



# **CHILD SUPPORT SERVICES EMPLOYER RESOURCES**





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# INTRODUCTION





OKLAHOMA DEPARTMENT OF HUMAN SERVICES  
**Child Support Employer Services**

PO Box 248822  
Oklahoma City, Oklahoma 73124  
(866) 553-2368 FAX (405) 328-8210  
ocss.contact.esc@okdhs.org  
www.okdhs.org

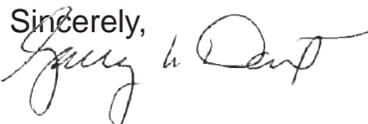


Dear Oklahoma Employer,

On behalf of Child Support Services, thank you for your help in securing reliable support for children. The child support program successfully encourages personal responsibility while reducing reliance on public assistance in our state. Studies repeatedly show that families receiving regular, reliable support are more stable with children who are emotionally healthier, stay in school longer, and become better adults.

Employer participation is critical to this success. The majority of child support collected is the result of new hire reporting and wage withholding. By understanding and complying with federal and state child support law, employers ensure a steady flow of financial support for thousands of children.

We welcome partnership with Oklahoma employers. Working together, we can ensure brighter futures for Oklahoma's children.

Sincerely,  


Gary W. Dart, Director  
Child Support Services, DHS



# CHAPTER 1

## QUICK GUIDES

INCLUDES: NEW HIRE REPORTING,  
INCOME WITHHOLDING ORDERS  
AND MEDICAL SUPPORT ENFORCEMENT





## NEW HIRE REPORTING QUICK GUIDE

### HOW TO REPORT

#### 1. Online

*Web site:*

<https://www.ok.gov/oesc/newhire/app/index.php>

#### 2. Electronic

*Magnetic Tape/Diskettes:*

<https://www.ok.gov/oesc/specs.html>

#### 3. By Paper

*Mail:*

Oklahoma New Hire Reporting Center  
P.O. Box 52003  
Oklahoma City, OK 73152-2003

*Fax:*

OKC Metro Area: (405) 557-5350  
Toll Free: (800) 317-3786

### \*REQUEST AN OKLAHOMA NEW HIRE REPORTING FORM

**Electronic**     <https://www.ok.gov/oesc/newhire/app/forms/oes-112.pdf>

**Telephone**     Child Support Employer Services Center (ESC)  
OKC Metro Area: (405) 325-9190  
Toll Free: (866) 553-2368

### WHEN TO REPORT

Within twenty days of hiring or twice a month if you are reporting electronically.

### QUESTIONS?

#### Reporting Problems

Oklahoma Employment Security  
Commission (OESC)  
OKC Metro Area: (405) 557-7133  
Toll Free: (800) 317-3785  
OKC Metro Area Fax: (405) 557-5350  
Toll Free Fax: (800) 317-3786  
Web site: [www.ok.gov/oesc](http://www.ok.gov/oesc)

#### General Questions

Child Support Employers Services  
Center (ESC)  
OKC Metro Area: (405) 325-9190  
Toll Free: (866) 553-2368  
Fax: (405) 325-8210  
Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)  
Web site: <http://www.okesc.org>

# MULTI-STATE EMPLOYERS

## HOW TO REPORT

Multi-state employers are those who have employees working in two or more states. The size of the company can range from just a few employees to hundreds of employees. If you report electronically or magnetically, you have two choices for reporting.

1. You may choose to report employees in the state in which they work, following the guidelines for each specific state. There is no option to report by paper or fax in multi-state reporting.
2. You may choose to designate a single state for reporting all the employees in your company.

**Important Note:** You may not choose both options.

## HOW TO REGISTER FOR SINGLE-STATE REPORTING

### 1. Online

*Web site:*

<http://www.acf.hhs.gov/programs/cse/newhire/employer/private/newhire.htm>

### 2. By Paper

*Mail:*

Department of Health and Human Services  
Multi-state Employer Registration  
Office of Child Support Enforcement  
PO Box 509  
Randallstown, MD 21133

*Fax:*

(410) 277-9325

## \*REQUEST A FORM TO REGISTER FOR SINGLE-STATE REPORTING

**Electronic** <http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/forms/mseform6.pdf>

**Telephone** Administration for Children and Families  
Department of Health and Human Services  
Multi-state Help Desk: (410) 277-9470

# INCOME WITHHOLDING ORDERS QUICK GUIDE

## INCOME WITHHOLDING ORDERS

### HOW TO PROCESS

**Step 1** – Employer receives Income Withholding Order (IWO)

**Step 2** – Is this my employee?

If **yes**, determine if it is an order or notice. Proceed to step 3.

If **no**, return the "Notification of Termination of Employment" portion of the Income Withholding Order (last page) to the issuing agency with explanation.

**Step 3** – Determine if it is an order or a notice.

**Order** – An Income Withholding Order provides the authority for the employer to withhold income. These are issued by child support agencies, courts or attorneys authorized by state law to issue an Income Withholding Order.

**Notice** – A notice of an Income Withholding Order requires the sender to provide a copy of the underlying order. Attorneys not authorized by the state, individuals and private collection agencies must submit the underlying order.

**Step 4** – If it is an **order**, withhold according to the Order to Withhold Income. Stop with this step.

If it is a **notice**, proceed to Step 5.

**Step 5** – Is the underlying order attached?

If **yes**, proceed to Step 6.

If **no**, return the Income Withholding Order to the issuing agency with an explanation.

**Step 6** – Does the order include a provision for income withholding?

If **yes**, withhold as ordered. All payments **must** be sent to the state disbursement unit. In Oklahoma, the state disbursement unit is the Oklahoma Centralized Support Registry (see address below).

**Oklahoma Centralized Support Registry**

PO Box 268809

Oklahoma City, OK 73126-8809

If **no**, return the Income Withholding Order to the issuing agency with an explanation.

**Remember:** Payments **MUST** be remitted within seven business days after child support has been withheld from the employee's paycheck.

### QUESTIONS?

**Child Support Employer Services Center**

OKC Metro Area: (405) 325-9190

Toll Free: (866) 553-2368

Fax: (405) 325-8210

Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)

Web site: <http://www.okesc.org>

# MEDICAL SUPPORT QUICK GUIDE

## NATIONAL MEDICAL SUPPORT NOTICE

### HOW TO PROCESS

Please follow these steps when processing a National Medical Support Notice:

- Determine whether any of the categories on the Employer Response form apply:  
These categories are:
  - o Employee listed in Part A to Withhold for Health Care Coverage has never been employed by this employer.
  - o Your company does not offer employees the option of purchasing dependent or family health care coverage as a benefit of their employment.
  - o The employee is among a class of employees (for example, part-time or non-union) that are not eligible for family health coverage under any group health plan maintained by the employer or to which the employer contributes. This option does not apply if the employee is only temporarily ineligible for health care coverage.
  - o Employee has terminated.
  - o State or Federal withholding limitations and/or prioritization prevent the withholding from the employee's income of the amount required to obtain coverage under the terms of the plan.
  - o The employee is subject to a waiting period that expires more than 90 days from the date of receipt of the NMSN. Or, the waiting period could be determined by some measure other than the passage of time. For example, the employee completes a certain number of hours worked. At the completion of the waiting period, the Plan Administrator must process the enrollment.
  - o Employer forwarded Part B to the Plan Administrator.
- If any of the above conditions apply, you must return the Employer Response to the issuing agency within twenty days. If not, forward Part B to your plan administrator.
- When the plan administrator notifies you of enrollment, begin deductions for health insurance premiums.
- If the plan administrator informs you in response to Part B of the NMSN that the employee is subject to a waiting period for health insurance eligibility, such as a probationary period of employment, notify the plan administrator as soon as the employee is eligible. The NMSN must be honored without regard to any enrollment season restrictions [29 C.F.R. § 2590.609-2] [Department of Labor Regulation].

**Important Note:** Health care coverage includes major medical, vision, dental and prescription coverage. The first page of Part A and Part B specifies the court ordered coverage requirements.

### QUESTIONS?

#### **Child Support Employer Services Center**

OKC Metro Area: (405) 325-9190

Toll Free: (866) 553-2368

Fax: (405) 325-8210

Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)

Web site: <http://www.okesc.org>



# CHAPTER 2

## NEW HIRE REPORTING





## BACKGROUND ON CHILD SUPPORT

There are an increasing number of children today who live with only one parent or guardian. These children deserve financial and emotional support from both parents. Programs were created to ensure all children receive support.

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 provided stronger measures to ensure financial support for children. Among these measures is New Hire Reporting. This is where you, as an employer, play a role in helping Oklahoma's children. Your cooperation will not only save money for you, but will help save taxpayer dollars and help our nation's children achieve a better future.

### **WHAT IS NEW HIRE REPORTING?**

New Hire Reporting requires employers report all new employees to a central location. Federal law required states to enact New Hire Reporting legislation and to have a program implemented in 1997 [42 U.S.C. § 653 & 653a].

In Oklahoma, all new hire information is reported to the Oklahoma Employment Security Commission (OESC) [40 O.S. § 2-802]. The information is then made available to Child Support Services (CSS) where it is matched with state child support records to establish or enforce a child support order. Once this is done, the State of Oklahoma then submits the information to a National Directory of New Hires (NDNH) operated by the Federal Parent Locator Service (FPLS). All personal information is kept confidential and secure through safeguards put into place by states and the federal government.



## NEW HIRE REPORTING

### HOW TO REPORT NEW HIRES:

#### 1. Online

OESC prefers this method. It is simple, fast, and effective. To report online, go to <https://www.ok.gov/oesc/newhire/app/index.php>

*\*With questions or problems with log-in and/or online reporting, please contact OESC at (405) 557-7133.*

#### 2. Magnetic Tape Diskettes

If you have your own computerized personnel or accounting system, you may wish to report magnetically. Diskettes and magnetic tapes may be downloaded directly into the online reporting system or may be mailed to the address listed below under option #3. The file layout requirements for diskette and magnetic tape new hire filing are found at the New Hire Web site at <https://www.ok.gov/oesc/specs.html>

#### 3. Paper

##### **Oklahoma Employment Security Commission**

PO Box 52003

Oklahoma City, OK 73152-2003

Metro OKC Fax: (405) 557-5350

Toll Free Fax: (800) 317-3786

*\*New Hire Reporting forms can be downloaded from the New Hire Web site at <https://www.ok.gov/oesc/newhire/app/forms.php> or by calling the Child Support Services Employer Help Desk toll free at: (866) 553-2368.*

### The Following Information Must Be Included in the New Hire Report:

1. Employee name, address and Social Security number
2. Employee occupation and salary
3. Employee date of birth
4. Employee date of hire (first day of paid service)
5. Employee recall or rehire date
6. Employee state of hire
7. Employee status with the company (Are they still employed?)
8. Employer name, address and Federal Employer Identification Number (FEIN)
9. Oklahoma Employer Account Number (assigned by OESC)
10. Dependent health insurance availability

### New Hires Must Be Reported Within Twenty Days of Hire.

If you are filing electronically or online, you will need to report new hires twice monthly and within at least twenty days of their hire date [40 O.S § 2-802].



## BENEFITS OF NEW HIRE REPORTING

As a benefit to employers, this information is used by OESC to detect and prevent overpayments and fraudulent claims for unemployment insurance benefits. Fraudulent unemployment insurance benefit overpayments are stopped and often can be recovered. This leads to a reduction in unemployment insurance costs to the employer. New Hire Reports can also be used for the prevention of fraudulent workers' compensation claims.

The timeliness of the New Hire Reporting program provides taxpayers several benefits. Because information is reported in a timely manner, noncustodial parents are located, paternity can be established, and orders for child support are created and enforced much more rapidly. This allows single-parent families to be more self-sufficient and become less dependent on public assistance. In turn, this reduces government spending and saves the taxpayer money.

The direct benefit to single-parent families raising children is considerable. In fiscal year 2011, Oklahoma collected more than \$317 million assisting more than 200,000 families. Collection through employers accounts for 63 percent of child support collected.

The Oklahoma Department of Human Services (DHS) and the Oklahoma Health Care Authority (OHCA) may also use the information to check eligibility for public assistance, such as Temporary Assistance for Needy Families, Medicaid and other programs. By being able to use this information in a more timely manner, millions of dollars can be saved in erroneous payments, saving the state and taxpayer money.



## SECURITY ISSUES

The security of new hire information and the privacy of individuals are critical to this program. Federal law requires that all states put safeguards in place to keep all information confidential and secure [42 U.S.C. § 653 & 654].

At the state level, safeguards are in place to be sure all information is correct and secure. The new hire information sent to the National Directory of New Hires (NDNH) is transmitted over secure and dedicated lines. Measures are taken to ensure that the information is protected.

At the federal level, the NDNH limits the information kept in its database to the employee's name, address, and Social Security number and the employer's name, address, and FEIN.

Once a noncustodial parent is found in another state, the state where he/she lives is contacted. The child support agency then proceeds with a case to locate the parent, establish paternity, and create or enforce an existing order for child support. Only authorized persons establishing paternity, or existing order for child support, establishing, setting the amount of, modifying, or enforcing child support orders may have access to the NDNH and FPLS databases.



## MULTI-STATE EMPLOYER REPORTING

Multi-state employers are those who have employees working in two or more states. The size of the company can range from just a few employees to hundreds of employees. If you report electronically or magnetically, you have two choices for reporting.

1. You may choose to report employees in the state in which they work, following the guidelines for each specific state. There is no option to report by paper or fax in multi-state reporting.
2. You may choose to designate a single state for reporting all the employees in your company.

**Important Note:** You may not choose both options

If you choose to designate a single state for reporting all of your new hires, you must notify the Secretary of Health and Human Services of your intentions. You can do this by mailing or faxing notification to:

**Department of Health and Human Services**  
**Multi-state Employer Registration**  
**Office of Child Support Enforcement**  
P.O. Box 509  
Randallstown, MD 21133  
Fax: (410) 277-9325

You can request a copy of a specially designed form for this purpose by calling the Department of Health and Human Services at (410) 277-9470. You may also download the form “Multi-state Employer Notification Form for New Hire Reporting” at: <http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/forms/mseform6.pdf>.

Multi-state employers can receive assistance with registration at the federal level from the Multi-state Help Desk by calling (410) 277-9470, 9:00 a.m. – 5:00 p.m. ET.

You can also register electronically by visiting the interactive Web site: <http://www.acf.hhs.gov/programs/cse/newhire/employer/private/newhire.htm>

**Include the Following Information:**

1. Federal Employer Identification Number (FEIN)
2. Employer's name, address, and telephone number related to the FEIN
3. State selected for reporting purposes
4. Other states in which your company has employees
5. Corporate point of contact

If you will be reporting subsidiaries of your company who operate under different names and FEINs, please include this information and list the states in which they do business.

***Important Note:*** Payroll processing companies must report as each customer elects. They cannot choose one option for reporting on behalf of all of their customers.

States access the employee information from these companies by using the National Directory of New Hires. The National Directory maintains a list of companies who choose to report to a single state, as well as the state to which they report. This list is made available to states so they will know where employees working in their state are reported.

If you have any questions concerning reporting, please contact the CSS Employer Help Desk toll free at (866) 553-2368.



## STATE AGENCY EMPLOYER REPORTING

All Oklahoma state agencies are subject to the same New Hire Reporting requirements as private employers and are required to report their new hires to OESC.

1. All Oklahoma state agencies use PeopleSoft: This software is automatically programmed to send a report of New Hires to the Office of State Finance, which forwards a report to OESC.
2. If you are an institution of higher learning, e.g., universities, two-year colleges, Career Tech schools, etc., you must report your new hires as an independent agency. Please be sure to include your State Employer Identification Number (SEIN) as well as your FEIN to receive credit for reporting.

If you have any questions concerning reporting, please contact the CSS Employer Help Desk toll free at (866) 553-2368.



## FREQUENTLY ASKED QUESTIONS & IMPORTANT NUMBERS

### **WHAT IS NEW HIRE REPORTING?**

New Hire Reporting is a process by which the employer reports all new employees within twenty days of hiring. Employers report key information to OESC who then reports the information to the DHS and CSS.

### **WHAT IS DONE WITH THE NEW HIRE INFORMATION?**

After CSS receives the information from OESC, the information is matched against child support records. The information may aid in locating parents, establishing paternity and establishing or enforcing an order for child support. The information is also sent to the NDNH so other states may use this information to locate noncustodial parents.

OESC uses the data to prevent or detect unemployment insurance benefit overpayments and fraud. The data may also be compared to active workers' compensation records. DHS and OHCA compare this information to open cases to prevent or detect erroneous public assistance payments.

### **WHY WAS A NATIONAL DIRECTORY OF NEW HIRES ESTABLISHED?**

A national database allows other states to track parents across state lines. Once CSS receives information from other states concerning noncustodial parents, CSS will then establish paternity and child support orders or enforce existing orders.

### **WHAT IS THE EXPECTED OUTCOME OF THIS NEW HIRE REPORTING SYSTEM?**

Before the passage of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), 26 states had already implemented some form of New Hire Reporting. This resulted in those states showing a significant increase in child support collections, and a reduction of millions of dollars of expenditures on public assistance payments and programs, including Medicaid.

Another and more direct benefit to employers is the reduction in unemployment insurance benefit claims and workers' compensation claims due to erroneous information or through fraud. The OESC can then stop payments or recover erroneous payments in a timelier manner. This in turn lowers unemployment and workers' compensation insurance rates for businesses.

## **WHO HAS ACCESS TO THESE RECORDS?**

In addition to CSS, OESC has access to the new hire records for preventing and detecting unemployment insurance overpayments and fraud. The data may also be compared to active workers' compensation claims. DHS and OHCA may access these records to prevent or detect erroneous public assistance payments. Only those government agencies as authorized by law may access these records [40 O.S. § 2-802].

## **WON'T THIS REPORTING PROCESS BE A BURDEN TO EMPLOYERS?**

No. Those businesses surveyed and already reporting have indicated "no" or "minor" cost impacts to their businesses. In fact, most have easily incorporated the process into their way of doing business. OESC and CSS have worked together with employers to make this reporting process as easy and efficient as possible by offering several options of reporting including online, by fax, by mail, by diskette or magnetic tape.

