  
 6.110

THIS REVISION:	VI-10-1	LAST REVISION:	VI-03-2	REVISION NUMBER
Adopted:	1/8/2010	Adopted:	4/4/2003	6
Effective Date:	3/2/2010	Effective Date:	6/1/2003	

~~6.130 COMPLIANCE WITH THE STATE AND FEDERAL REGULATIONS BY COUNTY CHILD SUPPORT ENFORCEMENT UNITS~~

~~6.130.1 Pursuant to sections of the Personal Responsibility and Work Opportunity Reconciliation Act, if Colorado is found by the Secretary of HHS, on the basis of a federal audit, to have failed to have an effective Child Support Enforcement (CSE) program meeting the requirements of Title IV-D of the Social Security Act and implementing federal regulations, total federal payments to the State of Colorado for the IV-A program may be reduced by up to 6% of such payments.~~

~~6.130.2 STATE DEPARTMENT TO SUPERVISE CSE PROGRAM~~

~~6.130  
6.130.21  
6.130.1  
Add eff.  
9/1/89~~ The State Department of Human Services is responsible for statewide supervision or administration and, as provided in these rules, direct administrative activities concerning the CSE program as required by the Federal government under its provisions for financial participation.

County departments shall strictly administer the CSE program in accordance with the requirements of Title IV-D of the Social Security Act, and the federal and state rules and regulations which govern the operations of the CSE program.

~~6.130.22 CHILD SUPPORT ENFORCEMENT COMPLIANCE REVIEWS~~

~~Rev. eff.  
3/1/02~~ The State Department, Division of Child Support Enforcement (CSE) shall supervise and monitor the operations of CSE programs in the county departments to ensure that the state is not penalized and that the CSE program is administered on a statewide basis. The State Division of CSE shall monitor the performance of county CSE units to ensure compliance with Title IV-D of the Social Security Act, and the federal and state regulations and rules which govern the operations of the CSE program.

6.140 PENALTY FOR FAILURE TO COMPLY WITH STATE AND FEDERAL REGULATIONS

6.140.1 If a county fails to comply with the requirements of Title IV-D of the Social Security Act, and the federal and state rules and regulations which govern the operations of the CSE program, the state department may reduce or withhold incentive payments or take other actions as provided for in state statute or department regulations.

THIS REVISION:	VI-97-4	LAST REVISION:	VI-92-1	REVISION NUMBER
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Effective Date:	12/1/97	Effective Date:	3/1/92	

COLORADO DEPARTMENT OF HUMAN SERVICES  
STAFF MANUAL VOLUME 6  
CHILD SUPPORT ENFORCEMENT

~~6.240~~ ~~FUNCTIONS TO BE PERFORMED BY THE CSE UNIT~~

~~6.240.1~~ ~~For all public assistance and non-public assistance cases, the Child Support~~  
~~Rev. off.~~ ~~Enforcement Unit shall perform the following functions, as necessary, and consistent~~  
~~7/1/00~~ ~~with case load categorization:~~

~~6.240.11~~ ~~IV-A, Medicaid, and foster care units must interface with the Child Support Enforcement~~  
~~Unit. Activities which are associated with communicating with the IV-A, Medicaid, or foster~~  
~~care services worker, including, but not limited to, custodial party non-cooperation, receipt~~  
~~of support collections, payments made to the family, and the location of noncustodial~~  
~~parents.~~

~~6.240.12~~ ~~Intake~~

~~Ref. off.~~ ~~Activities which are related to obtaining necessary information to process the case~~  
~~10/1/96~~ ~~and determining the availability of health insurance coverage from the noncustodial parent.~~

~~6.240.13~~ ~~Locate~~

~~Activities which are related to locating a noncustodial parent, his/her assets, and his/her~~  
~~place of employment.~~

~~6.240.14~~ ~~Establishing the Legal Obligation to Support~~

~~Rev. off.~~ ~~Activities which are related to determining the noncustodial parent's legal obligation to~~  
~~10/1/99~~ ~~support his or her dependent children and/or activities which are related to determining the~~  
~~placing parent's obligation to reimburse the cost of foster care placement for his or her child~~  
~~in foster care placement. This includes activities related to establishing:~~

- ~~A.~~ ~~Child support debt;~~
- ~~B.~~ ~~Foster care fee debt;~~
- ~~C.~~ ~~Both parent's ability to provide support;~~
- ~~D.~~ ~~The amount of the child support obligation;~~
- ~~E.~~ ~~Health insurance coverage;~~
- ~~F.~~ ~~Retroactive support due.~~