## **WHY IS NEW HIRE REPORTING PART OF THE WELFARE REFORM ACT?**

A strong component of the PRWORA was making sure that parents take financial responsibility for their children. This is achieved through strict work requirements for public assistance recipients and effective establishment and maintenance of child support orders.

## **ISN'T THIS INFORMATION AVAILABLE THROUGH QUARTERLY WAGE REPORTING?**

While most of the information is provided in quarterly wage reporting, it can take six months for that information to become available for use by CSS. Noncustodial parents trying to avoid their financial duty to provide for their children may change jobs often. This makes it difficult to track and catch up to the uncooperative parents.

When New Hire Reporting is done correctly, the information is available within twenty days of the employee being hired. This increases the likelihood of finding noncustodial parents, and Income Withholding Orders can be issued much more quickly. Income Withholding Orders are sent to cooperating employers, the most effective means available of collecting child support.

In addition, some information, such as the availability of dependent health care insurance is not available on the quarterly wage report, thus slowing down the process even more.

## **WHAT IS THE DEFINITION OF "EMPLOYER"?**

Oklahoma law defines an employer as an individual or entity who is an employer as defined by the Internal Revenue Code includes government entities and labor organizations [26 U.S.C. § 3401(et seq.)]. At a minimum, any employer who is required to provide a W-2 to an employee is considered an employer for the purposes of New Hire Reporting [40 O.S. § 2-802(F)(2)].

## **WHAT IS THE "DATE STARTED TO WORK"?**

This is the date on which an employee begins work for pay.

## **DO I NEED TO INCLUDE INDEPENDENT CONTRACTORS AND SUBCONTRACTORS?**

Currently if you are in an employer/employee relationship do you need to include independent contractors and subcontractors. If the work is being done on a contract basis, then you do not need to report contractors and sub-contractors at this time. The contractor is required to report his/her employees. If you are required to give the employee a W-2 then you need to report the employee as a new hire.

**Important Note:** Payors (including employers) are required to honor Income Withholding Orders for contractors even when there is no New Hire Reporting requirement for these individuals.

## **WHAT EMPLOYER ADDRESS IS REPORTED ON THE FORM?**

This is the address where child support Income Withholding Orders should be sent.

## **ARE TEMPORARY EMPLOYMENT AGENCIES REQUIRED TO REPORT?**

If the employee is working for you (you are required to give the employee a W-2), then you need to report the information to OESC. If you are only a referral agency to employers, then the employer is required to report the new hire information.

## **WHAT ABOUT LABOR ORGANIZATIONS AND HIRING HALLS?**

If the employee is working for the organization, then the organization must report the employee as a new hire. Again, like temporary agencies, if the labor organization is just a referral service, then the actual employer must report the employee.

## **HOW SOON DO I NEED TO REPORT A NEW HIRE?**

All new hires must be reported within twenty days of their hiring date. If you are reporting electronically, you must submit new hire reports twice a month.

## **WHAT FORMS ARE AVAILABLE FOR REPORTING?**

OESC and the CSS request that you report online. This allows new hire records to be available immediately. You can access online reporting at: <https://www.ok.gov/oesc/newhire/app/index.php>

You may also report electronically on a 3.5 inch diskette or magnetic tape; but for cost reasons, diskettes cannot be returned to you. For file requirements, please go to: <https://www.ok.gov/oesc/specs.html>

For those with no access to the Internet or magnetic reporting, you may mail or fax a copy of the form. To save time, fill out one form with your employer information and make photocopies. That way, you need only to fill in the employee's information before sending it. Please do not use the W-4 form, as not all of the needed information is included.

## **WHAT MUST BE REPORTED?**

Federal and State law requires these items:

1. Employee name, address, and Social Security Number
2. Employee occupation and salary
3. Employee date of birth
4. Employee date of hire (first day of paid service)
5. Employee recall or rehire date
6. Employee state of hire
7. Employee status with the company (Are they still with the company?)
8. Employer name, address and federal ID number (FEIN)
9. Employer Oklahoma Employer Account Number (assigned by OESC)
10. Dependent health insurance availability

## **WHAT IF THE EMPLOYEE QUILTS BEFORE THE REPORT IS DUE?**

Employers are still required to report the employee as long as an employer/employee relationship occurred and income was earned. This information may provide a key to locating a noncustodial parent. In these cases, when asked if the employee is still working for you, answer “No.”

## **DO I REPORT RECALLED OR REHIRED EMPLOYEES?**

If the employee has not left the payroll, you do not need to report the employee again. If you are required to fill out a new W-4 for the employee, then the employee needs to be reported using the same form as new employees. If this is the case, then simply check “recalled” on the form to show that the employee has been recalled to work by your company. OESC uses this information to calculate return-to-work credits for eligible companies. If you have any doubts about whether to report the rehired employee, we encourage you to send a new report.

## **WHO SHOULD COMPLETE THE NEW HIRE FORM?**

You should have your personnel staff or payroll company fill out and submit the form. If a payroll company is submitting the form, the employer’s name must appear on the form, as well as the address for Income Withholding Orders. Do not have the employee fill out the form.

## **HOW WILL NEW HIRE DATA BE SAFEGUARDED?**

This is an important issue under Oklahoma law, which requires that information be safeguarded. Only those agencies authorized by law may have access to the information [56 O.S. § 183]. All information sent to the National Directory of New Hires is required to be transmitted through secure and dedicated lines. Federal law requires that the Secretary of the Department of Health and Human Services put safeguards in place for this program.

## WHAT METHODS MAY I USE TO REPORT NEW HIRE INFORMATION?

1. **Online Reporting.** This is the preferred method. There is no minimum or maximum number of employees you can report at one time. This can be accessed at: <https://www.ok.gov/oesc/newhire/app/index.php>.
2. **Electronic Reporting.** You may submit the data on 3.5-inch diskette or magnetic tape. Diskettes and magnetic tapes can be downloaded directly into the online reporting system or may be mailed to the address below. Electronic reporting specifications can be found at: <https://www.ok.gov/oesc/specs.html>.
3. **Paper.** If you do not have access to the Internet, you may file by mail or fax. Enclosed in this packet is a copy of the Oklahoma New Hire Reporting form. Please photocopy the form for future use and fill it out and mail or fax to:

**Oklahoma Employment Security Commission**  
P.O. Box 52003  
Oklahoma City, OK 73152-2003  
OKC Metro Area Fax (405) 557-5350  
Toll Free Fax (800) 317-3786

**Important Note:** You may download a copy of the New Hire Reporting form from the OESC Web site at <https://www.ok.gov/oesc/newhire/app/forms/oes-112.pdf>.

## AS A MULTI-STATE EMPLOYER, HOW DO I REPORT MY NEW HIRES?

You can report in one of two ways:

1. Report each new hire to the state in which that employee is working. You will need to follow each state's reporting guidelines.
2. You can declare a single state for the purposes of reporting new hires. To do this you must report either electronically or magnetically. If you choose this option, you will need to notify the Secretary of Health and Human Services of your intention to file in a single state. You must specify to which state you will be reporting. Send notification to:

**Department of Health and Human Services**  
**Multi-state Employer Registration**  
**Office of Child Support Enforcement**  
P.O. Box 509  
Randallstown, MD 21133  
(410) 277-9740

At a minimum, you must include the employer's name and address.

*The following information would also be helpful.*

1. Federal Employer Identification Number (FEIN)
2. Employer's name, address, and telephone number related to the FEIN
3. State selected for reporting purposes
4. Other states in which your company has employees
5. Corporate point of contact

A specially designed form for this information is available at: <http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/forms/mseform6.pdf>.

You may request a form by calling (410) 277-9470. The above interactive Web site allows you to register your information electronically.

When you report electronically or magnetically, only include the information required by the state to which you are reporting. You must report twice a month using this method.

### **HOW DO OTHER STATES KNOW THAT I HAVE SELECTED A SINGLE STATE FOR NEW HIRE REPORTING?**

The NDNH maintains a list of multi-state employers using the single-state reporting option. The reporting locations for these single-state employers are made available to all states so they can be aware of where their new hires are being reported.

### **IF I AM THE OWNER OF A BUSINESS, DO I REPORT MYSELF?**

Yes. Anyone who receives wages must be reported, including the owner(s).



# CHAPTER 3

## INCOME WITHHOLDING ORDERS





## INCOME WITHHOLDING ORDERS

### INTRODUCTION

Income withholding begins when an employer receives an Income Withholding Order for child support. Before November 1, 1990, court orders or administrative notices for withholding child support from an employee's paycheck were the primary means of collecting from an employee who was behind in payments. However, income withholding for child support is no longer considered a garnishment and is no longer used only for delinquent payors. After November 1, 1990, every child support order entered or modified and enforced by a child support agency was subject to income withholding [42 U.S.C. §659 & 12 O.S. §1171.3]. In Oklahoma, since January 1, 1994, all child support orders must have a provision requiring an immediate Income Withholding Order when services are being provided by the Oklahoma Department of Human Services (DHS), Child Support Services (CSS) division [43 O.S. §115, 12 O.S. §1171.3 & 56 O.S. §238.683].

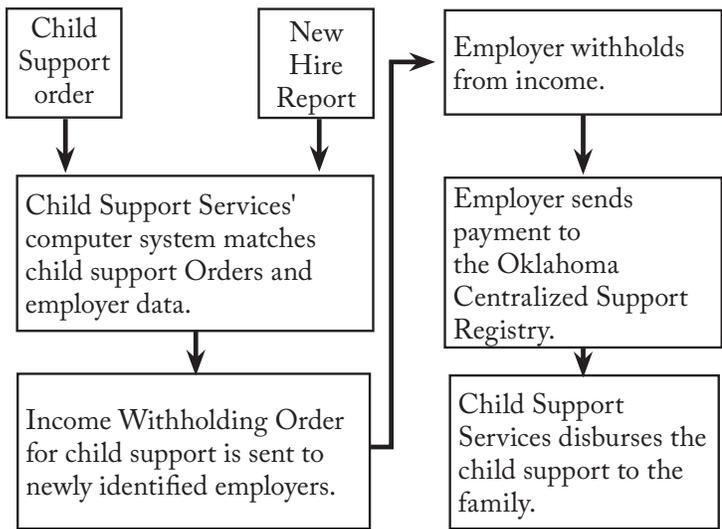
With the passage of the Uniform Interstate Family Support Act (UIFSA) in 1996, all employers must honor a child support Income Withholding Order from another state as long as it appears to be a valid legal document. This has been expanded to include U.S. Territories, Tribal Courts, and in some cases, foreign countries. A revised UIFSA was passed in Oklahoma in 2001.

The creation of New Hire Reporting and the National Directory of New Hires has resulted in more matches being made for employment, especially across state lines. This program allows for matching Income Withholding Orders and noncustodial parent employment much more quickly.

This chapter addresses what to do when you receive an Income Withholding Order and how to withhold child support, providing examples and relevant legislation. It also covers how to deal with out-of-state orders as the applicable state requirements may differ from Oklahoma. At the end of this chapter are the answers to Frequently Asked Questions (FAQs), and a list of numbers and Web site where you can obtain further help and information.

### RIGHTS OF THE EMPLOYEE

An employer cannot fire, suspend, discipline, or refuse to promote any employee due to an Income Withholding Order, no matter how many separate Income Withholding Orders an individual might have. Doing so will make the employer liable for any lost wages and benefits that result [56 O.S. §240.2 (D) (18)].



## HOW CHILD SUPPORT WORKS

CSS is made up of 40 district offices across the state that handle more than 200,000 cases. The primary services of child support are to locate noncustodial parents, establish paternity, establish and enforce child support/medical support obligations and judgments, review cases for modification of support orders, and collect and distribute child support.

Child support uses New Hire Reporting information and other sources to determine employment for purposes of sending an Income Withholding Order and a National Medical Support Notice. See "Chapter 5 – Health Insurance and Cash Medical Support". The

diagram illustrates how the process works from CSS identifying employer information to the family receiving child support.

## INCOME WITHHOLDING ORDERS

Follow these four steps when you receive an Income Withholding Order.

1. Document date of receipt. This is important. Withholding must begin on the next payment of income to the employee after you receive the order. Payments must be sent to the Oklahoma Centralized Support Registry (also known as the State Disbursement Unit) within 7 business days after the pay period ends. [56 O.S. §240.2 (D)(2)].
2. Give a copy of the Income Withholding Order to the employee. Oklahoma no longer sends a copy to the noncustodial parent if he/she is employed in the state of Oklahoma. Most states do not send a copy of the order if the employee is out-of-state.
3. Determine if it appears to be a valid legal document. If the document appears to be a legal document then it is considered valid and you must honor the Order.
4. Follow terms of Order.

Remember that, although child support is not a garnishment itself, it is paid before all other garnishments with one exception: Federal (IRS) tax levy that are received **before** the Income Withholding Order. However, please contact CSS if a Federal tax levy is received. CSS works with the IRS to ensure both parties are receiving funds [68 O.S. §205.2 (F)]. Additionally, a higher percentage of an employee's paycheck can be withheld for child support than for other garnishments (For more information, see "Allowable Disposable Income" below).

## DETERMINING DISPOSABLE INCOME AND ALLOWABLE DISPOSABLE INCOME

When withholding for child support, you first need to determine disposable income. Disposable income is the amount that is left after mandatory deductions are taken out of the employee's pay. Please note that this is not the same as net pay. Not all deductions that are taken out of an employee's paycheck are considered mandatory for the purposes of determining disposable income for child support withholdings. In Oklahoma, mandatory deductions are federal, state and local taxes, Social Security taxes, Medicare taxes and statutory pensions.

Allowable disposable income is the maximum amount that can be withheld for child support. This amount is determined by taking the disposable income and multiplying it by a percentage from 50 to 65 percent, depending on circumstances (please see chart below). The Federal Consumer Credit Protection Act (CCPA) sets limits on the amount that can be withheld for garnishments only and does not apply to child support orders. Child Support percentages were set by 15 U.S.C. §1673 (b)(2). Oklahoma stipulates these percentages in 12 O.S. §1171.2. The following chart gives the percentages.

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

Oklahoma follows these limits listed above, although some states have restricted these limits further. Remember to follow the laws of the state in which the employee is working when determining withholding limits. Arrears refer to past-due child support that is owed and remains unpaid.

**Important Note:** The disposable income test must be performed each pay period to ensure that the child support withheld is within the limits.

## ALLOWABLE DISPOSABLE INCOME

There are two steps to determine the amount that can be withheld from an employee’s paycheck.

### Example:

- Weekly Gross Pay - \$500
- Mandatory Deductions - \$150
- Weekly Child Support due - \$200
- Employee/Parent is supporting only the children on the child support case and is less than 12 weeks in arrears

### Step One: Determine Disposable Income

	Mandatory Deductions	All Deductions
Gross Pay	\$500	\$500
Federal Tax	(\$70)	(\$70)
State Tax	(\$35)	(\$35)
FICA	(\$30)	(\$30)
Medicare	(\$15)	(\$15)
Health Insurance		(\$25)
Union Dues		(\$30)
Car Payment		(\$50)
<b>Totals</b>	<b>Disposable Income: \$350</b>	<b>Net Pay: \$245</b>

*Please note the difference between disposable income and net pay. Disposable income (in this case \$350) is used to determine child support withholding limits.*

## **Step Two: Determine Allowable Disposable Income**

Because the employee is supporting only the children on the child support case and is less than 12 weeks in arrears, the CCPA limit of 60 percent is applied to determine withholding limits.

$$\begin{array}{r} \$350 \\ \underline{\times .60} \\ \$210 \end{array}$$

Because \$210 is greater than \$200, the amount owed, the full amount of child support can be withheld. Do not withhold more than what is ordered in the Income Withholding Order, even if the employee's allowable disposable income exceeds the child support order. However, if in the same example, the child support amount was increased to \$250 a week, you could not withhold the full amount (only up to the limit of \$210). This means the employee will fall behind and accrue arrears.

Oklahoma charges interest on arrears. Although you as the employer are prohibited by law from withholding more than the set limits, the employee may make up the difference by paying the remaining amount directly to the issuing agency (see "Chapter - 6 Child Support Payment Issues").

## **OTHER ISSUES TO KEEP IN MIND WHEN CALCULATING ALLOWABLE DISPOSABLE INCOME**

**Important Note:** Pre-tax deductions are not included when calculating the disposable income. Some of these may include participation in a retirement program (when it is not statutorily required), savings plans and child care or medical savings accounts.

Imputed income is considered a fringe benefit provided to employees. While it is considered income for tax purposes, it is not counted as additional income when calculating allowable disposable income for child support withholding purposes. Subtract imputed income from gross pay before determining allowable disposable income.

## **INCOME WITHHOLDING ORDERS FROM OTHER STATES**

By law, you must honor an Income Withholding Order from another U.S. state, tribe or territory.

Follow the laws of the issuing state concerning:

- Duration and amount of support
- Medical support terms
- Where to remit
- Payment of fees and costs (if any) charged by the child support agency, issuing court or custodial person's attorney.

*(Contact the issuing agency on the Income Withholding Order for Child Support for guidance).*

Follow the laws of the state of the employee's principal employment concerning:

- When to begin withholding
- Where to remit
- Mandatory deductions
- Maximum amount to be withheld
- How to allocate across multiple notices
- Administrative fee

## **MULTIPLE NOTICES FOR DIFFERENT FAMILIES FOR THE SAME EMPLOYER**

Some noncustodial parents may have more than one child support case. All children deserve support. If all of the cases are Oklahoma cases, you can make one payment and list the case numbers. Otherwise, use the method of the state in which the employee works to determine allocation methods. Oklahoma uses a prorated method. (See example). Please keep in mind that if an employee has multiple cases, he or she may not have enough income to satisfy all of the Income Withholding Orders once the percentage limits for withholding child support are applied. By Oklahoma law, current support is always paid first then arrears [56 O.S. § 240.2 (D)(6)].

*Definition of income* – “Gross income” or “income” means income from any source and includes, but is not limited to, income from salaries, wages, commissions, bonuses, dividends, severance pay, pensions, rent, interest income, trust income, annuities, compensation as an independent contractor, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, gifts, prizes, any form of periodic payment to an individual regardless of source, and any other payments made by any person, private entity, federal or state government, any unit of local government, school district, or any entity created by law...” [56 O.S. §237.7(7)(a)].

### **Example:**

Employee has three child support cases. Employee has disposable income of \$450 per month and no current dependants or arrears. After the 60 percent limit is applied, allowable disposable income is \$270 per month.

Notice A: Current Support owed: \$120 per month, Arrears owed: \$25 per month

Notice B: Current Support owed: \$85 per month

Notice C: Current Support owed: \$78 per month

### **Withholding:**

- Total current support owed: \$283
- Total arrears owed: \$25
- There is not enough allowable disposable income: \$270

### **Determine Allocation:**

- Add total current support due on all withholding
- Divide each order's current support by the total of all orders to figure percentage of total
- Withhold the percentage of allowable disposable income of each notice

Notice A	Notice B	Notice C	
\$120	\$85	\$78	
÷ 283	÷ 283	÷ 283	
=42.40	= 30.04	= 27.56	Percentage Totals

If allowable disposable income is \$270

Notice A	Notice B	Notice C	
\$120	\$85	\$78	
× 0.4240	× 0.3004	× 0.2756	
= \$114.48	= \$81.11	= \$74.71	Total Withheld: \$270

**REMEMBER:**

- Current support is paid first
- All notices for current support must receive some support
- If all orders are from Oklahoma, provide a list of individual case numbers with specific withholding amounts for each case and send just one check

**ENDING INCOME ASSIGNMENTS**

**Termination of Employment**

Once an employee is no longer employed by, being paid by, or providing services to the employer, CSS must be notified within ten days. Additionally, if an employee terminates before the Income Withholding Order is received, the employer must provide the employee's last known address and, if known, new employment information [56 O.S. §240.2(D)(8)(9)].

**PENALTIES**

**Penalties for Not Withholding**

The employer is required by law to follow the instructions on the Income Withholding Order. Failure to do so makes the employer liable for up to the accumulated amount that should have been withheld according to the order, as well as fines and interest on the amount that should have been withheld. Additionally, these fines can be imposed when the employer fails to remit the payments in a timely manner. Payments must be remitted within seven days of when it was withheld from the employee's pay [56 O.S. §240.2 (D)(5)].

**INCOME WITHHOLDING ORDER FAQs**

**What Should I Do If I Rehire an Employee Who Has an Oklahoma Child Support Order?**

Notify the Child Support Employer Services Center that the individual has been rehired and begin withholding child support according to the most recent Order on file.

**Do I Withhold Child Support from Bonus or Severance Pay?**

You may be required to report and withhold from lump sum payments. Please contact the Child Support Employer Services Center to determine if withholding is necessary.

**What Should I Do If I Receive an Order That Has a Different Name Than My Employee but the Social Security Number Matches?**

Please call the issuing agency listed on the child support Income Withholding Order for instructions. For any questions on an Oklahoma Order, please contact the Child Support Employer Services Center toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190. Staff will help you contact the appropriate agency.

## **What Should I Do If an Employee Wants to Make a Voluntary Deduction for His/Her Paycheck for Child Support?**

Please direct the employee to the State of Oklahoma WebPay site (<http://www.okdhs-paycs.com>) or to the CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273. They can make payments through automatic bank account withdrawal or by credit or debit card on a one-time or on-going basis. You cannot withhold child support from their paycheck without an Income Withholding Order issued by CSS or a court.

## **Can I Combine Payments from Different Employees into the Same Check?**

Yes. However, you must list the name, Social Security Number and amounts withheld for each employee and mail it with the check [56 O.S. §240.2 (D)(12)].

## **Can I Charge an Administrative Fee for This?**

Yes. According to Oklahoma law, you may deduct \$5 per pay period, not to exceed \$10 a month for administrative costs. However, this fee must come from the employee's pay, not from the child support award [12 O.S. §1171.3 & 56 O.S. §240.2 (D)(14)].

## **What Do I Do If the Employee Disputes the Child Support Order?**

Follow the four steps listed in "Chapter 4 – Income Withholding Orders" to determine if it is valid and begin withholding. Please direct the employee to address any problems or grievances with the CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273.

## **What Do I Do If the Custodial Person Keeps Calling to Find Out Where the Check Is?**

Please have the custodial person call the CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273. The staff at CARE can answer questions from the custodial person concerning his or her case, including when the payment was received by the OCSR and when it was issued.

## **What Do I Do If My Employee is Called Up on Active Military Duty?**

Please notify the issuing agency listed on the Income Withholding Order immediately. If contact information is not included and the order was issued in Oklahoma, please contact the Child Support Employer Services Center toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190.



# CHAPTER 4

## HEALTH INSURANCE AND CASH MEDICAL SUPPORT





## HEALTH INSURANCE AND CASH MEDICAL SUPPORT

### MEDICAL SUPPORT

An important part of the child support program is making sure children receive health care. Child Support Services (CSS) includes a provision for medical support in all child support orders established. A parent or custodian can be ordered to:

- Provide health insurance or pay cash medical support when insurance is not available;
- Pay for private health insurance premiums or reimburse the custodial person for all or a portion of these premiums;
- Pay an additional amount to cover ongoing medical bills or reimbursement for uninsured medical costs.

Under federal regulations and the Oklahoma Administrative Code, every child support order that is established by a state child support agency must include provisions for health coverage [45 C.F.R. § 303.31, OAC 340:25-5-168]. This provision may be for either the noncustodial parent, custodial person or a third party such as a step-parent or grandparent.

When the court orders an individual to provide health coverage, the following options are considered:

1. Insurance through an employer or other group plan
2. Private plan or some other type of alternative coverage
3. Parent to pay a cash amount in lieu of enrolling the child in health insurance

Being ordered to pay "cash medical" only occurs if insurance is not available to the parent at a reasonable cost. However, the court does not consider cash medical support as an option for custodial persons or third parties. The option specified by the court is listed in the court order. All parties must follow the order and may not choose a different option than what is specified in the order.

### NATIONAL MEDICAL SUPPORT NOTICE

CSS is required to send you a National Medical Support Notice (NMSN) and an Income Withholding Order (IWO) within two business days after the date CSS is notified of an employee who is an obligor in a child support case. This document may be the first contact you have with CSS concerning your employee. Additionally, you may receive a NMSN for an employee who is the custodian of a child if the child support order requires that person to provide health insurance for that child.

The NMSN is a standardized form that all states use and is considered a Qualified Medical Child Support order. By law, employers and insurers must comply with the NMSN. (45 C.F.R. § 303.32, 36 O.S. § 6058A , and 43 O.S. § 118.2 )

In order to be "qualified," a medical support order must clearly specify:

- the name and last known address of the participant and the name and zip code of each child covered by the order;
- a reasonable description of the coverage to be provided, or the manner in which coverage will be determined; and
- the period for which the order applies.

State laws require that health care coverage be provided under a medical support order even if the child:

- was born out of wedlock,
- is not claimed as a dependent for tax purposes, or
- does not reside with the parent or in the insurer's service area

The National Medical Support Notice consists of four documents.

- **Part A Notice to Withhold for Health Care Coverage**, which is completed by the child support agency
- **Employer Response**, which is completed by the employer and returned to the issuing child support agency
- **Part B Medical Support Notice to Plan Administrator**, which is sent by the employer to the insurance carrier, if the employee qualifies
- **Plan Administrator Response**, which is completed by the insurance carrier and returned to the issuing child support agency

## **WHAT TO DO WHEN YOU RECEIVE A NATIONAL MEDICAL SUPPORT NOTICE**

Please follow these steps when processing a National Medical Support Notice:

- Determine whether any of the categories on the Employer Response form apply:  
These categories are:
  - o Employee listed in Part A to Withhold for Health Care Coverage has never been employed by this employer.
  - o Your company does not offer employees the option of purchasing dependent or family health care coverage as a benefit of their employment.
  - o The employee is among a class of employees (for example, part-time or non-union) that are not eligible for family health coverage under any group health plan maintained by the employer or to which the employer contributes. This option does not apply if the employee is only temporarily ineligible for health care coverage.
  - o Employee has terminated.
  - o State or Federal withholding limitations and/or prioritization prevent the withholding from the employee's income of the amount required to obtain coverage under the terms of the plan.
  - o The employee is subject to a waiting period that expires more than 90 days from the date of receipt of the NMSN. Or, the waiting period could be determined by some measure other than the passage of time. For example, the employee completes a certain number of hours worked. At the completion of the waiting period, the Plan Administrator must process the enrollment.
  - o Employer forwarded Part B to the Plan Administrator.

- If any of the above conditions apply, you must return the Employer Response to the issuing agency within twenty days. If not, forward Part B to your plan administrator.
- When the plan administrator notifies you of enrollment, begin deductions for health insurance premiums.
- If the plan administrator informs you in response to Part B of the NMSN that the employee is subject to a waiting period for health insurance eligibility, such as a probationary period of employment, notify the plan administrator as soon as the employee is eligible. The NMSN must be honored without regard to any enrollment season restrictions [29 C.F.R. § 2590.609-2] [Department of Labor Regulation].

**Important Note:** Health care coverage includes major medical, vision, dental and prescription coverage. The first page of Part A and Part B specifies the court ordered coverage requirements.

## LIMITATION ON WITHHOLDING

The total amount withheld for child support, health insurance premiums, and cash medical support cannot exceed the CCPA withholding limits. However, the employee may consent to pay the health insurance premium for a child in excess of the CCPA withholding limits [12 O.S. § 1171.2(c)]. How do you know what the limits are? There is a range depending upon the employee's situation.

The first step is to calculate the disposable income. Start with the gross income and subtract mandatory deductions such as federal, state and local taxes; Social Security taxes, statutory pension contributions and any other deductions required by law. Voluntary deductions such as loan payments are not included. This calculation will give you the disposable income.

The next step is to review the employee's circumstances.

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

The third step is to multiply the amount of disposable income by the withholding limit percentage. This is the maximum amount that can be withheld from the employee's pay.

The fourth step is to add up the amount of child support from the IWO and the cost of the children's portion of the health insurance coverage (or cash medical support). If this amount is more than the maximum amount that can be withheld, mark number five on the employer response form. The payment of the current child support takes priority over enrollment in health insurance coverage. See Chapter 6 for a complete discussion on payment issues and withholding limits.

## REASONABLE COST

In some court orders, the court has specified a maximum amount the employee can be required to spend for enrolling the child in health insurance coverage. This amount is listed in the Limitation on Withholding section as a monthly amount. If the children's cost for insurance enrollment exceeds the reasonable cost amount, mark number 5 on the employer response. **Do not include the cost of enrolling adults when reviewing the reasonable cost limit.**

**Important Note:** A National Medical Support Notice is considered a qualifying event and is not subject to enrollment windows.

The insurance plan administrator is required to provide the custodial person with information about the child's coverage. This information must be mailed to the custodial person's mailing address on Part A of the National Medical Support Notice. If an address is not provided, the information should be sent to the issuing child support agency. In Oklahoma the appropriate address for health coverage information is:

**Child Support Services**

P.O. Box 248805

Oklahoma City, OK 73124-8805

**PENALTIES**

Oklahoma law provides for sanctions against employers and insurers (including unions) who fail to comply with the National Medical Support Notice [36 O.S. § 6058A and 43 O.S. § 118.2]. The employer and/or insurer may be fined up to \$200/month per child for failure to follow the requirements of the National Medical Support Notice.

**CASH MEDICAL SUPPORT**

Starting in July 2009, Oklahoma courts can order a noncustodial parent to pay cash medical support in lieu of insurance. This occurs when there is no insurance available to the parent at the time of the court hearing. However, if insurance does become available, the children must be enrolled and then the cash medical support will end. Cash medical support is used towards medical costs or to defray the cost of Medicaid (if the child is receiving Medicaid).

Employers are notified cash medical support needs to be collected by the amount being listed on the Income Withholding Order. The amount is set by the court and can only be changed by the court.

**FREQUENTLY ASKED QUESTIONS**

**If a Plan Provides Benefits Solely Through an HMO or Other Managed Care Organization with a Geographically Limited Benefit Area, is the Plan Required to Create and Provide Comparable Benefits to the Child(ren) Who Resides Outside of the HMO's Service Area?**

No. A medical child support order is not qualified if it requires a plan to provide a type or form of benefit that is not otherwise available under the plan. Requiring a plan that provides benefits solely through a limited-area HMO to provide benefits to alternate recipients outside of the HMO's service area (i.e., on a fee-for-service or any other basis), would be requiring the plan to provide a form of benefit that the plan does not ordinarily provide.

However, if the child is able to come into the HMO's service area for medical care, the plan would be required to provide benefits to the alternate recipient. In addition, many HMOs and other health insurance carriers have reciprocal agreements to provide coverage outside of their normal service areas. [ERISA § 609(a)(4)].

If the child's zip code on the National Medical Support Notice is more than 60 miles away from the service area of the provider, contact the Child Support Services Help Desk. If the child support agency address is the only address listed on the form, contact the issuing agency to determine if the child is within the provider's service area.

## **When Must a Plan Begin to Provide Coverage to the Child(ren) to a National Medical Support Notice?**

Following a determination that an order is qualified, the child(ren), if not already enrolled, must be enrolled as of the earliest possible date following such determination.

For example, if an insured plan only adds new participants or beneficiaries as of the first day of each month, such plan would be required to provide coverage to the child as of the first day of the first month following the determination that the order is qualified. State laws require that when a child is enrolled in a plan pursuant to a court or administrative order, that enrollment be made without regard to open season restrictions.

## **If a Plan Provides That Dependents of Participants Must Be Enrolled in the Same Coverage and Option as the Participant, Must an “Alternate Recipient” Be Enrolled in the Same Coverage and Options in Which the Participant is Enrolled?**

Yes. An “alternate recipient” under a National Medical Support Notice is treated as a beneficiary under the plan. Accordingly, an alternate recipient is also treated as a dependent of the participant under the plan.

However, if the National Medical Support Notice specifies that an alternate recipient is to receive a particular level of coverage, or option, that is available under the plan, but the participant is not enrolled in the particular coverage or has not selected the particular option, the plan may be required to change the participant’s enrollment to the extent necessary to provide the specified coverage to the alternate recipient.

[ERISA § 609(a)(7)(A)].

## **What is the Plan’s Obligation in the Event That the Employer is Unable to Withhold from the Participant’s Paycheck the Employee Contributions Necessary to Provide Coverage to the Child?**

If Federal or State withholding limitations prevent withholding from the participant’s paycheck the additional contribution required to provide coverage to the child under the terms of the plan, the employer should notify the child support enforcement agency on the Employer Response form. Unless the employer is able to withhold the necessary contribution from the participant’s paycheck, the plan is not required to extend coverage to the child.

The participant may voluntarily consent to the withholding of an amount otherwise in excess of applicable withholding limitations. If the court has made a determination of what a reasonable cost amount of the insurance is for adding the child, you may see that amount listed on the National Medical Support Notice. Child support calculates this cost based upon the gross income of the parent and it is compared to the cost of the child in particular.

## **What If the Noncustodial Parent is Not Yet Eligible to Enroll Because He (or She) Has Not Satisfied the Plan’s Waiting Period?**

A plan administrator may not find a medical child support order, including a notice, to be not qualified solely because the participant is subject to a “waiting period” (such as one requiring a certain number of months or hours worked). Being subject to a waiting period may, however, affect the procedures necessary for enrollment of the named child. Assuming a notice otherwise meets the requirements to be a Qualified Medical Child Support Order:

- For short waiting periods (90 days or less remaining at the time of the plan administrator’s receipt of Part B), the plan administrator qualifies the notice, and waits until the expiration of the necessary time to enroll the child and notify the employer of the need, if any, to withhold from the employee’s wages to provide such coverage.
- For long waiting periods (greater than 90 days remaining at the time of the plan administrator’s

receipt of Part B, or the period is measured by other means, such as hours worked), the plan administrator should inform the employer of the waiting period, and wait for notification from the employer of the employee's satisfaction of the waiting period.

### **How Does a Qualified Medical Child Support Order Affect Section 125 Plans?**

The Department of Labor has interpreted the Treasury Regulations to permit a section 125 "cafeteria" plan to change an employee's election to cover a dependent child if a medical child support order requires the employee to provide coverage for that child. In addition, the section 125 rules allow a participant to cancel coverage for a dependent child if a medical child support order requires another individual to provide coverage for that child. [29 C.F.R. § 2590.609-2].

### **How Does HIPAA Affect the National Medical Support Notice?**

The Health Insurance Portability and Accountability Act (HIPAA) restrictions have no impact on the employer's obligation to enroll minor child(ren) of the employee and to report the information requested on the National Medical Support Notice and the insurance survey. This information is not protected health information as defined in 45 C.F.R. §164.501. Even if this information were to be construed as protected health information, a covered entity may disclose protected health information to the extent that disclosure is required by law or to an agency performing a government regulatory program. [45 C.F.R. §164.512(a) & (d)(1)(iii)].

### **How Does an Employer Comply with a National Medical Support Notice (NMSN) Whenever an Employee Does Seasonal Work?**

If the employee earns enough wages to cover the medical insurance for the duration of the seasonal work, the coverage should be added per the National Medical Support Notice.

### **Is It Reasonable and Necessary for an Employer to Enroll and Disenroll Again and Again When the Employee Works Seasonally or is Temporary?**

If an employee's employment status (sporadic work hours, etc.) causes them not to continuously earn enough wages for the medical coverage to be consistent, employers are not required to enroll and disenroll the employee or his/her obligated children. Employers must notify the Employer Services Center or Child Support Services that the situation would exceed the CCPA limits.

### **What Are the Options for an Employee When He or She is in This Hiring Bracket?**

Once the child support agency is notified of the situation, the information is turned over to the local child support office. The office may choose to modify the order or have the employee obtain adequate private coverage. As of July 1, 2009, Oklahoma law changed and allowed court orders to contain a provision for "cash medical support". Cash medical support requires the employee to pay a cash amount in lieu of providing health insurance.