~~6.240.15~~ ~~Parentage Determination~~

~~Rev. off.~~ ~~Activities which are related to determining the existence of the relationship between~~  
~~1/1/86~~ ~~a child and its natural or adoptive parents incident to which the law confers or imposes~~  
~~rights, privileges, duties, and obligations. Such relationship includes the mother and child~~  
~~relationship and the father and child relationship, regardless of the marital status of the~~  
~~parents.~~

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THIS REVISION:	VI-09-1	LAST REVISION:	VI-00-2	REVISION NUMBER
Adopted:	8/7/2009	Adopted:	5/5/2000	5
Effective Date:	10/1/2009	Effective Date:	7/1/2000	

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COLORADO DEPARTMENT OF HUMAN SERVICES  
RULE MANUAL VOLUME 6  
CHILD SUPPORT ENFORCEMENT

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~~6.240.16~~ Collection

~~Rev. off. 10/1/06~~ Activities which are related to monitoring payment activities, processing cash flow, identifying noncustodial parents who have failed to pay, and allocating, distributing and disbursing support collections as prescribed in Sections 6.805.1, 6.805.2, and 6.805.3.

~~6.240.17~~ Enforcement

~~Rev. off. 1/1/86~~ Activities which are related to obtaining support collections.

~~6.240.18~~ Investigation

~~Activities which are related to investigation necessary to accomplish the foregoing child support enforcement functions, and;~~

~~6.240.19~~ Reporting available health insurance coverage that is available to noncustodial parents for the children under assignment to the IV-A or foster care units.  
~~Rev. off. 12/1/07~~

~~6.240.20~~ Reviewing current support orders for a potential adjustment in the amount or the current support obligation. The review shall include determining if the child(ren) included in the support order has reached the age of emancipation.  
~~Add. eff. 7/1/00~~

6.240 (None)

THIS REVISION:	VI-00-2	LAST REVISION:	VI-97-4	REVISION NUMBER
Adopted:	5/5/2000	Adopted:	10/3/97	4
Effective Date:	7/1/2000	Effective Date:	12/1/97	

6.250 PROVISION OF SERVICES IN INTERSTATE IV-D CASES BY CSE UNITS (continued)

6.250.18 Notify the responding state when a case is closed.  
Rev. eff.  
8/1/94

6.250.19 The CSE Unit may provide any documentation, notification, or information through  
Add eff. any electronic means, as long as the electronic transaction is appropriately  
12/1/97 documented in the case record.

6.250.2 RESPONDING STATE/JURISDICTION RESPONSIBILITIES

6.250.21 Management of the interstate CSE caseload to ensure provision of necessary  
Rev. eff. services, including maintenance of case records and periodic review of program  
12/1/97 performance on interstate cases.

6.250.22 Ensure that organizational structure and staff are adequate to provide services in interstate  
CSE cases.

6.250.23 County CSE Units must initiate any electronic or manual referral from the interstate  
Add eff. network within 20 calendar days of the date of referral as found on the ACSES  
12/1/97 responding interstate recently referred list.

~~6.250.24 Within 75 calendar days of receipt of the interstate case, provide necessary locate  
Rev. eff. services, request necessary additions or corrections to the forms or documentation  
8/1/04 in order to act on the case and process the interstate case to the extent possible, pending  
action by the initiating state.~~

6.250.25 If the noncustodial parent is located in another county within ten (10) working days of  
6.250.24 receipt of the interstate case, the case will be moved to the county of the noncustodial  
Rev. eff. parent's residence unless  
8/10/11

- A. The county was the open enforcing county prior to the interstate referral, or
- B. The county has registered a foreign order, or
- C. The county is the county of the original order.

If the case does need to be moved, the county shall contact the Interstate Network to move the case to the county of the noncustodial parent's residence.

~~6.250.26~~ Within 10 working days of locating the noncustodial parent in another state, the CSE Unit  
6.250.25 will notify the initiating state of the new address. At the direction of the initiating state, the  
case may be closed or the case may be forwarded to the appropriate Central Registry in  
the noncustodial parent's state of new location.