### **What Options Does the Employee Have If He/She Has to Take Out Insurance But the Company Insurance is Too Costly?**

Once child support agency is notified of the situation, the information is turned over to the local child support office. The office may choose to modify the order or have the employee obtain adequate private coverage. As of July 1, 2009, Oklahoma law changed and allowed court orders to contain a provision for "cash medical support". Cash medical support requires the employee to pay a cash amount in lieu of providing health insurance.

## **What Should I Do If an Employee Tells Me They Have Private Medical Coverage?**

Employers are required to honor the NMSN regardless of whether or not the employee states he/she has private coverage. The employee should be directed to contact the CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273. If OCSS determines the private coverage is adequate, they will send a termination of the NMSN to the employer to discontinue the medical coverage.

## **My Employee Says That the Cost of the Insurance is Not Supposed to Be More Than 5 Percent of His/Her Income. Am I Supposed to Calculate This Amount?**

No, this calculation is done by the court when the order is entered. The employer may not have access to all of the information about an individual's income. He/she could have multiple sources of income the court must consider.

## **How Do I Know If the Insurance Provider is Accessible to a Child?**

The National Medical Support Notice provides the address of the custodian and/or child. If the child is within 60 miles (one way) of the provider, the insurance is considered accessible in most cases.

## **If the Child's Address is Not Provided on the National Medical Support Notice, How Can I Determine If the Insurance is Accessible for the Child?**

Contact ESC to provide the information about the service area of the provider. The ESC will assist with determining if the child is within that service area.

## **I Received a National Medical Support Notice But My Employee is the Custodian. Do I Need to Enroll the Child?**

Yes, there are some court orders that require the custodian to provide insurance for the child. A National Medical Support Notice is sent to the employer of the custodian when the court order requires that person to provide the insurance.

## **My Employee Says the Child is on Soonercare and Does Not Need to Be Enrolled in Insurance. Is This Correct?**

No, the employer and plan administrator must comply with the National Medical Support Notice and enroll the child.

## **Our Company Only Offers Insure Oklahoma (OEPIC). What Should We Do Since We Cannot Enroll the Child in Insurance?**

Respond to the National Medical Support Notice and mark the appropriate response option in Part B. However, with the expansion of many public health care options be sure to check with the Oklahoma Health Care Authority to determine if the child may be eligible for enrollment through Insure Oklahoma. Information is available at <http://www.insureoklahoma.org/>.

**Our Company Offers Both Insure Oklahoma (OEPIC) and Major Medical Insurance for Our Employees. The Employee Has Chosen to Enroll in Insure Oklahoma. What Should We Do When We Receive a National Medical Support Notice?**

The employee must enroll the child in the major medical insurance if the child is not eligible for Insure Oklahoma.

**Now That the Child Has Been Enrolled in Insurance, When Do I Stop Withholding the Cash Medical Support from My Employee's Paycheck?**

OCSS will send an Amended Income Withholding Order to let you know the appropriate amount to withhold. Since the termination of cash medical support must be confirmed by a court, the cash medical support cannot be stopped automatically. Be sure to notify OCSS and the insurance recipient that enrollment has occurred. The longer you wait, the more your employee will pay in cash medical support.

**My Employee is Now Eligible for Insurance But Wants to Continue Paying Cash Medical Support Instead. Can We Do That?**

No, if the court order specifies the employee must enroll the child when insurance is available, he/she cannot choose not to enroll the child.

**I Received an Income Withholding Order with Cash Medical Support and the Child is Already Enrolled in Insurance. What Should I Do?**

It is possible for the court order to have both a cash medical support amount and a child to be enrolled in insurance. This cash medical support could actually be for a fixed recurring payment for items such as orthodontia or asthma treatments. Contact the Oklahoma Employer Services Center if you have questions about the amounts.

**I Know That When the Income Withholding Order is Received, There is a Limitation On How Much Income Can Be Withheld from My Employee's Paycheck. Does This Also Apply to the Cost of the Insurance and the Cash Medical Support?**

Yes, when determining whether the cost of the insurance and the income withholding are reasonable, the Consumer Credit Protection Act limits do apply. These limits are:

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

However, an Oklahoma employee may voluntarily consent to exceed the CCPA limits to provide a child's health care coverage [12 O.S. 1171.2].



# CHAPTER 5

## CHILD SUPPORT PAYMENT ISSUES





## CHILD SUPPORT PAYMENT ISSUES

### INTRODUCTION

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 modified Title IV-D of the Social Security Act, requiring states to establish a central unit for receipt and disbursement of child support payments. Oklahoma Statutes were amended to create the Oklahoma Centralized Support Registry (OCSR) and implement this Federal law [43 O.S. §413]. OCSR helps employers reduce expenses and paperwork in processing income withholding for child support payments by allowing them to send all payments to a single location.

Remember that all Income Withholding Orders must be honored if they appear to be a valid legal document. Even if your employee tells you he or she is making payments, you, as the employer, are obligated to follow the Income Withholding Order. You as the employer will provide your employee a copy of the Income Withholding Order. If your employee has any questions, ask him or her to contact the Child Support Services (CSS) customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 325-9190.

Make payments payable to the Department of Human Services (DHS). Include the following information with the payment:

- Payor's (employee) first and last name
- Payor's Social Security Number
- Family Group Number (FGN), if your payroll system accommodates this information

Employers may combine all payments, both IV-D and Non-IV-D, and send in one check (unless you have signed up for Electronic Funds Transfer) to OCSR. Attach the detailed breakdown of the payor information that makes up the check. The breakdown must be provided for each employee who has income included in the check.

- An IV-D child support case is a case in which a parent or custodian has applied for child support services from CSS.
- A Non-IV-D child support case is a case in which the custodial person to whom the child support is owed is not receiving services from CSS. The payments on these cases are still channeled through the OCSR as a pass-through only.

If you discover you have made a payment in error (i.e. the noncustodial parent has quit), DO NOT adjust your next payment to CSS. Instead, please contact the Child Support Employer Services Center. They will request CSS review the payment and determine if a refund is appropriate. If you adjust your next payment, you are actually taking money away from another family, because the first payment has already been issued. The Child Support Employer Services Center cannot guarantee a refund will be approved by CSS as these requests are reviewed according to Department of Human Services (DHS) policy.

**Important Note:** Payments must be remitted within seven business days after child support has been withheld from your employee's paycheck.

## WHERE TO SEND PAYMENTS

The preferred payment method in Oklahoma is EFT/EDI. You have three payment options:

### 1. EFT/EDI

Electronic Funds Transfer (EFT) is a process that electronically transfers dollars from one bank account to another. Electronic Data Interchange (EDI) transfers information. In child support applications, EFT/EDI is used to simultaneously transfer child support payments and remittance information to state child support agencies. There are specific formats for EFT/EDI child support payments. Formats for sending the information have been developed by the Bankers EDI Council of the National Automated Clearing House Association (NACHA). Please see Appendix A for the NACHA Record Formats Guide.

**Important Note:** EFT/EDI is the method of payment preferred by OCSS due the cost savings.

#### Three Easy Steps to EFT/EDI:

- Step 1:** Determine whether your payroll/accounting system supports electronic payments for child support. If it does not:
- Step 2:** Contact the appropriate state child support enforcement agency.
- Step 3:** Conduct the EFT/EDI start-up procedures for each state to which you send child support income withholdings.

### 2. WebPay

Employers can also sign up to pay child support with credit, debit cards or direct debit through CSS's free WebPay service. Individuals and employers are both eligible to sign up for this service.

Requirements to use WebPay are simple:

- You must be a legal owner of a Bank Account within the United States, or the holder of a Visa or MasterCard credit or debit card.
- You must register to use WebPay. You must have access to the Internet and a valid email address to complete the registration.

Once you register, log-in to WebPay using the username and password provided through e-mail to set up bank account information or credit or debit card information. You may make scheduled payments immediately after you have completed the registration process. Link to the WebPay home page: <http://okdhs-paycs.com>.

**Important Note:** To terminate payments, **YOU** must stop the payments through the Web site. CSS **cannot** stop payments once they are set up through WebPay.

### 3. Check or Money Order by Mail

Oklahoma Centralized Support Registry  
PO Box 268809  
Oklahoma City, OK 73126-8809

- Make payments payable to the Department of Human Services
- Payments must be properly identified with the employee's name, Social Security Number, OCSS case number (Family Group Number) and amount remitted related to the employee

## **WHAT HAPPENS WHEN A CHECK BOUNCES**

If OCSS receives a business or personal check, direct debit, EFT or other negotiable instrument that cannot be processed by the bank (i.e. insufficient funds, closed account, etc.), the employer will be added to CSS's Non-Sufficient Funds (NSF) list. Once an employer has been placed on the NSF list, CSS will no longer accept checks or EFT payments. Until an employer is removed from the NSF list, payments must be remitted as a cashiers check, money order, or WebPay.

CSS will notify employers, by mail, of the reason for the return payment and how to be removed from the NSF list. Any time a check is returned, it must be replaced by the employer before an employer may be removed from the NSF list. When an employer is placed on the NSF list they will remain on the return payment list until CSS receives the replacement payment at the below address and 12 consecutive months worth of payments.

If CSS removes an employer from the NSF list and the employer subsequently has another payment returned, they will be added back to the NSF list and will remain there indefinitely.

**CSS Replacement Address**  
**CSS Center for Finance & Budget**  
Attn: Replacements  
P O Box 248822  
Oklahoma City, OK 73124-8822

**Important Note:** This address is for replacement payments only. All other regular payments must be remitted to the Oklahoma Centralized Support Registry address listed at the top of the page. Replacement payments must be sent to the address above to be credited as a "replacement" of a returned payment and be marked as a replacement payment.

## **CONTACT INFORMATION**

For all questions about payments, please contact:

**Child Support Employer Services Center**  
OKC Metro Area: (405) 325-9190  
Toll Free: (866) 553-2368  
Fax: (405) 325-8210

Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)  
Web site: <http://www.okesc.org>



# CHAPTER 6

## REPORTING EMPLOYMENT TERMINATIONS





# REPORTING EMPLOYMENT TERMINATIONS

## INTRODUCTION

As an employer, when your employee terminates, you still have some responsibilities related to New Hire Reporting, child support withholding and health care coverage for children. Below is some information to explain the impact on these three items.

## NEW HIRE REPORTING

If an employee terminates before the twenty day deadline for filing the new hire report, you must still report the employee as a new hire. On the Oklahoma New Hire Reporting Form, under the question “Is this person currently employed with your company?”, please check “no.”

If the employee terminates after the new hire report has been filed and you have not received an Income Withholding Order or National Medical Support Notice, you do not need to do anything.

## WHEN THE EMPLOYEE HAS AN INCOME WITHHOLDING ORDER

If you receive an Income Withholding Order on an employee after he/she has terminated, you have 10 business days to inform the issuing agency that the employee is no longer employed. The contact information for the issuing agency can be found on the Income Withholding Order. If the contact information is missing and the order is from Oklahoma, please contact the Child Support Employer Services Center for assistance toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190. You must provide the employee’s last known address and, if known, the new employer information for the employee. On the last page of the Income Withholding Order, there is a place to record this information and send it to the issuing agency.

When an employee who terminates has an Income Withholding Order in place and for whom you have been remitting payments, you must inform the issuing agency immediately. This should be done by filling out the last page of the Income Withholding Order and returning it to the issuing agency. If it is an Oklahoma order and the contact information is missing, please call the Child Support Employer Services Center for assistance toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190. As in the case above you must include the last known address of the employee and, if known, the new employer. If you recall or rehire the employee, you should report them again as a new hire and resume withholding until you receive different instructions from the issuing agency.

## **WHEN THE EMPLOYEE HAS A NATIONAL MEDICAL SUPPORT NOTICE IN PLACE**

If you received a National Medical Support Notice directing you to enroll the terminated employee's child(ren) in health care coverage, you must inform the issuing agency immediately. The issuing agency address is listed on the front of the National Medical Support Notice. If it is an Oklahoma notice and the contact information is missing, please call the Child Support Employer Services Center for assistance toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190. OCSS must inform the custodial person of the lapse of coverage to ensure the child(ren) is not denied health care coverage.

**Important Note:** Termination notices may be made by mail, telephone, email or fax. You should provide the employee's name, SSN, date of termination and the company FEIN. The issuing agency contact information is available on the Income Withholding Order. Email notifications may be submitted to [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org).

## **INACTIVE EMPLOYEES AND TERMINATION**

Sometimes an employee becomes inactive but remains in your payroll system. If the employee is inactive for 90 days or you remove them from your payroll system, you should report them as terminated to the Child Support Employer Services Center.

## **QUESTIONS?**

### **Child Support Employer Services Center**

OKC Metro Area: (405) 325-9190

Toll Free: (866) 553-2368

Fax: (405) 325-8210

Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)

Web site: <http://www.okesc.org>

**Important Note:** In addition, you must keep the Income Withholding Order on file according to your company's record retention policies or until you receive further instructions from the issuing agency.



# APPENDIX **A**

## NACHA GUIDELINES



# NACHA GUIDELINES

## STATE OF OKLAHOMA

### A GUIDE FOR EMPLOYERS & FINANCIAL INSTITUTIONS

#### EFT/EDI

##### NACHA Record Formats

The rules and guidelines governing the formats, specifications and exchange of ACH entries are published by NACHA. With respect to the data that are contained in the Addenda Records of ACH formats, the *NACHA Operating Rules* stipulate the type of data that may be exchanged as well as which standards and formats are permitted, but the structure of the data contents is managed outside of the NACHA rules.

For example, the *NACHA Operating Rules* permit the exchange of NACHA-endorsed banking conventions within the Addenda Record of the CCD+ format, but groups such as the Bankers EDI Council develop and maintain banking conventions. Also, the rules permit the exchange of certain EDI messages or transaction sets (e.g., 820 Payment Order/Remittance Advice) within the Addenda Records of the CTX format and X12 syntax-based data segments within the Addenda Records of the CCD+ and PPD+ formats, but those standards are developed and maintained by other standards development organizations, such as ASC X12 and UN/EDIFACT. The following record formats are used to convey entries through the ACH Network:

- File Header Record
- Company/Batch Header Record
- Entry Detail Record
- Addenda Record
- Company/Batch Control Record
- File Control Record

An ACH file is bounded by one File Header Record and one File Control Record, which serve to facilitate transmission, identification and balancing of the file. A file may be comprised of one or more batches, which are denoted by the Company/Batch Header Record and Company/Batch Control Record. These records contain information specific to all of the Entry Detail Records contained within that batch. A batch may house one or more Entry Detail Records that share certain aspects as explained in the *NACHA Operating Rules*. The Entry Detail Record is the record that constitutes the payment order and is used within the banking system to execute EFT and settlement. An Addenda Record is used to supply additional information related to the payment issued in the Entry Detail Record. Each Addenda Record Includes an 80 position Payment Related information Field within which this remittance detail is transmitted.

The CCD and CTX payment formats are used within the ACH Network to conduct the transfer of funds between business or government entities. To exchange data along with payments using EDI technology, Addenda Records are used. Under the *NACHA Operating Rules*, a CCD format maybe accompanied by only one Addenda Record, which may carry X12 data segments or elements or NACHA-endorsed banking conventions. A CCD entry accompanied by an Addenda Record is referred to as a CCD+. The CTX format allows for the provision of 9,999 Addenda Records, which may be used to carry certain X12 transaction sets or UN/EDIFACT messages in their entirety

**The NACHA record formats for CCD+ entries flow in the following order:**

File Header Record

Company/Batch Header Record

Entry Detail Record

Addenda Record (1 addenda with 80 byte Payment Related Information Field)

Entry Detail Record

Addenda Record (1 addenda with 80 byte Payment Related Information Field)

Entry Detail Record

Addenda Record (1 addenda with 80 byte Payment Related Information Field)

Entry Detail Record

Addenda Record (1 addenda with 80 byte Payment Related Information Field)

Company/Batch Control Record

File Control Record

**The NACHA record formats for CTX entries flow in the following order:**

File Header Record

Company/Batch Header Record

Entry Detail Record

Addenda Record (up to 9,999 addenda with 80 byte Payment Related Information Field)

Addenda Record

Addenda Record

Addenda Record

Addenda Record

Entry Detail Record

Addenda Record (up to 9,999 addenda with 80 byte Payment Related Information Field)

Addenda Record

Addenda Record

Addenda Record

Addenda Record

Addenda Record Company/Batch Control Record

File Control Record

Following are the layouts for the NACHA Entry Detail and Addenda Records used with the CCD+ And CTX formats. To obtain a full citation of the rules, specifications and formats for the ACH Network, refer to the *NACHA Operating Rules*.

## CCD ENTRY DETAIL RECORD

### 2.1.4 Sequence of Records for CCD Entries ENTRY DETAIL RECORD

Field	1	2	3	4	5	6	7	8	9	10	11
<b>Data Element Name</b>	Record Type Code	Transaction Code	Receiving DFI Identification	Check Digit	DFI Account Number	Amount	Identification Number	Receiving Company Name	Discretionary Data	Addenda Record Indicator	Trace Number
<b>Field Inclusion Requirement</b>	M	M	M	M	R	M	O	R	O	M	M
<b>Contents</b>	'6'	Numeric	TTTTAAAA	Numeric	Alphameric	\$\$\$\$\$\$cc	Alphameric	Alphameric	Alphameric	Numeric	Numeric
<b>Length</b>	1	2	8	1	17	10	15	22	2	1	15
<b>Position</b>	01-01	02-03	04-11	12-12	13-29	30-39	40-54	55-76	77-78	79-79	80-94

## CTX ENTRY DETAIL RECORD

### 2.1.6 Sequence of Records for CTX Entries CORPORATE ENTRY DETAIL RECORD

Field	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>Data Element Name</b>	Record Type Code	Transaction Code	Receiving DFI Identification	Check Digit	DFI Account Number	Amount	Identification Number	Number of Addenda Records	Receiving Company Number	Reserved	Discretionary Data	Addenda Record Indicator	Trace Number
<b>Field Inclusion Requirement</b>	M	M	M	M	R	M	O	M	R	N/A	O	M	M
<b>Contents</b>	'6'	Numeric	TTTTAAAA	Numeric	Alphameric	\$\$\$\$\$\$cc	Alphameric	Numeric	Alphameric	Blank	Alphameric	Numeric	Numeric
<b>Length</b>	1	2	8	1	17	10	15	4	16	2	2	1	15
<b>Position</b>	01-01	02-03	04-11	12-12	13-29	30-39	40-54	55-58	59-74	75-76	77-78	79-79	80-94

## ADDENDA RECORD

### ADDENDA RECORD

Field	1	2	3	4	5
<b>Data Element Name</b>	Record Type Code	Addenda Type Code	Payment Related Information	Addenda Sequence Number	Entry Detail Sequence Number
<b>Field Inclusion Requirement</b>	M	M	O	M	M
<b>Contents</b>	'7'	'05'	Alphameric	Numeric	Numeric
<b>Length</b>	1	2	80	4	7
<b>Position</b>	01-01	02-03	04-83	84-87	88-94

## CHILD SUPPORT APPLICATION BANKING CONVENTION

Within the 80 position Payment Related Information Field of the CCD+ Addenda Record, remittance information corresponding to the child support payment made by an employer to a child support enforcement entity is presented in the following banking convention. This convention is referred to as the 'DED' Deduction data segment under ASC X12 syntax and is composed of ten fields:

- Segment Identifier
- Application Identifier
- Case Identifier
- Pay Date
- Payment Amount
- Non-Custodial Parent Social Security Number
- Medical Support Indicator
- Non-Custodial Parent Name
- FIPS Code
- Employment Termination Indicator

Each of these fields is referred to as a data element, which is the smallest named item in a record. It can represent a qualifier, a value, or text. A data element has three primary attributes - length, field requirement, and type. Each data element is identified by an element identifier used for reference (e.g., DED01, DED02, etc.) and each element has a specific position within the record (segment). In constructing the segment, each data element (except for the first) is preceded by the separator character. In the ACH Network, the data element separator is an asterisk (\*). Each segment must end with a terminator, which in the ACH Network is a backslash ('\')

The following is an example of the DED segment as used in the Payment Related Information field of the Addenda Record:

**DED\*application identifier\*case identifier\*pay date\*payment amount\*non-custodial parent ssn\*medical support indicator\*non-custodial parent name\*FIPS code\*employment termination indicator\**

Note the use of the asterisk (\*) and backslash ('\')

Data elements in a segment are either mandatory or optional. Data elements in a segment that are not mandatory as defined by the standard may be omitted. The omission of an optional element is noted by the placement of an asterisk in the place of that element. For example, if non-custodial parent name were to be omitted from the segment, it would look like this:

**DED\*application identifier\*case identifier\*pay date\*payment amount\*non-custodial parent ssn\*medical support indicator FIPS code\*employment termination indicator\**

Also, if an optional data element is the last data element in a segment, and that field is not being used, the preceding asterisk is replaced by the backslash. For example, if the employment termination indicator is omitted from the segment, it would look like this:

**DED\*application identifier\*case identifier\*pay date\*payment amount\*non-custodial parent ssn\*medical support indicator\*non-custodial parent name\FIPS code\**

The following grid delineates the format for the DED Segment (Convention) for employers:

### DED CHILD SUPPORT SEGMENT/CONVENTION FOR EMPLOYERS

Element	Comments	Content	Attributes		
			1	2	3
	Segment Identifier	DED	M	ID	3/3
DED01	Application Identifier	CS	M	ID	2/2
DED02	Case Identifier	XXXXXXXXXX	M	ID	1/20
DED03	Pay Date	YYMMDD	M	AN	6/6
DED04	Payment Amount	\$\$\$\$\$\$CC	M	DT	1/10
DED05	Non-Custodial Parent Social Security Number	XXXXXXXXXX	M	N2	9/9
DED06	Medical Support Indicator	'Y' -Yes, 'N', No	M	AN	1/1
DED07	Non-Custodial Parent Care	XXXXXXXXXX	O	AN	1/10
DED08	FIPS Code	XXXXXXX	O	AN	5/7
DED09	Employment Termination Indicator	'Y' -Yes	O	AN	1/1

#### Sample DED Segment

**DED\*CS\*ZC146\*951024\*13547\*975348431\*N\*SMITH,HARR\*A4738\*Y\**

*(Reminder:* due to the one-addenda limitation of the CCD+ format, the DED segment is restricted to a maximum of 80 characters. Note the use of the asterisk and backslash.)

The column headings used on the grid are as follows:

- Element defines the data element name
  - Comments and Content define the data element
  - Attributes are defined as follows
1. **Field Requirement** - The first column of the attributes is the field requirement for that data element. An 'M' denotes a mandatory element, an 'O' denotes an optional element
  2. **Data Type** -The second column of the attributes specifies the field data type.

'AN' denotes a string type data element. Contents of string data elements are a sequence of letters, digits, spaces and/or special characters (with the exception of the asterisk and backslash). The contents must be left-justified. Trailing spaces should be suppressed unless they are necessary to satisfy a minimum length requirement

'DT' denotes a date type data element. Format for the date is YYMMDD. YY is the last two digits of the year (00-99), MM is the numeric value of the month (1-12), and DD is the numeric value of the day (1-31)

'ID' denotes an identifier data element from a pre-defined list of values

'N2' denotes a numeric type data element with two decimal places to the right of a fixed, implied decimal

point. The decimal point is not transmitted. It is intended that this number will always be positive for the child support application banking convention. For example, the amount \$135.47 would appear as \*13547

3. Length -The third column of the attributes signifies the minimum/maximum use of an element. This specifies the minimum and maximum length of a particular field. For example, 1/6 indicates that this data element must be at least one character, but not more than six.

## ELEMENT DEFINITIONS

**DED01      Application Identifier:**                      Supported Code Value – 'CS' -*Child Support*

The application identifier indicates the type of deduction being withheld from an employee's pay

**DED02      Case Identifier:**

The case identifier element is the IV-D case number or court order number. The case identifier always refers to the identification number of the case in the state receiving the EFT/EDI transaction (e.g., the child support receiving agency). This is true whether the transaction is from an employer or another state. The child support receiving agency determines which number to use

**DED03      Pay Date:**

The pay date element provides the obligor's (non-custodial parent) pay date or the date of income withholding (i.e., the date the funds were withheld by the employer)

**DED04      Payment Amount:**

The payment amount element indicates the non-custodial parent's withholding amount for this pay period being paid to the child support receiving agency

**DED05      Non-Custodial Parent Social Security Number:**

The non-custodial parent Social Security Number element provides the child support receiving agency with the non-custodial parent's Social Security Number

**DED06      Medical Support Indicator:**                      Supported Code Values – 'Y', 'N'

The medical support indicator indicates whether the non-custodial parent has family medical insurance coverage available through his/her employer. If medical insurance coverage is available through his/her employer, a 'Y' is used; if there is no coverage available, an 'N' is used

**DED07      Non-Custodial Parent Name:**

The non-custodial parent name element indicates the first seven letters of the obligor's last name followed by at least the first three letters of his/her first name. A comma must be used to separate the last name from the first name of the non-custodial parent when the last name is less than seven characters.

**DED08      FIPS Code:**

The Federal Information Process Standard (FIPS) code refers to the FIPS Code of the child support entity receiving the transaction. It is five characters when indicating both the state and county codes. It is seven characters when indicating state, county, and local codes.

**DED09      Employment Termination Indicator:**      Supported Code Value – 'Y'

The employment termination indicator is used to notify the child support enforcement agency that an individual's employment has terminated. A 'Y' is placed in this field if the employee has terminated; otherwise the field is not used. The payment amount field may contain zero when this field is used.

### **CTX Format & ASC X12 820 Payment Order/ Remittance Advice**

At a minimum, state child support entities are required to accept employer originated child support withholding payments sent in the NACHA CCD+ format by October 1, 1997. Many states already have this capability. An increasing number of states also accept these payments made using the CTX format containing the ASC X12 820 transaction set. As indicated previously, the CTX format may have up to 9,999 Addenda Records associated with each Entry Detail Record, thus greatly expanding the reporting potential. Going forward, the number of child support entities supporting the CTX/820 option will rise; therefore, an employer should check with the receiving child support enforcement entity to determine if it can receive and process the CTX/820. The employer should contact its financial institution to verify input options as well as the institution's ability to originate a CTX format.

The Addenda Record of the CTX format containing the ASC X12 820 transaction set used to send child support payments would typically be comprised of the following data segments:

**ISA              Interchange Control Header:              (mandatory)**

A control segment used to start and identify an interchange of zero or more functional groups and interchange-related control segments

**GS              Functional Group Header:              (mandatory)**

Control segment used to indicate the beginning of a functional group and to provide control information.

**ST              Transaction Set Header:              (mandatory)**

Control segment used to indicate the start of a transaction set and to assign a control number ( e.g., ST\*820 selects the 820 transaction set).

**BPR              Beginning Segment for Payment Order/Remittance Advice:              (mandatory)**

Segment used to indicate the beginning of a Payment Order/Remittance Advice Transaction Set and total payment amount or to enable related transfer of funds and/or information from payer to payee to occur. This segment identifies the dollar value of the payment along with the bank routing information.

**TRN              Trace:              (optional)**

Segment used to uniquely identify a transaction to an application; identifies the transaction reference number.

**REF              Reference Numbers:              (optional)**

Segment used to specify identifying numbers; provides additional reference information.

**N1              Name:              (optional)**

Segment used to identify a party by type of organization, name and code; provides name information.





# APPENDIX B

## CONTACT INFORMATION



# CONTACT INFORMATION

## NEW HIRE REPORTING

### *Oklahoma Reporting Problems*

**Oklahoma Employment Security Commission (OESC)**

OKC Metro Area: (405) 557-0200  
Toll Free: (866) 553-2368  
OKC Metro Area Fax: (405) 557-5350  
Toll Free Fax: (800) 317-3786  
Web site: [http://www.ok.gov/oesc\\_web/](http://www.ok.gov/oesc_web/)

### *General Questions*

**Child Support Employer Services Center**

OKC Metro Area: (405) 325-9190  
Toll Free: (866) 553-2368  
Fax: (405) 325-8210  
Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)  
Web site: <http://www.okesc.org>

**Contact Information for Other States:**

[http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)

## REPORTING METHODS

### 1. Online

*Web site:*

<http://www.ok.gov/oesc>

### 2. Electronic

*Magnetic Tape/Diskettes:*

<https://www.ok.gov/oesc/specs.html>

### 3. Paper\*

*Mail:*

Oklahoma New Hire Reporting Center  
P.O. Box 52003  
Oklahoma City, OK 73152-2003

*Fax:*

OKC Metro Area: (405) 557-5350  
Toll Free: (800) 317-3786

### **\*Request an Oklahoma New Hire Reporting Form**

**Electronic** <https://www.ok.gov/oesc/newhire/app/forms/oes-112.pdf>

**Mail or Fax** Child Support Employer Services Center  
OKC Metro Area: (405) 325-9190 or Toll Free: (866) 553-2368

## NEW HIRE REPORTING, MULTI-STATE EMPLOYERS

**Multi-state Help Desk:**

(410) 277-9470

**Hours:**

9:00 a.m. – 5:00 p.m. ET

**Contact Information for Other States:**

[http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)

**REGISTRATION: SINGLE-STATE REPORTING**

**1. Online**

Web site: <http://www.acf.hhs.gov/programs/cse/newhire/employer/private/newhire.htm>

**2. Paper\***

Mail: Department of Health and Human Services  
Multi-state Employer Registration  
Office of Child Support Enforcement  
PO Box 509  
Randallstown, MD 21133

Fax: (410) 277-9325

**\* Request a Form to Register for Single State Reporting**

**Electronic** <http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/forms/mseform6.pdf>

**Telephone** Administration for Children and Families  
Department of Health and Human Services  
Multi-state Help Desk: (410) 277-9470

**INCOME WITHHOLDING ORDERS**

**Child Support Employer Services Center**

OKC Metro Area: (405) 325-9190  
Toll Free: (866) 553-2368  
Fax: (405) 325-8210  
Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)  
Web site: <http://www.okesc.org>

**Contact Information for Other States:**

[http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)

**HEALTH INSURANCE & CASH MEDICAL SUPPORT**

**Oklahoma Employer Services Center (OKESC)**

OKC Metro Area: (405) 325-9190  
Toll Free: (866) 553-2368  
Fax: (405) 325-8210  
Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)  
Web site: <http://www.okesc.org>

**Contact Information for Other States:**

[http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)

## **CHILD SUPPORT PAYMENTS**

### **Child Support Employer Services Center**

OKC Metro Area: (405) 325-9190  
Toll Free: (866) 553-2368  
Fax: (405) 325-8210  
Email: [ocss.contact.esc@okdhs.org](mailto:ocss.contact.esc@okdhs.org)  
Web site: <http://www.okesc.org>

### **EFT/EDI**

Centralized Support Registry  
OKC Metro Area (405) 600-0014

### **National Automated Clearing House Association (NACHA)**

(703) 561-1100  
Web site: <http://www.nacha.org>

### **WebPay**

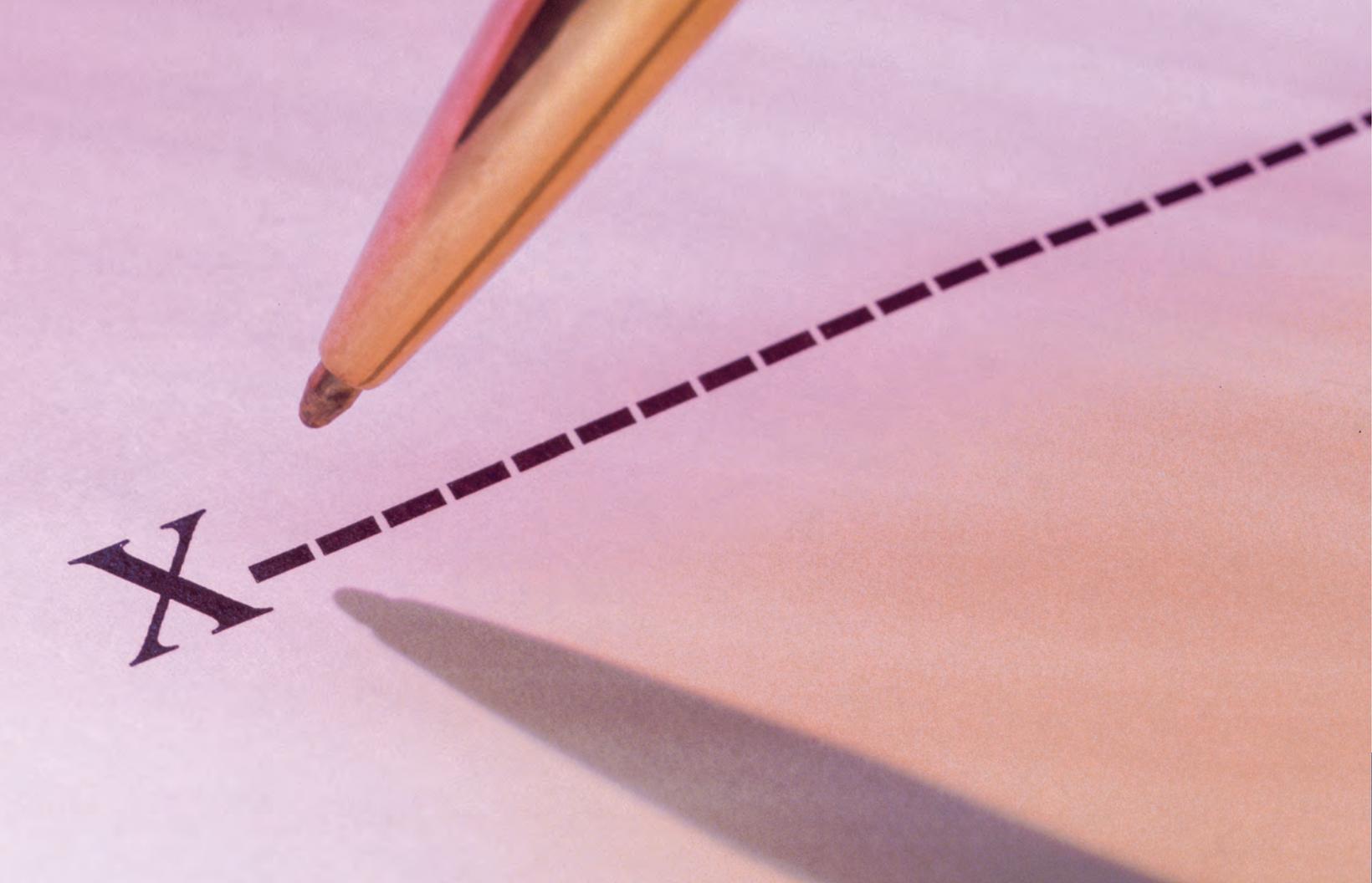
<http://okdhs-paycs.com>

### **Mailing Address**

Oklahoma Centralized Support Registry  
PO Box 268809  
Oklahoma City, OK 73126-8809

### **Contact Information for Other States:**

[http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)



# APPENDIX C

## FORMS





**NATIONAL MEDICAL SUPPORT NOTICE - PART A  
NOTICE TO WITHHOLD FOR HEALTH CARE COVERAGE**

This Notice is issued under section 466(a)(19) of the Social Security Act, section 609(a)(5)(C) of the Employee Retirement Income Security Act of 1974 (ERISA), and for State and local government and church plans, sections 401(e) and (f) of the Child Support Performance and Incentive Act of 1998. Receipt of this Notice from the Issuing Agency constitutes receipt of a Medical Child Support Order under applicable law. The information on the Custodial Parent and Child(ren) contained on this page is confidential and should not be shared or disclosed with the employee. NOTE: For purposes of this form, the Custodial Parent may also be the employee when the State opts to enforce against the Custodial Parent.