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THIS REVISION:	VI-11-1	LAST REVISION:	VI-97-4	REVISION NUMBER
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Effective Date:	8/10/2011	Effective Date:	12/1/97	

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COLORADO DEPARTMENT OF HUMAN SERVICES  
RULE MANUAL VOLUME 6  
CHILD SUPPORT ENFORCEMENT

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- ~~6.250.27~~  
6.250.26  
Rev. eff.  
10/1/09
- Provide Necessary CSE Services as Instate Title IV-D
- Provide all necessary CSE services as would be provided in instate IV-D cases by:
- A. Establishing paternity and attempting to obtain a judgment for costs if paternity is established; if paternity has been determined by another state, whether it was established through voluntary acknowledgment, administrative process or judicial process, it shall be enforced and otherwise treated in the same manner as an order of this state;
  - B. Establishing child support obligations;
  - C. Petitioning to include medical support in all new orders for child support;
  - D. Processing and enforcing orders referred by another state, pursuant to the UIFSA or other legal processes;
  - E. Petitioning to modify existing child support orders and to include medical support if there is evidence that health insurance is available at a reasonable cost in accordance with the section on modification of support orders;
  - F. Collecting and monitoring support payments for the initiating state and forwarding payments to the location specified by the initiating CSE office within two business days of the Colorado date of receipt, except for IRS offset collections.
  - G. Determining the controlling order as defined by Section 14-5-207, C.R.S.
- ~~6.250.28~~  
6.250.27  
Rev. eff.  
8/22/88
- Provide timely notice to the CSE office in the initiating state of any formal hearing regarding establishment or modification of an order. Provide timely response to inquiries regarding interstate case activity.
- ~~6.250.29~~  
6.250.28  
Rev. eff.  
10/1/90
- Within ten working days of receipt of new information on a case, submit information to the initiating state. New information includes case status change or any new information that could assist the other state in processing the case.
- ~~6.250.294~~  
6.250.281  
Rev. eff.  
8/1/94
- Notify the initiating state when a case is closed.

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THIS REVISION:	VI-09-1	LAST REVISION:	VI-97-4	REVISION NUMBER
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Effective Date:	10/1/2009	Effective Date:	12/1/97	

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COLORADO DEPARTMENT OF HUMAN SERVICES  
RULE MANUAL VOLUME 6  
CHILD SUPPORT ENFORCEMENT

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6.270 CHILD SUPPORT ENFORCEMENT PROGRAM PLAN

6.270.1 Each county department shall forward its CSE County Program Plan for the next calendar year to the state department by December 31 of each year. The plan shall be submitted to the state department on Form CSE-14, Child Support Enforcement County Program Plan. The state department shall determine whether each plan meets state and federal regulations, approve or disapprove each plan and notify each county department. If the plan is disapproved, the state will contact the county department to negotiate mutually acceptable goals. If agreement cannot be reached, counties may request reconsideration by the Executive Director, or a designee, of the Colorado Department of Human Services. The decision of the Executive Director or designee will be binding on the county department and the state Division of Child Support Enforcement. Satisfactory completion of this process is required to ensure the county department receives continued federal financial participation.

~~6.270.2 The CSE Program Plan shall include the following information:~~

~~Rev. eff. 3/1/02 .21 Anticipated county CSE Unit financial data, such as expenditures, collections, and fees;~~

~~A. Expenditures, including contractual expenditures;~~

~~Rev. eff. 4/1/89 B. Support collections for CSE cases related to PA cases and non-PA cases;~~

~~C. Fees resulting from support collections for CSE cases which are non-PA cases;~~

~~Rev. eff. 4/1/94 D. County cost effectiveness ratios for PA and non-PA; and~~

~~E. Additional information as prescribed by the State Division of CSE.~~

~~.22 County CSE personnel, including:~~

~~Rev. eff. 4/1/80 A. All personnel, by title, performing CSE functions and authorized to charge time under CSE program codes; and~~

~~B. Functions to be performed in support of the CSE program.~~

~~.23 Contractual CSE personnel, including:~~

~~Rev. eff. 4/1/80 A. Personnel, by title, performing CSE functions and authorized to charge time for the provision of services in support of the CSE program according to a cooperative reimbursement agreement, purchase of legal services agreement or purchase of services agreement approved by the state department; and~~

~~B. Functions to be performed in support of the CSE program.~~

THIS REVISION:	VI-98-1	LAST REVISION:	VI-94-4	REVISION NUMBER
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Effective Date:	5/1/98	Effective Date:	10/1/94	

~~6.270 CHILD SUPPORT ENFORCEMENT PROGRAM PLAN (continued)~~

Add ~~24~~ County CSE Compliance and Performance Improvement Plan (CP/IP) which;  
eff.

~~5/1/98~~ A. Includes a detailed narrative describing how the county CSE Unit proposes to improve its performance.

~~B. Describes the type(s) of assistance needed from the state office in order to improve program performance and operate a CSE program in compliance with all federal and state rules and regulations.~~

~~.25~~ If areas of non-compliance with federal or state rules and regulations are determined, the county shall complete a Corrective Action Plan (CAP) which:

~~A. Identifies the non-compliance issue(s).~~

~~B. Includes a detailed narrative describing the specific actions to be taken to correct the areas of non-compliance.~~

~~C. Lists the specific time frames for completion of each specific action. Completion time for the CAP cannot exceed six (6) months.~~

~~D. Describes the type(s) of assistance needed from the state office in order to bring the county into compliance.~~

~~6.270.3 The state Division of Child Support Enforcement sets statewide goals each year.~~

~~Rev. eff. Each county's program plan must set county goals in order to meet annual statewide~~

~~3/1/92 goals. The state Division of CSE is required to revise statewide goals on at least an annual basis based upon actual data from the preceding calendar year.~~

6.270.2 If a county fails to:

Rev. eff.  
5/1/98

A. Submit an annual county program plan; revised annual county program plan as required by the state office; or

B. Submit a plan which establishes goals consistent with statewide goals,

then the state Division will take appropriate corrective action to ensure that a satisfactory county program plan is submitted and approved.

6.280 REPORTING

6.280.1 County departments shall provide the state department with reports and fiscal information as deemed necessary by the state department.

THIS REVISION:	VI-98-1	LAST REVISION:	VI-92-1	REVISION NUMBER
Adopted:	3/6/98	Adopted:	1/10/92	4
Effective Date:	5/1/98	Effective Date:	3/1/92	

~~6.300 CHILD SUPPORT ENFORCEMENT (CSE) FUNCTIONS RELATED TO THE IV-A AND  
 Rev. off. FOSTER CARE PROGRAMS  
 10/1/96~~

~~6.300.1 The following functions are the responsibility of the Child Support Enforcement Unit with  
 Rev. off. respect to the IV-A program:  
 12/1/97~~

~~6.300.11 Providing written evidence on Form CSE-7 to the IV-A unit of a IV-A recipient's failure to  
 cooperate with the Child Support Enforcement Unit and providing written evidence on form  
 CSE-8 to the IV-A unit of a IV-A recipient's subsequent cooperation with the Child Support  
 Enforcement Unit.~~

~~6.300.12 Providing notice to the IV-A unit in every Child Support Enforcement case related to a IV-A  
 case in which the address of employment and/or residence of a noncustodial parent is  
 verified except that location data obtained from the FPLS, or from the Internal Revenue  
 Service, which has not been independently verified, may not be disclosed.~~

~~6.300.13 Providing notice to the IV-A unit of support collections received on behalf of IV-A cases that  
 represent payment on the monthly support obligation, and~~

~~6.300.14 Providing notice to the IV-A unit of any amount of support that exceeds amounts of public  
 assistance provided to a family.~~

~~6.300.2 The following functions are the responsibility of the Child Support Enforcement Unit with  
 Add off. respect to the foster care program:  
 10/1/96~~

~~6.300.21 Providing written evidence to the foster care unit of a placing parent's failure to cooperate  
 with the Child Support Enforcement Unit and providing written evidence to the foster care  
 unit of subsequent cooperation with the Child Support Enforcement Unit.~~

~~6.300.22 Providing notice to the foster care unit of support collections received on behalf of foster  
 care cases that represent payment on the monthly support obligation, and,~~

~~6.300.23 Providing notice to the foster care unit of any amount of support that exceeds amounts of  
 foster care provided to a child(ren).~~

THIS REVISION:	VI-97-4	LAST REVISION:	VI-96-4	REVISION NUMBER
Adopted:	10/3/97	Adopted:	8/2/96	3
Effective Date:	12/1/97	Effective Date:	10/1/96	

6.502.2 (continued)

G. Credit reporting agencies.

1. A full credit report may be obtained only if a child support order exists, except as provided in Section 6.709.3.
2. If a child support order does not exist, only the "credit header" can be obtained from a credit report by entering the Social Security Number and initiating a "social search" which will provide residential and employment information, if available.

6.502.3 A Child Support Enforcement Unit may obtain information from public utilities through the utilization of an administrative subpoena. The Child Support Enforcement Unit must submit a request for administrative subpoena to the state enforcement unit by documenting in the chronology of the case the following:

- A. All locate resources have been accessed.
- B. No location information has been obtained.