Issuing Agency: _____ Issuing Agency Address: _____ _____ Notice Date: _____ CSE Agency Case Identifier: _____ Telephone Number: _____ FAX Number: _____	Court or Administrative Authority: _____ Order Date: _____ Order Identifier: _____ Document Tracking Identifier: _____ Employer web site: _____ See NMSN Instructions: <a href="http://www.acf.hhs.gov/programs/cse/forms/">www.acf.hhs.gov/programs/cse/forms/</a>
--	--

\_\_\_\_\_ RE: \_\_\_\_\_

Employer/Withholder's Federal EIN Number \_\_\_\_\_

Employer/Withholder's Name \_\_\_\_\_

\_\_\_\_\_

Employer / Withholder's Address \_\_\_\_\_

\_\_\_\_\_

Custodial Parent's Name (Last, First, MI) \_\_\_\_\_

\_\_\_\_\_

Custodial Parent's Mailing Address \_\_\_\_\_

\_\_\_\_\_

Child(ren)'s Mailing Address (if different from Custodial Parent's) \_\_\_\_\_

\_\_\_\_\_

Name and Telephone of a Representative of the Child(ren) \_\_\_\_\_

Child(ren)'s Name(s)	Gender	DOB	SSN
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Employee's Name (Last, First, MI) \_\_\_\_\_

Employee's Social Security Number \_\_\_\_\_

\_\_\_\_\_

Employee's Mailing Address \_\_\_\_\_

\_\_\_\_\_

Substituted Official/Agency Name \_\_\_\_\_

\_\_\_\_\_

Substituted Official/Agency Address \_\_\_\_\_  
(Required if Custodial Parent's mailing address is left blank)

\_\_\_\_\_

\_\_\_\_\_

Mailing Address of a Representative of the Child(ren) \_\_\_\_\_

Child(ren)'s Name(s)	Gender	DOB	SSN
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

The order requires the child(ren) to be enrolled in  all health coverages available; or only the following coverage(s):  
 Medical;  Dental;  Vision;  Prescription drug;  Mental health;  Other specify: \_\_\_\_\_

THE PAPERWORK REDUCTION ACT OF 1995 (P.L. 104-13) Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. **OMB control number: 0970-0222 Expiration Date: 03/31/2014.**

## LIMITATIONS ON WITHHOLDING

The total amount withheld for both cash and medical support cannot exceed \_\_\_\_\_% of the employee's aggregate disposable weekly earnings. The employer may not withhold more under this National Medical Support Notice than the lesser of:

1. The amounts allowed by the Federal Consumer Credit Protection Act (15 U.S.C., section 1673(b));
2. The amounts allowed by the State of the employee's principal place of employment; or
3. The amounts allowed for health insurance premiums by the child support order, as indicated here:\_\_\_\_\_.

The Federal limit applies to the aggregate disposable weekly earnings (ADWE). ADWE is the net income left after making mandatory deductions such as State, Federal, local taxes; Social Security taxes; and Medicare taxes. As required under section 2.b.2 of the Employer Responsibilities on page 4, complete item 5 of the Employer Response to notify the Issuing Agency that enrollment cannot be completed because of prioritization or limitations on withholding.

## PRIORITY OF WITHHOLDING

If withholding is required for employee contributions to one or more plans under this notice and for a support obligation under a separate notice and available funds are insufficient for withholding for both cash and medical support contributions, the employer must withhold amounts for purposes of cash support and medical support contributions in accordance with the law, if any, of the State of the employee's principal place of employment requiring prioritization between cash and medical support, as described here: \_\_\_\_\_.

As required under section 2.b.2 of the Employer Responsibilities on page 4, complete item 5 of the Employer Response to notify the Issuing Agency that enrollment cannot be completed because of prioritization or limitations on withholdings.

**EMPLOYER RESPONSE**

If 1, 2, 3, 4 or 5 below applies, check the appropriate box and return this Part A to the Issuing Agency within 20 business days after the date of the Notice, or sooner if reasonable. NO OTHER ACTION IS NECESSARY. If 1 through 5 does not apply, complete item 7 and forward **Part B** to the appropriate Plan Administrator(s) within 20 business days after the date of the Notice, or sooner if reasonable. This includes any organization or labor union that provides group health care benefits to the employee. Check number 5 and return this **Part A** to the **Issuing Agency** if the Plan Administrator informs you that the child(ren) would be enrolled in or qualify(ies) for an option under the plan for which you have determined that the employee contribution exceeds the amount that may be withheld from the employee's income due to State or Federal withholding limitations and/or prioritization. You are required to respond to the Issuing Agency by returning this **Employer Response** regardless of whether you provide group health benefits or the employee named herein is no longer employed by your organization. Information for the Plan Administrator and the Employer Representative at the bottom of this section is required.

- 1. The employee named in this Notice has never been employed by this employer.
- 2. We, the employer, do not offer our employees the option of purchasing dependent or family health care coverage as a benefit of their employment.
- 3. The employee is among a class of employees (for example, part-time or non-union) that are not eligible for family health coverage under any group health plan maintained by the employer or to which the employer contributes. Do not check this box if the employee is only temporarily ineligible for health care coverage.
- 4. Health care coverage is not available because employee is no longer employed by the employer:

Date of termination: \_\_\_\_\_

Last known telephone number: \_\_\_\_\_

Last known address: \_\_\_\_\_

New employer (if known): \_\_\_\_\_

New employer telephone number: \_\_\_\_\_

New employer address: \_\_\_\_\_

- 5 State or Federal withholding limitations and/or prioritization prevent the withholding from the employee's income of the amount required to obtain coverage under the terms of the plan.
- 6 The participant is subject to a waiting period that expires \_\_\_\_\_ (more than 90 days from the date of receipt of this Notice), or has not completed a waiting period, which is determined by some measure other than the passage of time, such as the completion of a certain number of hours worked (describe here: \_\_\_\_\_). At the completion of the waiting period, the Plan Administrator will process the enrollment.

- 7 Employer forwarded Part B to Plan Administrator on \_\_\_\_\_  
MM/DD/YY

**CONTACT FOR QUESTIONS**

Plan Administrator Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Employer Name: \_\_\_\_\_

Employer Representative Name/Title: \_\_\_\_\_

Employee Name: \_\_\_\_\_

FAX Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Federal EIN: \_\_\_\_\_  
(if not provided on Page 1 of this Notice)

Date: \_\_\_\_\_

## INSTRUCTIONS TO EMPLOYER

This document serves as legal notice that the employee identified on this National Medical Support Notice is obligated by a court or administrative child support order to provide health care coverage for the child(ren) identified on this Notice. This National Medical Support Notice replaces any Medical Support Notice that the Issuing Agency has previously served on you with respect to the employee and the children listed on this Notice.

The document consists of **Part A - Notice to Withhold for Health Care Coverage** for the employer to withhold any employee contributions required by the group health plan(s) in which the child(ren) is/are enrolled; and **Part B - Medical Support Notice to the Plan Administrator**, which **must** be forwarded to the Administrator of each group health plan identified by the employer to enroll the eligible child(ren), or completed by the employer, if the employer serves as the health Plan Administrator.

An employer receiving this legal Notice is required to complete and return **Part A**. If group health coverage is not available to the employee named herein, or the employee was never or is no longer employed, the employer is still required to complete **Part A – Employer Response** and return it to the Issuing Agency with the appropriate response checked. If you, the employer, provide the health care benefits to the employee, forward **Part B – Plan Administrator Response** to the health Plan Administrator of your organization. If the employee's health care benefits are administered through another organization, including a labor union, forward Part B of the Notice to the labor union or other organization acting as the Plan Administrator for completion. If the employee has already enrolled the child(ren) in health care coverage, the employer must forward Part B to the Plan Administrator for completion and submittal to the Issuing Agency.

Keep a copy of **Part A** as it may be used to notify the Issuing Agency if the employee separates from service for any reason including retirement or termination.

### EMPLOYER RESPONSIBILITIES

1. If the individual named in this Notice is not your employee, or if the family health care coverage is not available, please complete item 1, 2, 3, 4 or 5 of the Employer Response as appropriate, and return it to the Issuing Agency. **NO OTHER ACTION IS NECESSARY.**
2. If family health care coverage is available for which the child(ren) identified above may be eligible, you are required to:
  - a. Transfer, not later than 20 business days after the date of this Notice, a copy of **Part B - Medical Support Notice to the Plan Administrator** to the Administrator of each appropriate group health plan for which the child(ren) may be eligible, complete item 7, and
  - b. Upon notification from the Plan Administrator(s) that the child(ren) is/are enrolled, either
    - 1) withhold from the employee's income any employee contributions required under each group health plan, in accordance with the applicable law of the employee's principal place of employment and transfer employee contributions to the appropriate plan(s), or
    - 2) complete item 5 of the Employer Response to notify the Issuing Agency that enrollment cannot be completed because of prioritization or limitations on withholding.
  - c. If the Plan Administrator notifies you that the employee is subject to a waiting period that expires more than 90 days from the date of its receipt of **Part B** of this Notice, or whose duration is determined by a measure other than the passage of time (for example, the completion of a certain number of hours worked), complete item 6 of the Employer Response to notify the Issuing Agency of the enrollment timeframe and notify the Plan Administrator when the employee is eligible to enroll in the plan and that this Notice requires the enrollment of the child(ren) named in the Notice in the plan.

## **DURATION OF WITHHOLDING**

The child(ren) shall be treated as dependents under the terms of the plan. Coverage of a child as a dependent will end when conditions for eligibility for coverage under terms of the plan no longer apply. However, the continuation coverage provisions of ERISA may entitle the child to continuation coverage under the plan. The employer must continue to withhold employee contributions and may not disenroll (or eliminate coverage for) the child(ren) unless:

1. The employer is provided satisfactory written evidence that:
  - a. The court or administrative child support order referred to in this Notice is no longer in effect; or
  - b. The child(ren) is or will be enrolled in comparable coverage which will take effect no later than the effective date of disenrollment from the plan; or
2. The employer eliminates family health coverage for all of its employees.

## **POSSIBLE SANCTIONS**

An employer may be subject to sanctions or penalties imposed under State law and/or ERISA for discharging an employee from employment, refusing to employ, or taking disciplinary action against any employee because of medical child support withholding, or for failing to withhold income, or transmit such withheld amounts to the applicable plan(s) as the Notice directs. Sanctions or penalties may be imposed under State law against an employer for failure to respond and/or for non-compliance with this Notice.

## **NOTICE OF TERMINATION OF EMPLOYMENT**

In any case in which the above employee's employment terminates, the employer must promptly notify the Issuing Agency listed above of such termination. This requirement may be satisfied by sending to the Issuing Agency a copy of Part A with response 4 checked or any notice the employer is required to provide under the continuation coverage provisions of ERISA or the Health Insurance Portability and Accountability Act.

## **EMPLOYEE LIABILITY FOR CONTRIBUTION TO PLAN**

The employee is liable for any employee contributions that are required under the plan(s) for enrollment of the child(ren) and is subject to appropriate enforcement. The employee may contest the withholding under this Notice based on a mistake of fact (such as the identity of the obligor). Should an employee contest the withholding under this Notice, the employer must proceed to comply with the employer responsibilities in this Notice until notified by the Issuing Agency to discontinue withholding. To contest the withholding under this Notice, the employee should contact the Issuing Agency at the address and telephone number listed on the Notice. With respect to plans subject to ERISA, it is the view of the Department of Labor that Federal Courts have jurisdiction if the employee challenges a determination that the Notice constitutes a Qualified Medical Child Support Order.

## **CONTACT FOR QUESTIONS**

If you have any questions regarding this Notice, you may contact the Issuing Agency at the address and telephone number listed on page 1 of this Notice.

**NATIONAL MEDICAL SUPPORT NOTICE  
PART B  
MEDICAL SUPPORT NOTICE TO PLAN ADMINISTRATOR**

This Notice is issued under section 466(a)(19) of the Social Security Act, section 609(a)(5)(C) of the Employee Retirement Income Security Act of 1974, and for State and local government and church plans, sections 401(e) and (f) of the Child Support Performance and Incentive Act of 1998. Receipt of this Notice from the Issuing Agency constitutes receipt of a Medical Child Support Order under applicable law. The rights of the parties and the duties of the plan administrator under this Notice are in addition to the existing rights and duties established under such law. The information on the Custodial Parent and Child(ren) contained on this page is confidential and should not be shared or disclosed with the Noncustodial Parent.

Issuing Agency: _____ Issuing Agency Address: _____ _____ Date of Notice: _____ Case Number: _____ Telephone Number: _____ FAX Number: _____ Employer Web Site: _____	Court or Administrative Authority: _____ Date of Support Order: _____ Support Order Number: _____
--	---

_____ Employer/Withholder's Federal EIN Number	RE: _____ Employee's Name (Last, First, MI)																								
_____ Employer/Withholder's Name	_____ Employee's Social Security Number																								
_____ Employer/Withholder's Address	_____ Employee's Address																								
_____ Custodial Parent's Name (Last, First, MI)	_____ Substituted Official/Agency Name and Address (Required if Custodial Parent's mailing address is left blank)																								
_____ Custodial Parent's Mailing Address	_____ Child(ren)'s Mailing Address (if Different from Custodial Parent's)																								
_____ Name(s), Mailing Address, and Telephone Number of a Representative of the Child(ren)	_____ _____ _____																								
<table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 30%;">Child(ren)'s Name(s)</th> <th style="width: 10%;">DOB</th> <th style="width: 10%;">SSN</th> <th style="width: 30%;">Child(ren)'s Name(s)</th> <th style="width: 10%;">DOB</th> <th style="width: 10%;">SSN</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>	Child(ren)'s Name(s)	DOB	SSN	Child(ren)'s Name(s)	DOB	SSN	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	
Child(ren)'s Name(s)	DOB	SSN	Child(ren)'s Name(s)	DOB	SSN																				
_____	_____	_____	_____	_____	_____																				
_____	_____	_____	_____	_____	_____																				
_____	_____	_____	_____	_____	_____																				

The order requires the child(ren) to be enrolled in  any health coverages available; or  only the following coverage(s):  medical;  dental;  vision;  prescription drug;  mental health;  other (specify): \_\_\_\_\_

THE PAPERWORK REDUCTION ACT OF 1995 (P.L. 104-13) public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

OMB control number: 1210-0113 Expiration Date: 10/31/2012.

### PLAN ADMINISTRATOR RESPONSE

(To be completed and returned to the Issuing Agency within 40 business days after the date of the Notice, or sooner if reasonable)

Case # \_\_\_\_\_ (to be completed by the issuing agency)

This Notice was received by the plan administrator on \_\_\_\_\_.

1. This Notice was determined to be a "qualified medical child support order," on \_\_\_\_\_. Complete **Response 2 or 3, and 4**, if applicable.

2. The participant (employee) and alternate recipient(s) (child(ren)) are to be enrolled in the following family coverage.

- a. The child(ren) is/are currently enrolled in the plan as a dependent of the participant.
- b. There is only one type of coverage provided under the plan. The child(ren) is/are included as dependents of the participant under the plan.
- c. The participant is enrolled in an option that is providing dependent coverage and the child(ren) will be enrolled in the same option.
- d. The participant is enrolled in an option that permits dependent coverage that has not been elected; dependent coverage will be provided.

Coverage is effective as of \_\_\_/\_\_\_/\_\_\_ (includes waiting period of less than 90 days from date of receipt of this Notice). The child(ren) has/have been enrolled in the following option (if plan is insured, identify provider, policy and group numbers): \_\_\_\_\_. Any necessary withholding should commence if the employer determines that it is permitted under State and Federal withholding and/or prioritization limitations.

3. There is more than one option available under the plan and the participant is not enrolled. The Issuing Agency must select from the available options. Each child is to be included as a dependent under one of the available options that provide family coverage. If the Issuing Agency does not reply within 20 business days of the date this Response is returned, the child(ren), and the participant if necessary, will be enrolled in the plan's default option, if any:

\_\_\_\_\_.

4. The participant is subject to a waiting period that expires \_\_\_/\_\_\_/\_\_\_ (more than 90 days from the date of receipt of this Notice), or has not completed a waiting period which is determined by some measure other than the passage of time, such as the completion of a certain number of hours worked (describe here: \_\_\_\_\_). At the completion of the waiting period, the plan administrator will process the enrollment.

5. This Notice does not constitute a "qualified medical child support order" because:

The name of the child(ren) or participant is unavailable.

The mailing address of the child(ren) (or a substituted official) or participant is unavailable.

The following child(ren) is/are at or above the age at which dependents are no longer eligible for coverage under the plan \_\_\_\_\_ (insert name(s) of child(ren)).

Plan Administrator or Representative:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

## INSTRUCTIONS TO PLAN ADMINISTRATOR

This Notice has been forwarded from the employer identified above to you as the plan administrator of a group health plan maintained by the employer (or a group health plan to which the employer contributes) and in which the noncustodial parent/participant identified above is enrolled or is eligible for enrollment.

This Notice serves to inform you that the noncustodial parent/participant is obligated by an order issued by the court or agency identified above to provide health care coverage for the child(ren) under the group health plan(s) as described on **Part B**.

(A) If the participant and child(ren) and their mailing addresses (or that of a Substituted Official or Agency) are identified above, and if coverage for the child(ren) is or will become available, this Notice constitutes a “qualified medical child support order”(QMCSO) under ERISA or CSPIA, as applicable. (If any mailing address is not present, but it is reasonably accessible, this Notice will not fail to be a QMCSO on that basis.) You must, within 40 business days of the date of this Notice, or sooner if reasonable:

(1) Complete Part B - Plan Administrator Response - and send it to the Issuing Agency:

(a) if you checked Response 2:

(i) notify the noncustodial parent/participant named above, each named child, and the custodial parent that coverage of the child(ren) is or will become available (notification of the custodial parent will be deemed notification of the child(ren) if they reside at the same address);

(ii) furnish the custodial parent a description of the coverage available and the effective date of the coverage, including, if not already provided, a summary plan description and any forms, documents, or information necessary to effectuate such coverage, as well as information necessary to submit claims for benefits;

(b) if you checked Response 3:

(i) if you have not already done so, provide to the Issuing Agency copies of applicable summary plan descriptions or other documents that describe available coverage including the additional participant contribution necessary to obtain coverage for the child(ren) under each option and whether there is a limited service area for any option;

(ii) if the plan has a default option, you are to enroll the child(ren) in the default option if you have not received an election from the Issuing Agency within 20 business days of the date you returned the Response. If the plan does not have a default option, you are to enroll the child(ren) in the option selected by the Issuing Agency.