6.503 LOCATION IN INTERSTATE CASES

6.503.1 The initiating state must forward an State Parent Locate Service (SPLS) request through manual or electronic means to the IV-D agency of any other jurisdiction within 20 calendar days of receiving information that the noncustodial parent or alleged father may be in another state.

Rev. eff. 12/1/97 Add eff. 12/1/97 Upon receipt of information regarding the noncustodial parent or alleged father, all appropriate follow up must be completed by the Child Support Enforcement Unit to verify the location information received.

~~6.504 FEDERAL PARENT LOCATOR SERVICE (FPLS)~~

~~Rev. eff. 12/1/97 Beginning in Federal Fiscal Year 1993, Federal Parent Locator Service is charging a fee for each request submitted to Federal Parent Locator Service except for Child Support Enforcement cases currently receiving IV-A, IV-E foster care or Medicaid. The fee is charged to cover Federal Parent Locator Service costs of providing locate services and the fee amount will be reviewed and adjusted annually, as appropriate. Each county will be billed by the state office for its share of the Federal Parent Locator Service charge. The Federal Parent Locator Service charge must be reported as a reduction of expenditures in accordance with state accounting and reporting procedures.~~

~~6.505 PROJECT 1099~~

~~The Child Support Enforcement Unit may request locate information through Project 1099 which provides address and asset information from the Internal Revenue Service Form 1099. The 1099 request is made in accordance with state procedures.~~

THIS REVISION:	VI-97-4	LAST REVISION:	VI-92-6	REVISION NUMBER
Adopted:	10/3/97	Adopted:	11/6/92	2
Effective Date:	12/1/97	Effective Date:	11/6/92	

~~6.506~~ REPEATED LOCATION ATTEMPTS

~~6.504~~

~~6.506.1~~

~~6.504.1~~

Add eff

10/1/90

Location attempts, except for FPLS, shall be repeated quarterly or immediately upon receipt of new information when adequate identifying and other information exists which may aid in location, whichever occurs sooner.

~~6.506.2~~

~~6.504.2~~

Quarterly attempts may be limited to automated sources but must include accessing the Department of Labor and Employment files.

~~6.506.3~~

~~6.504.3~~

When repeated location attempts are necessary because of new information, all appropriate locate sources must be accessed within 75 calendar days.

~~6.506.4~~

~~Rev. eff.~~

~~12/1/97~~

~~The Child Support Enforcement Unit must submit current IV-A, IV-E foster care and Medicaid only cases to FPLS annually and other cases, as appropriate, if location is needed and previous attempts have failed.~~

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## 6.700.33 Health Insurance

Rev. eff. 5/1/07 For public assistance and non-public assistance cases in which support is being sought, the Child Support Enforcement Unit shall seek to include health insurance coverage by either parent or both parents on behalf of his/her children. The order shall provide for the assignment of any benefits to the health care provider, not to the Child Support Enforcement Unit.

A. The Child Support Enforcement Unit shall provide health insurance information for public assistance cases to the IV-A and foster care units and to the custodial party on the State-prescribed form, CSE-212, Health Insurance Information.

B. The Child Support Enforcement Unit shall provide health insurance information for non- public assistance cases to the caretaker on the State-prescribed form, CSE-212, Health Insurance Information.

## 6.700.34 Establishing Debt

Rev. eff. 5/1/97 Effective June 6, 1993, if action is taken to establish debt, it must be pursued in accordance with Section 14-14-104, C.R.S.

~~6.700.35 Assignment of Support to Another State~~

~~Rev. eff. 10/1/00 If support has previously been assigned to another state, the Colorado assignment will begin the first day of the month the custodial party and/or child(ren) receive public assistance in Colorado.~~

~~6.700.36~~ Dismissal~~6.700.35~~

Add eff.

10/1/90

If the court or administrative authority dismisses a petition for a support order without prejudice, the Child Support Enforcement Unit shall, at the time of dismissal, examine the reasons for dismissal and determine when it would be appropriate to seek an order in the future, and seek a support order at that time. This shall be documented on Automated Child Support Enforcement System chronology and a review date set.

~~6.700.37~~ Retroactive Support~~6.700.36~~

Rev. eff.

2/1/06

Effective May 31, 1994, an order for a reasonable amount of retroactive support due, calculated using the child support guidelines as set forth in Section 6.700.38, may be included in any non-public assistance action to establish paternity and/or child support, and in any public assistance action if requested by a custodial party, if there is a time period which occurred prior to the receipt of public assistance benefits for which such support can be established.

A. The custodial party shall be required to complete an "Affidavit of Retroactive Support" and return it to the Child Support Enforcement Unit before the initiation of any judicial or administrative action to establish retroactive support. A Child Support Enforcement Unit shall not establish an order for retroactive support unless an "Affidavit for Retroactive Support" has been received from the custodial party. The county Child Support Enforcement Unit shall use the State proscribed "Affidavit of Retroactive Support."

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~~6.700.37~~  
6.700.36

**Retroactive Support (continued)**

If the custodial party is waiving the right to retroactive support, this shall be reflected in the support order. If the Child Support Enforcement Unit does not establish retroactive support on behalf of custodial parties, the order shall contain a statement to this effect and also an advisement to the non-custodial party that the custodial party may pursue the establishment of retroactive support separately.

**B. In a public assistance case, retroactive support will not be established for:**

1. Any months for which the custodial party received public assistance.
2. Any months for which the children did not reside with the custodial party.
3. Any months when the custodial party, non-custodial parent, and the children lived in the same household.
4. If the retroactive support is being established in a divorce or legal separation action, the amount of retroactive support will be based upon the number of months after the date of physical separation of the parents, the filing date of the action, or the date of service upon the respondent, whichever date is latest.

**C. In a non-public assistance case, including a low -income child care referral case, retroactive support will not be established for:**

1. Any months for which the children did not reside with the custodial party.
2. Any months when the custodial party, non-custodial parent and the children lived in the same household.
3. If the retroactive support is being established in a divorce or legal separation action, the amount of retroactive support shall be based upon the number of months after the date of physical separation of the parents, the filing date of the action, or the date of service upon the respondent, whichever date is latest.

~~6.700.38~~  
6.700.37

**Guidelines for Establishment of Retroactive Support, Child Support Debt, and Foster Care Fee Debt**

Rev. eff.  
10/1/09

The Child Support Enforcement Unit has the discretion to establish an obligation for child support debt, foster care fee debt, and/or retroactive support due based on the county's procedure.

- A. In a public assistance case, the Child Support Enforcement Unit may use the current monthly support order amount determined by using the Colorado child support guidelines times the number of months that the custodial party received public assistance as the initial basis for the amount of child support debt owed by the noncustodial parent.**

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**6.700.38**  
**6.700.37**

**Guidelines for Establishment of Retroactive Support and Child Support Debt (continued)**

- B.** in a foster care fee case, the Child Support Enforcement Unit may use the current monthly support order amount determined by using the Colorado Child Support Guidelines times the number of months that the child(ren) was in placement as the initial basis for the amount of foster care fee debt owed by the placing parent.
  - 1.** In a IV-E foster care case, the amount of the foster care fee debt is limited by the total of the unreimbursed maintenance payments for that child(ren).
  - 2.** In a non-IV-E foster care case, the amount of the foster care fee debt is limited by the total cost of placement for that child(ren).
- C.** In a public assistance or non-public assistance case, the Child Support Enforcement Unit may use the current monthly support order amount determined by using the Colorado child support guidelines times the number of months that the children lived in the custodial party's home without the presence of the noncustodial parent as the initial basis for the amount of retroactive support owed by the noncustodial parent.
- D.** The Child Support Enforcement Unit may take the following factors into consideration in determining whether the initial amount of child support debt, foster care fee debt, or retroactive support calculated pursuant to paragraphs A and B, above, is appropriate and reasonable:
  - 1.** An increase in the parent's income since the date of child's birth that may result in the current monthly child support order being higher than it would have been a the time of the child's birth.
  - 2.** The length of time that a custodial party waited before requesting the services for the establishment of retroactive support, including whether the noncustodial parent knew or should have known about the existence of the children.
  - 3.** Special circumstances that may have inhibited the custodial party from requesting assistance from Child Support Enforcement at an earlier date.
  - 4.** Direct cash or in-kind support provided by the noncustodial parent to custodial party for the children for periods prior to the entry of the support order.
  - 5.** Any circumstances beyond the control of the noncustodial parent which might have lengthened the time periods for which child support debt or retroactive support are being established including, but not limited to, non-cooperation by the custodial party.
- E.** If either the custodial or noncustodial parent does not agree to the proposed amount of retroactive support, a temporary order, according to Section 6.713, must be established and the case referred for a court hearing. The temporary order may not include any amount for child support debt or retroactive support.