(c) if the participant is subject to a waiting period that expires more than 90 days from the date of receipt of this Notice, or has not completed a waiting period whose duration is determined by a measure other than the passage of time (for example, the completion of a certain number of hours worked), complete Response 4 on the Plan Administrator Response and return to the employer and the Issuing Agency, and notify the participant and the custodial parent; and upon satisfaction of the period or requirement, complete enrollment under Response 2 or 3, and

(d) upon completion of the enrollment, transfer the applicable information on Part B - Plan Administrator Response to the employer for a determination that the necessary employee contributions are available. Inform the employer that the enrollment is pursuant to a National Medical Support Notice.

(B) If within 40 business days of the date of this Notice, or sooner if reasonable, you determine that this Notice does not constitute a QMCSO, you must complete Response 5 of Part B - Plan Administrator Response and send it to the Issuing Agency, and inform the noncustodial parent/participant, custodial parent, and child(ren) of the specific reasons for your determination.

(C) Any required notification of the custodial parent, child(ren) and/or participant may be satisfied by sending the party a copy of the Plan Administrator Response, if appropriate. You may choose to furnish these notifications electronically in accordance with the requirements of the Department of Labor's electronic disclosure regulation codified at 29 C.F.R. 2520.104b-1(c).

## **UNLAWFUL REFUSAL TO ENROLL**

Enrollment of a child may not be denied on the ground that: (1) the child was born out of wedlock; (2) the child is not claimed as a dependent on the participant's Federal income tax return; (3) the child does not reside with the participant or in the plan's service area; or (4) because the child is receiving benefits or is eligible to receive benefits under the State Medicaid plan. If the plan requires that the participant be enrolled in order for the child(ren) to be enrolled, and the participant is not currently enrolled, you must enroll both the participant and the child(ren) regardless of whether the participant has applied for enrollment in the plan. All enrollments are to be made without regard to open season restrictions.

## **PAYMENT OF CLAIMS**

A child covered by a QMCSO, or the child's custodial parent, legal guardian, or the provider of services to the child, or a State agency to the extent assigned the child's rights, may file claims and the plan shall make payment for covered benefits or reimbursement directly to such party.

**PERIOD OF COVERAGE**

The alternate recipient(s) shall be treated as dependents under the terms of the plan. Coverage of an alternate recipient as a dependent will end when similarly situated dependents are no longer eligible for coverage under the terms of the plan. However, the continuation coverage provisions of ERISA or other applicable law may entitle the alternate recipient to continue coverage under the plan. Once a child is enrolled in the plan as directed above, the alternate recipient may not be disenrolled unless:

- (1) The plan administrator is provided satisfactory written evidence that either:
  - (a) the court or administrative child support order referred to above is no longer in effect, or
  - (b) the alternate recipient is or will be enrolled in comparable coverage which will take effect no later than the effective date of disenrollment from the plan;

(2) The employer eliminates family health coverage for all of its employees; or

(3) Any available continuation coverage is not elected, or the period of such coverage expires.

**CONTACT FOR QUESTIONS**

If you have any questions regarding this Notice, you may contact the Issuing Agency at the address and telephone number listed above.

**Paperwork Reduction Act Notice**

The Issuing Agency asks for the information on this form to carry out the law as specified in the Employee Retirement Income Security Act or the Child Support Performance and Incentive Act, as applicable. You are required to give the Issuing Agency the information. You are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Issuing Agency needs the information to determine whether health care coverage is provided in accordance with the underlying child support order. The average time needed to complete and file the form is estimated below. These times will vary depending on the individual circumstances.

	<u>Learning about the law or the form</u>	.....	<u>Preparing the form</u>
First Notice	1 hr. <u>   </u>	.....	1 hr., 45 min.
Subsequent Notices	-----	.....	20 min.

**INCOME WITHHOLDING FOR SUPPORT**

**ORIGINAL INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)  
 AMENDED IWO  
 ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT  
 TERMINATION of IWO**

Date: \_\_\_\_\_

Child Support Enforcement (CSE) Agency    Court    Attorney    Private Individual/Entity (Check One)

**NOTE:** This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender (see IWO instructions <http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/publication.htm#forms>). If you receive this document from someone other than a State or Tribal CSE agency or a Court, a copy of the underlying order must be attached.

State/Tribe/Territory \_\_\_\_\_ Remittance Identifier (include w/payment) \_\_\_\_\_  
 City/County/Dist./Tribe \_\_\_\_\_ Order Identifier \_\_\_\_\_  
 Private Individual/Entity \_\_\_\_\_ CSE Agency Case Identifier \_\_\_\_\_

Employer/Income Withholder's Name _____ Employer/Income Withholder's Address _____ _____ Employer/Income Withholder's FEIN _____ Child(ren)'s Name(s) (Last, First, Middle) _____ _____ _____ _____ _____	RE: _____ Employee/Obligor's Name (Last, First, Middle) _____ Employee/Obligor's Social Security Number _____ Custodial Party/Obligee's Name (Last, First, Middle) _____ _____ <div style="border: 1px solid black; width: 100%; height: 100%; margin-top: 10px;"></div> Child(ren)'s Birth Date(s) _____ _____ _____ _____ _____
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**ORDER INFORMATION:** This document is based on the support or withholding order from \_\_\_\_\_ (State/Tribe). You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$ \_\_\_\_\_ Per \_\_\_\_\_ current child support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ past-due child support - **Arrears greater than 12 weeks?**    Yes    No  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ current cash medical support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ past-due cash medical support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ current spousal support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ past-due spousal support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ other (must specify) \_\_\_\_\_  
 for a **Total Amount to Withhold** of \$ \_\_\_\_\_ per \_\_\_\_\_

**AMOUNTS TO WITHHOLD:** You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$ \_\_\_\_\_ per weekly pay period                      \$ \_\_\_\_\_ per semimonthly pay period (twice a month)  
 \$ \_\_\_\_\_ per biweekly pay period (every two weeks) \$ \_\_\_\_\_ per monthly pay period  
 \$ \_\_\_\_\_ **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.

**REMITTANCE INFORMATION:** If the employee/obligor's principal place of employment is \_\_\_\_\_ (State/Tribe), you must begin withholding no later than the first pay period that occurs \_\_\_\_\_ days after the date of \_\_\_\_\_. Send payment within \_\_\_\_\_ working days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold up to \_\_\_\_\_ % of disposable income for all orders. If the employee/obligor's principal place of employment is not \_\_\_\_\_ (State/Tribe), obtain withholding limitations, time requirements, and any allowable employer fees at [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm) for the employee/obligor's principal place of employment.

Document Tracking Identifier \_\_\_\_\_

OMB 0970-0154

For electronic payment requirements and centralized payment collection and disbursement facility information (State Disbursement Unit [SDU]), see [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm).

Include the **Remittance Identifier with the payment** and if necessary this FIPS code: \_\_\_\_\_

Remit payment to \_\_\_\_\_ (SDU/Tribal Order Payee)  
at \_\_\_\_\_ (SDU/Tribal Payee Address)

**Return to Sender [Completed by Employer/Income Withholder].** Payment must be directed to an SDU in accordance with 42 USC §666(b)(5) and (b)(6) or Tribal Payee (see Payments to SDU below). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you *must* check this box and return the IWO to the sender.

Signature of Judge/Issuing Official (if required by State or Tribal law): \_\_\_\_\_

Print Name of Judge/Issuing Official: \_\_\_\_\_

Title of Judge/Issuing Official: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

If the employee/obligor works in a State or for a Tribe that is different from the State or Tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

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### ADDITIONAL INFORMATION FOR EMPLOYERS/INCOME WITHHOLDERS

State-specific contact and withholding information can be found on the Federal Employer Services website located at: [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)

**Priority:** Withholding for support has priority over any other legal process under State law against the same income (USC 42 §666(b)(7)). If a Federal tax levy is in effect, please notify the sender.

**Combining Payments:** When remitting payments to an SDU or Tribal CSE agency, you may combine withheld amounts from more than one employee/obligor's income in a single payment. You must, however, separately identify each employee/obligor's portion of the payment.

**Payments To SDU:** You must send child support payments payable by income withholding to the appropriate SDU or to a Tribal CSE agency. If this IWO instructs you to send a payment to an entity other than an SDU (e.g., payable to the custodial party, court, or attorney), you must check the box above and return this notice to the sender. Exception: If this IWO was sent by a Court, Attorney, or Private Individual/Entity and the initial order was entered before January 1, 1994 or the order was issued by a Tribal CSE agency, you must follow the "Remit payment to" instructions on this form.

**Reporting the Pay Date:** You must report the pay date when sending the payment. The pay date is the date on which the amount was withheld from the employee/obligor's wages. You must comply with the law of the State (or Tribal law if applicable) of the employee/obligor's principal place of employment regarding time periods within which you must implement the withholding and forward the support payments.

**Multiple IWOs:** If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to Federal, State, or Tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support. Follow the State or Tribal law/procedure of the employee/obligor's principal place of employment to determine the appropriate allocation method.

**Lump Sum Payments:** You may be required to notify a State or Tribal CSE agency of upcoming lump sum payments to this employee/obligor such as bonuses, commissions, or severance pay. Contact the sender to determine if you are required to report and/or withhold lump sum payments.

**Liability:** If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by State or Tribal law/procedure.

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**Anti-discrimination:** You are subject to a fine determined under State or Tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO.

Employer's Name: \_\_\_\_\_ Employer FEIN: \_\_\_\_\_  
Employee/Obligor's Name: \_\_\_\_\_  
CSE Agency Case Identifier: \_\_\_\_\_ Order Identifier: \_\_\_\_\_

**Withholding Limits:** You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) (15 U.S.C. 1673(b)); or 2) the amounts allowed by the State or Tribe of the employee/obligor's principal place of employment (see *REMITTANCE INFORMATION*). Disposable income is the net income left after making mandatory deductions such as: State, Federal, local taxes; Social Security taxes; statutory pension contributions; and Medicare taxes. The Federal limit is 50% of the disposable income if the obligor is supporting another family and 60% of the disposable income if the obligor is not supporting another family. However, those limits increase 5% - to 55% and 65% - if the arrears are greater than 12 weeks. If permitted by the State or Tribe, you may deduct a fee for administrative costs. The combined support amount and fee may not exceed the limit indicated in this section.

For Tribal orders, you may not withhold more than the amounts allowed under the law of the issuing Tribe. For Tribal employers/income withholders who receive a State IWO, you may not withhold more than the lesser of the limit set by the law of the jurisdiction in which the employer/income withholder is located or the maximum amount permitted under section 303(d) of the CCPA (15 U.S.C. 1673 (b)).

Depending upon applicable State or Tribal law, you may need to also consider the amounts paid for health care premiums in determining disposable income and applying appropriate withholding limits.

**Arrears greater than 12 weeks?** If the *Order Information* does not indicate that the arrears are greater than 12 weeks, then the Employer should calculate the CCPA limit using the lower percentage.

**Additional Information:**

**NOTIFICATION OF EMPLOYMENT TERMINATION OR INCOME STATUS:** If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, an employer must promptly notify the CSE agency and/or the sender by returning this form to the address listed in the Contact Information below:

This person has never worked for this employer nor received periodic income.

This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date: \_\_\_\_\_ Last known phone number: \_\_\_\_\_

Last known address: \_\_\_\_\_

Final payment date to SDU/ Tribal Payee: \_\_\_\_\_ Final payment amount: \_\_\_\_\_

New employer's name: \_\_\_\_\_

New employer's address: \_\_\_\_\_

**CONTACT INFORMATION:**

**To Employer/Income Withholder:** If you have any questions, contact \_\_\_\_\_ (Issuer name) by phone at \_\_\_\_\_, by fax at \_\_\_\_\_, by email or website at \_\_\_\_\_.

Send termination/income status notice and other correspondence to: \_\_\_\_\_ (Issuer address).

**To Employee/Obligor:** If the employee/obligor has questions, contact \_\_\_\_\_ (Issuer name) by phone at \_\_\_\_\_, by fax at \_\_\_\_\_, by email or website at \_\_\_\_\_.

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.



# APPENDIX **D**

## FREQUENTLY ASKED QUESTIONS (FAQS)



# FREQUENTLY ASKED QUESTIONS

## (FAQS)

### NEW HIRE REPORTING FAQS

#### How Do I Report a New Hire?

1. Online at <https://www.ok.gov/oesc/newhire/app/index.php>
2. By Mail or Fax

Oklahoma New Hire Reporting Center  
P.O. Box 52003  
Oklahoma City, OK 73152-2003

OKC Metro Area Fax: (405) 557-5350  
Toll Free Fax: (800) 317-3786

New Hire Reporting forms can be downloaded from the New Hire Web site at <https://www.ok.gov/oesc/newhire/app/forms.php> or by contacting Child Support Employer Services Center toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190.

#### When Do I Report a New Hire?

Within twenty days of hiring or twice a month if you are reporting electronically or online.

#### What If I am a Multi-state Employer?

As a multistate employer, you have two options for new hire reporting.

1. You may choose to report employees in the state where he/she work, following the guidelines for each of those states.
2. You may choose to designate a single state for reporting all the employees in your company.

\* For further information, see Chapter 3 – New Hire Reporting

### INCOME WITHHOLDING ORDERS FAQS

#### What Do I Do When I Receive an Income Withholding Order?

Provide a copy of the Income Withholding Order to the employee.

Withholding must begin with the next payroll period where the employee receives income. Payments must be sent to Oklahoma Centralized Support Registry (OCSR)\* within seven business days after withholding.

\* For further information, see Chapter 6 – Child Support Payment Issues

## **What are the CCPA Withholding Limits and How Do I Apply Them to Child Support?**

The Consumer Credit Protection Act (CCPA) is the federal income garnishment law that protects employees from discharge by their employers because of a debt garnishment and limits the amount that can be withheld from his or her disposable income in any one week.

Child support garnishments are limited to a range of 50 to 65 percent of the employee's allowable disposable income, depending on the specific circumstances related to the case. Allowable disposable income is the maximum amount that can be withheld for child support. This amount is determined by taking the disposable income and multiplying it by the criteria below.

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

### **What is Disposable Income?**

Disposable income is the amount that is left after mandatory deductions are made from an employee's pay.

Important Note: Disposable income is not the same as net pay. Not all deductions made to an employee's pay are considered mandatory for the purpose of determining disposable income for child support withholding. In Oklahoma, mandatory deductions are federal, state, and local taxes, including Social Security, Medicare, and Statutory Pensions.

### **What is Allowable Disposable Income?**

Allowable disposable income is the maximum amount that can be withheld for child support. This amount is determined by taking the disposable income and multiplying it by a percentage that can range from 50 to 65 percent, depending on specific circumstances related to the case as stated below.

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

### **What if the Child Support Amount Exceeds the CCPA Withholding Limits?**

If there is enough allowable disposable income to cover the child support obligation, give a copy of the order to your employee and withhold the maximum amount of the applicable CCPA limitation.

### **What if the Health Insurance Premium Exceeds the CCPA Withholding Limits?**

There is a priority order for withholding child support. Current child and spousal support (including cash medical) is first, then health insurance premiums (child's portion only). Determine the withholding limit. If

the current support plus the child's portion of the health insurance premium exceeds the withholding limit, then do not enroll the child, mark this option on the National Medical Support Notice, and return the form to the Child Support Employer Services Center.

**Important Note:** An employee may voluntarily elect to have the employer withhold amounts in excess of the CCPA limits to pay the portion of the health insurance premium for a dependent child.

### **What do I do if I Receive an Income Withholding Order for the Same Child(ren) But from a Different State?**

If the second order is for current support, you should continue to honor the first Income Withholding Order received and contact the issuing agency to inform them you are already withholding for another state.

When the second Income Withholding Order is for arrears only and there is enough allowable disposable income to cover both obligations, give a copy of the second order to your employee and begin withholding for the second order in addition to the first.

If there is not enough allowable disposable income to cover the second arrears only order, notify the issuing agency of the situation.

### **What Do I Do If an Employee Is No Longer Working for Me?**

Once an employee is no longer employed by, being paid by, or providing services to the employer, CSS must be notified within 10 days. You must provide CSS with the employee's last known address and, if known, new employment information. Please use the last page of the Income Withholding Order to report terminations.

### **What Should I Do If I Rehire an Employee Who Has an Oklahoma Child Support Order?**

Notify CSS that the individual has been rehired and begin withholding child support according to the most recent order on file.

### **Do I Withhold Child Support from Bonus or Severance Pay?**

You may be required to report and withhold from lump sum payments. Please contact CSS to determine if withholding is necessary.

### **What Should I Do If I Receive an Order That Has a Different Name Than My Employee But the Social Security Number Matches?**

Please call the issuing agency listed on the child support Income Withholding Order for instructions. For any questions on an Oklahoma order, please contact the Child Support Employer Services Center toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190. OKESC staff will help you contact the appropriate agency.

### **What Should I Do If an Employee Wants to Make a Voluntary Deduction for His/Her Paycheck for Child Support?**

Please direct the employee to the State of Oklahoma WebPay site (<http://www.okdhs-paycs.com>) or to the CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273. They can make payments through automatic bank account withdrawal or by credit or debit card on a one-time or on-going basis. You cannot withhold child support from their paycheck without Income Withholding Order issued by CSS or a court.

## **Can I Combine Payments from Different Employees Into the Same Check?**

Yes. However, you must list the name, Social Security Number and amounts withheld for each employee and mail it with the check [56 O.S. §240.2 (D)(12)].

## **Can I Charge an Administrative Fee for This?**

Yes. According to Oklahoma law, you may deduct \$5 per pay period, not to exceed \$10 a month for administrative costs. However, this fee must come from the employee's pay, not from the child support award [12 O.S. §1171.3 & 56 O.S. §240.2 (D)(14)].