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**COLORADO DEPARTMENT OF HUMAN SERVICES  
RULE MANUAL VOLUME 6  
CHILD SUPPORT ENFORCEMENT**

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6.715 MODIFICATION OF ADMINISTRATIVE ORDERS

6.715.1 Only administrative orders of financial responsibility and administrative default orders may be modified by administrative process by the delegate Child Support Enforcement Unit. Cases certified for court hearing or previously entered Colorado court order, may not be modified by administrative process.

~~6.715.2 The delegate Child Support Enforcement Unit may initiate a modification action in accordance with Section 6.261 to add, alter or delete provisions of an administrative order by serving the noncustodial parent with a Notice of Financial Responsibility for Review and Adjustment by first class mail, not less than eleven calendar days prior to the date stated in the Notice, and proceeding to either establish an order pursuant to a negotiation conference under Section 6.710 or issuing a default order pursuant to Section 6.712, or requesting a court hearing pursuant to Section 6.714.~~

~~6.715.3 The noncustodial parent or custodial party may file a written request for modification by serving the request on the delegate Child Support Enforcement Unit by first class mail or in person. Within 15 calendar days of receipt, the delegate Child Support Enforcement Unit must review the request to determine if a modification is appropriate in accordance with Section 6.261.~~

~~A. Upon determination that modification is appropriate, the delegate Child Support Enforcement Unit shall complete the process in accordance with Section 6.261.~~

~~B. Upon determination that modification is not appropriate, the delegate Child Support Enforcement Unit shall advise the requesting party in accordance with Section 6.261.5.~~

~~C. If the child to whom the court order pertains is no longer in the custody of a person receiving public assistance or receiving services for the current monthly support obligation from the delegate Child Support Enforcement Unit, certify the matter for a hearing to the court of order by filing a Certification for Hearing (CSE 110), as prescribed by the state department.~~

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6.800 COLLECTION

~~6.801 MONITORING COLLECTIONS~~

~~6.801.1 The county department shall assure that methods and procedures exist to monitor  
Rev. off. collections and are implemented. Such methods and procedures include:  
10/1/00~~

~~6.801.11 Establishing and maintaining receivable records for each noncustodial parent and  
Rev. off. distribution records for PA recipients and non-PA cases by initiating and maintaining the  
12/1/07 ledger on ACSES for all cases with a support order. Complete documentation of arrears  
calculations shall be retained in the case file;~~

~~6.801.12 Producing monthly and quarterly financial reports, as required by the State  
Rev. off. Department;  
1/1/86~~

~~6.801.13 Referring within ten working days of the end of the month to the IV-A unit, for cases  
Rev. off. receiving benefits, a report of collections allocated to the monthly support obligation of  
12/1/07 an noncustodial parent;~~

~~6.801.14 Referring by the fourth working day of the month following the month of collection to the IV-  
A unit, for cases receiving IV-A benefits, a report of collections that exceeded public  
assistance that will be paid to such recipient, including the date of such payment;~~

~~6.801.15 Referring within fifteen business days of the month following the month of collection, to  
Rev. off. the child welfare program for cases receiving foster care maintenance or total cost of  
10/1/00 care payments or reimbursement of prior month maintenance or total cost of care  
payments, that will be paid to the county child welfare program, including date of such  
payment.~~

~~6.801.16 Referring within fifteen business days of the month following the month of collection, to  
Rev. off. the child welfare program for cases receiving IV-E foster care payments, a report of  
10/1/00 collections that exceed IV-E maintenance payments that will be paid to the county child  
welfare program, including date of such payment;~~

~~6.801.17 Referring within ten business days of the end of the month following the month of  
Rev. off. collection, to the state CSE accounting office cases receiving specific medical dollar  
10/1/00 amounts. State accounting will then forward to the state Medicaid within ten business days  
of receipt;~~

~~6.801.18 Producing and referring monthly to the county CSE unit a report of delinquencies of  
Rev. off. payment by the noncustodial parent for the prior month for appropriate action. For all  
10/1/00 cases, appropriate action shall be taken utilizing the delinquency reports; and,~~

~~6.801.19 Producing and referring monthly to the departmental accounting unit a report of fees and  
Rev. off. costs collected for the prior month to be used to reduce CSE program expenditures for  
1/1/86 reporting to the State Department.~~

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~~6.805.32 Family Support Registry Disbursements~~

~~Rev. eff. 5/1/07 The automated child support system disbursement registers are produced in the county if there is an adjustment to an accounting period prior to 1994. Disbursements are transmitted to the Family Support Registry on a daily basis and checks are created and mailed daily by the Family Support Registry.~~

## 6.805.33 Erroneous Intercept Collection

6.805.32

Rev. eff.

5/1/07

When an intercept collection is identified as an erroneous certification intercept collection such as the amount was not owed at the time of certification or the wrong person was intercepted, the Child Support Enforcement Unit shall refund the collection within two working days from the time the erroneously intercepted person provides notice of intercept. This payment shall be disbursed even if the erroneous intercept collection has not been received by the county Child Support Enforcement Unit.

## 6.805.34 Erroneous Collection from Enforcement Remedy

6.805.33

Rev. eff.

5/1/07

When a collection from any enforcement remedy is identified as an erroneous withholding, such as the assignment was not modified or terminated in a timely manner due to a modification of the order or to the arrears being paid in full, income for a obligor was inappropriately withheld, the Child Support Enforcement Unit shall refund the withheld monies within two working days from the date the obligor provides notice of erroneous withholding. This payment shall be disbursed to the obligor even if the erroneous withholding was not retained by the Child Support Enforcement Unit.

## 6.805.35 Appeal of Joint Account Collection From FIDM

6.805.34

Rev. eff.

5/1/07

When a FIDM notice of lien and levy is made on a joint or shared ownership account, as defined at Section 15-15-201(5), C.R.S., the non-debtor account holder may appeal the seizure of his or her share of the funds (see Section 6.906.5), first through the Colorado Department of Human Services, Division of Child Support Enforcement, and then, if still disputed, judicially. If the appeal is approved, the Colorado Department of Human Services, Division of Child Support Enforcement, shall release all or part of the lien and levy within two (2) working days from the date the appeal decision is made by the Colorado Department of Human Services, Division of Child Support Enforcement, or within two working days of the receipt of the judicial order approving the appeal. In the event that the financial institution has already remitted payment to the Family Support Registry at the time of the appeal ruling, the payment shall be refunded to the non-debtor account holder pursuant to the appeal ruling.

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~~6.805.5 MEDICAID REFERRAL CASES~~

~~Rev. eff. 10/1/09 The amounts collected as support on behalf of SSI and IV-A related Medicaid referral cases shall be distributed in the same manner as non-IV-A cases. Amounts collected as support on behalf of foster care related Medicaid Referral cases shall be distributed to the county business office.~~

~~6.805.6 OVER COLLECTION~~

~~Rev. eff. 12/1/97 Any amount collected in excess of support obligations (including arrearages and administrative costs) must be paid to the noncustodial parent.~~

~~6.805.7 ADMINISTRATIVE COSTS~~

~~Rev. eff. 10/1/90 An amount applied to administrative costs must be used to reduce, dollar for dollar, Child Support Enforcement program expenditures as prescribed by the State Department.~~

6.805.8 DISBURSEMENTS ON HOLD

6.805.81 Child Support Enforcement Units shall ensure that procedures are established in the county to work the disbursements on hold list daily.  
Rev. eff. 11/1/98

6.805.82 For those cases which have multiple disbursements on hold equaling under \$10 or one disbursement on hold equaling under \$10, the disbursements can be transferred to the abandoned collections account without attempts to locate the payee (either the custodial party or the noncustodial parent). For those cases which have multiple disbursements on hold equaling \$10 or over or one disbursement on hold equaling \$10 or over, the disbursements must be reviewed to make the appropriate attempts to release the disbursement.  
Rev. eff. 11/1/98

6.805.83 Once it has been determined that the disbursement can be released because the payee has been located, additional information has been received from the other state, or the original reason for the hold no longer exists; then, the Child Support Enforcement worker shall immediately:

- A. Update the person record with the new address or update the Automated Child Support Enforcement System (ACSES) with the requested information from the other state; and,
- B. Release the disbursement to the payee on the ACSES disbursement record.

6.805.84 If the Child Support Enforcement worker is unable to release the disbursement because additional information is required about the location of the payee or from another state, the Child Support Enforcement Unit shall ensure that the additional information has been requested from the source and that a review date is set to ensure the information is supplied.  
Rev. eff. 1/1/99

The county Child Support Enforcement Unit shall utilize all appropriate local, state, and federal sources to determine the location of the payee.

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