## **What Do I Do If the Employee Disputes the Child Support Order?**

Follow the four steps listed in "Chapter 4 – Income Withholding Orders" to determine if it is valid and begin withholding. Please direct the employee to address any problems or grievances with the CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273.

## **What Do I Do If the Custodial Person Keeps Calling to Find Out Where the Check Is?**

Please have the custodial person call the CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273. The staff at CARE can answer questions from the custodial person concerning his or her case, including when the payment was received by the OCSR and when it was issued.

## **What Do I Do If My Employee Is Called Up on Active Military Duty?**

Please notify the issuing agency listed on the Income Withholding Order immediately. If contact information is not included and the order was issued in Oklahoma, please contact the Child Support Employer Services Center toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190.

## **CCPA (CONSUMER CREDIT PROTECTION ACT) WITHHOLDING LIMITS FAQs**

### **What Are The CCPA Withholding Limits and How Do I Apply Them to Child Support?**

The Consumer Credit Protection Act (CCPA) is the federal income garnishment law that protects employees from discharge by their employers because of a debt garnishment and limits the amount that can be withheld from his or her disposable income in any one week.

Child support garnishments are limited to a range of 50 to 65 percent of the employee's allowable disposable income, depending on the specific circumstances related to the case. Allowable disposable income is the maximum amount that can be withheld for child support. This amount is determined by taking the disposable income and multiplying it by the criteria below.

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

## What If the Child Support Amount Exceeds the CCPA Withholding Limits?

If there is enough allowable disposable income to cover the child support obligation, give a copy of the order to your employee and withhold the maximum amount of the applicable CCPA limitation.

## What If the Health Insurance Premium Exceeds the CCPA Withholding Limits?

There is a priority order for withholding child support. Current child and spousal support (including cash medical) is first, then health insurance premiums (child's portion only). Determine the withholding limit. If the current support plus the child's portion of the health insurance premium exceeds the withholding limit, then do not enroll the child, mark this option on the National Medical Support Notice, and return the form to the Child Support Employer Services Center.

***Important Note:*** An employee may voluntarily elect to have the employer withhold amounts in excess of the CCPA limits to pay the portion of the health insurance premium for a dependent child.

## PAYMENT FAQs

### How Do I Remit Payment?

Payment must be remitted to CSS within 7 days of withholding for child support. The preferred payment method in Oklahoma is EFT/EDI. You have three payment options:

#### 1. EFT/EDI

To request the necessary forms to establish EFT/EDI payments, employers should contact the Child Support Employer Services Center toll free at (866) 553-2368 or in the OKC Metro Area at (405) 325-9190.

Note: The Oklahoma Employment Security Commission (OESC) prefers this method.

#### 2. WebPay

Employers can register to make payments using credit, debit, or direct debit through the CSS WebPay site at <http://www.okdhs-paycs.com>

#### 3. Check or Money Order by Mail

Oklahoma Centralized Support Registry (OCSR)  
PO Box 268809  
Oklahoma City, OK 73126-8809

- Make payments payable to the Department of Human Services
- Payments must be properly identified with the employee's name, Social Security Number, CSS case number (Family Group Number) and amount remitted related to the employee

## CHECK SPECIFIC ISSUES/FINANCE FAQs

### I Just Got This Letter from Child Support Services (CSS) Stating One (or More) of My Checks Have Been Returned Unpaid. What Do I Do?

Follow the directions on the letter explicitly. Promptly send the replacement payment to the REPLACEMENT PAYMENT ADDRESS only, marked as the letter instructs. Continue to send payments using the alternate methods (cashier's check or money order) detailed in the letter.

CSS Replacement Address  
CSS Center for Finance & Budget  
Attn: Replacements  
PO Box 248822  
Oklahoma City, OK 73124

### **It's Not My Fault That the Check Was Returned. What Can You Do for Me?**

If the check was returned due to a banking error, obtain a letter from the bank and send it to the Child Support Employer Services Center. We will forward it to the proper department for review.

### **I Think the Child Support Payments Are Applied Incorrectly. How Do We Get This Fixed?**

Contact the Child Support Employer Services Center and provide a list of the payment information (employee name, case number, social security number, etc.). Moreover, provide the check number, date and amount. We will forward the information to the proper department for review.

### **I Sent the Replacement Payment But I Have Not Heard Whether the Issue Was Resolved. Is It OK to Continue to Send Payments the Way I Used to Do?**

Contact the Child Support Employer Services Center and we will find out if the issue was resolved. Continue to follow the instructions in the letter until we notify you differently.

### **I Sent the Replacement Payment to the Regular Payment Address. Why Haven't I Been Removed from the NSF List?**

If you did not send the replacement payment to the address marked "replacement payment" on the letter you received, you are still on the list. Contact the Child Support Employer Services Center with the check information and we will forward the information to the proper department for review.

### **We Show a Check We Sent to Pay an Employee's Child Support Has Not Been Cashed. What Should We Do? Can I Combine Payments from Different Employees Into the Same Check?**

Yes. However, you must list the name, Social Security Number and amount withheld for each employee and mail with the check [56 O.S. §240.2 (D)(12)].

## **CONTRACTOR/VENDOR FAQs**

### **The Person Whose Is Named On the Income Withholding Order Is Not an *Employee*. He/She is a Contractor/Vendor. Do I Still Have to Withhold Child Support?**

Yes. You must withhold from any income that person receives from you, even if they are a contractor/vendor.

*Definition of Income* – "Gross income" or "income" means income from any source and includes, but is not limited to, income from salaries, wages, commissions, bonuses, dividends, severance pay, pensions, rent, interest income, trust income, annuities, compensation as an independent contractor, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, gifts, prizes, any form of periodic payment to an individual regardless of source, and any other payments made by any person, private entity, federal or state government, any unit of local government, school district, or any entity created by law..." [56 O.S. §237.7(7)(a)].

The withholding should occur whenever the person listed on the Income Withholding Order receives income from you, up to the monthly obligation, not to exceed the CCPA withholding limits. Do not worry if there is an overpayment. Any monies not applied to the arrears will be refunded to the employee. In this case, the withholding limits apply to the entire amount paid, even though no taxes or other deductions may have been withheld.

\* For further information, see Chapter 6 – Child Support Payment Issues

## **INTERSTATE FAQs**

### **I Received an Oklahoma Income Withholding Order, But I am Already Withholding Current Support for the Same Child and Same Custodial Person for Another State. What Do I Do?**

The states often work together to enforce child support. Generally, one of the states would send you a termination of the order and then you would start the other state's withholding or one of the orders may be for arrears only. Contact the Child Support Employer Services Center and we will get a message to the CSS local office.

### **What Do I Do If I Receive a Child Support Income Withholding Order for the Same Child(ren) But from a Different State?**

If the second Order is for current support, you should continue to honor the first order received and contact the issuing agency to inform them you are already withholding for another state.

When the second Income Withholding Order is for arrears only and there is enough allowable disposable income to cover both obligations, give a copy of the second order to your employee and begin withholding for the second order in addition to the first

If there is not enough allowable disposable income to cover the second arrears only order, notify the issuing agency of the situation..

### **This Employee Already Has Child Support Withheld for a Different Child in Another State. How Do I Withhold Child Support for Two (2) Different States?**

You will withhold the indicated amount for both child support orders and send it separately to each state. Current support is paid first. Be aware we still have to be under the withholding limits for the combined amounts. If necessary, we would send a percentage of the disposable income up to the withholding limit to each state.

\* For further information, see Chapter 6 – Child Support Payment Issues

## **HEALTH INSURANCE AND CASH MEDICAL SUPPORT FAQs**

### **If a Plan Provides Benefits Solely Through an HMO or Other Managed Care Organization with a Geographically Limited Benefit Area, is the Plan Required to Create and Provide Comparable Benefits to the Child(ren) Who Resides Outside of the HMO's Service Area?**

No. A National Medical Support Notice is not qualified if it requires a plan to provide a type or form of benefit that is not otherwise available under the plan. Requiring a plan that provides benefits solely through a limited-area HMO to provide benefits to alternate recipients outside of the HMO's service area (i.e., on a fee-

for-service or any other basis), would be requiring the plan to provide a form of benefit that the plan does not ordinarily provide.

However, if the child is able to come into the HMO's service area for medical care, the plan would be required to provide benefits to the alternate recipient. In addition, many HMOs and other health insurance carriers have reciprocal agreements to provide coverage outside of their normal service areas [ERISA § 609(a)(4)].

If the child's zip code on the National Medical Support Notice is more than 60 miles away from the service area of the provider, contact the Child Support Employer Services Center. If the child support agency address is the only address listed on the form, contact the issuing agency to determine if the child is within the provider's service area.

### **There is More Than One Option for the Child to Be Enrolled in Through Our Company. Which One Do You Want?**

Most employers have a default plan in which to enroll the child. If your company does not offer a default plan, you may send plan summaries to us and we will forward the information to the custodian to make the choice.

\* For further information, see Chapter 5 – Health Insurance and Cash Medical Support

### **When Must a Plan Begin to Provide Coverage to the Child(ren) to a National Medical Support Notice?**

Following a determination that an order is qualified, the child(ren), if not already enrolled, must be enrolled as of the earliest possible date following such determination.

For example, if an insured plan only adds new participants or beneficiaries as of the first day of each month, such plan is required to provide coverage to the child as of the first day of the first month following the determination that the order is qualified. State laws require that when a child is enrolled in a plan pursuant to a court or administrative order, that enrollment be made without regard to open enrollment season restrictions.

### **If a Plan Provides That Dependents of Participants Must Be Enrolled in the Same Coverage and Option as The Participant, Must an "Alternate Recipient" Be Enrolled in the Same Coverage and Options in Which the Participant is Enrolled?**

Yes. An "alternate recipient" under a National Medical Support Notice is treated as a beneficiary under the plan. Accordingly, an alternate recipient is also treated as a dependent of the participant under the plan. However, if the National Medical Support Notice specifies that an alternate recipient is to receive a particular level of coverage, or option, that is available under the plan, but the participant is not enrolled in the particular coverage or has not selected the particular option, the plan may be required to change the participant's enrollment to the extent necessary to provide the specified coverage to the alternate recipient [ERISA § 609(a)(7)(A)].

### **I Know That When the Income Withholding Order is Received, There Is a Limitation On How Much Income Can Be Withheld from My Employee's Paycheck. Does This Also Apply to the Cost of the Health Insurance and the Cash Medical Support?**

Yes, when determining whether the cost of the health insurance (child's premium only) and the income withholding are reasonable, the Consumer Credit Protection Act limits do apply. These limits are:

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

### **What is the Plan’s Obligation in the Event That the Employer is Unable to Withhold from the Participant’s Paycheck the Employee Contributions Necessary to Provide Coverage to the Child?**

If Federal or State withholding limitations prevent withholding from the participant’s paycheck the additional contribution required to provide coverage to the child under the terms of the plan, the employer should notify the child support agency on the Employer Response form. Unless the employer is able to withhold the necessary contribution from the participant’s paycheck, the plan is not required to extend coverage to the child.

The participant may voluntarily consent to the withholding of an amount otherwise in excess of applicable withholding limitations. If the court has made a determination of what a reasonable cost amount of the insurance is for adding the child, you may see that amount listed on the National Medical Support Notice. Child support calculates this cost based upon the gross income of the parent and it is compared to the cost of the child in particular.

### **What If the Health Insurance Premium Exceeds the CCPA Withholding Limits?**

There is a priority order for withholding child support. Current child and spousal support (including cash medical) is first, then health insurance premiums (child’s portion only). Determine the withholding limit. If the current support plus the child’s portion of the health insurance premium exceeds the withholding limit, then do not enroll the child, mark this option on the National Medical Support Notice, and return the form to the OKESC.

**Important Note:** An employee may voluntarily elect to have the employer withhold amounts in excess of the CCPA limits to pay the portion of the health insurance premium for a dependent child.

### **What If the Noncustodial Parent Is Not Yet Eligible to Enroll Because He (or She) Has Not Satisfied the Plan’s Waiting Period?**

A plan administrator may not find a National Medical Support Notice to be not qualified solely because the participant is subject to a “waiting period” (such as one requiring a certain number of months or hours worked). Being subject to a waiting period may, however, affect the procedures necessary for enrollment of the named child. Assuming a notice otherwise meets the requirements to be a Qualified Medical Child Support Order:

- For short waiting periods (90 days or less remaining at the time of the plan administrator’s receipt of Part B), the plan administrator qualifies the notice, and waits until the expiration of the necessary time to enroll the child and notify the employer of the need, if any, to withhold from the employee’s wages to provide such coverage.
- For long waiting periods (greater than 90 days remaining at the time of the plan administrator’s receipt of Part B, or the period is measured by other means, such as hours worked), the plan administrator should inform the employer of the waiting period, and wait for notification from the employer of the employee’s satisfaction of the waiting period.

## **How Does a Qualified Medical Child Support Order Affect Section 125 Plans?**

The Department of Labor has interpreted the Treasury Regulations to permit a section 125 “cafeteria” plan to change an employee’s election to cover a dependent child if a medical child support order requires the employee to provide coverage for that child. In addition, the section 125 rules allow a participant to cancel coverage for a dependent child if a medical child support order requires another individual to provide coverage for that child. [29 C.F.R. § 2590.609-2].

## **How Does HIPAA Affect the National Medical Support Notice?**

The Health Insurance Portability and Accountability Act (HIPAA) restrictions have no impact on the employer's obligation to enroll minor child(ren) of the employee and to report the information requested on the National Medical Support Notice and the insurance survey. This information is not protected health information as defined in 45 C.F.R. §164.501. Even if this information were to be construed as protected health information, a covered entity may disclose protected health information to the extent that disclosure is required by law or to an agency performing a government regulatory program. [45 C.F.R. §164.512(a) & (d)(1)(iii)].

## **How Does an Employer Comply with a National Medical Support Notice (NMSN) Whenever an Employee Does Seasonal Work?**

If the employee earns enough wages to cover the medical insurance for the duration of the seasonal work, the coverage should be added per the National Medical Support Notice.

## **Is It Reasonable and Necessary for an Employer to Enroll and Disenroll Repeatedly When the Employee Works Seasonally or is Temporary?**

If an employee’s employment status (sporadic work hours, etc.) causes them not to continuously earn enough wages for the medical coverage to be consistent, employers are not required to enroll and disenroll the employee or his/her obligated children. Employers must notify the Child Support Employer Services Center or CSS that the situation would exceed the CCPA limits.

## **This Person Works Variable Hours Like Construction or Temporary Labor. How Can I Enroll the Child in the Health Insurance According to This Notice and Not Be Able to Withhold Every Pay Period According to Withholding Limits?**

It is the employer’s responsibility to determine the withholding limits. If you will not be able to withhold consistently for the health insurance premiums, then you may not be able to enroll the child according to the National Medical Support Notice. If this is the case, let us know by phone or fax, on the employer response page marking option 6, that withholding limits apply and include the termination date of the coverage, if applicable.

## **What Are the Options for an Employee When He or She is in This Hiring Bracket?**

Once the child support agency is notified of the situation, the information is turned over to the local child support office. The office may choose to modify the order or have the employee obtain adequate private coverage. As of July 1, 2009, Oklahoma law allows court orders to contain a provision for “cash medical support”. Cash medical support requires the employee to pay a cash amount in lieu of providing health insurance.

## **What Options Does the Employee Have If He/She Has to Take Out Insurance But the Company Insurance is Too Costly?**

Once the child support agency is notified of the situation, the information is turned over to the local child support office. The office may choose to modify the order or have the employee obtain adequate private coverage. As of July 1, 2009, Oklahoma court orders may contain a provision for “cash medical support”. Cash medical support requires the employee to pay a cash amount in lieu of providing health insurance.

## **What Should I Do If an Employee Tells Me They Have Private Medical Coverage?**

Employers are required to honor the NMSN regardless of whether or not the employee states he/she has private coverage. The employee should be directed to contact the OCSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273. If OCSS determines the private coverage is adequate, they will send a termination of the NMSN to the employer to discontinue the medical coverage.

## **What Should I Do If an Employee Tells Me He/She Has Private Medical Coverage?**

Employers are required to honor the National Medical Support Notice (NMSN), regardless of whether or not the employee states he/she has private coverage. If your employee has any questions, he/she should be directed to contact CSS customer service center toll free at (800) 522-2922, in the Tulsa Metro Area at (918) 295-3500 or in the OKC Metro Area at (405) 522-2273. If OCSS determines the private coverage is adequate, they will send a termination of the NMSN to the employer to discontinue the medical coverage.

## **My Employee Says That the Cost of the Insurance is Not Supposed to Be More Than 5 Percent of His/Her Income. Am I Supposed to Calculate This Amount?**

No, this calculation is done by the court when the order is entered. The employer may not have access to all of the information about an individual’s income. He/she could have multiple sources of income the court must consider.

## **How Do I Know If the Insurance Provider is Accessible to a Child?**

The National Medical Support Notice provides the address of the custodian and/or child. If the child is within 60 miles (one way) of the provider, the insurance is considered accessible in most cases.

## **If the Child’s Address is Not Provided on the National Medical Support Notice, How Can I Determine If the Insurance is Accessible for the Child?**

Contact the Child Support Employer Services Center to provide the information about the service area of the provider. The OKESC will assist with determining the child is within that service area.

## **I Received a National Medical Support Notice But My Employee is the Custodian. Do I Need to Enroll the Child?**

Yes, there are some court orders that require the custodian to provide insurance for the child. A National Medical Support Notice is sent to the employer of the custodian when the court order requires that person to provide the insurance.

**My Employee Says the Child is on Soonercare and Does Not Need to Be Enrolled in Insurance. Is This Correct?**

No, the employer and plan administrator must comply with the National Medical Support Notice and enroll the child.

**Our Company Only Offers Insure Oklahoma (OEPIC). What Should We Do Since We Cannot Enroll the Child in Insurance?**

Respond to the National Medical Support Notice and mark the appropriate response option in Part B. However, with the expansion of many public health care options be sure to check with the Oklahoma Health Care Authority to determine if the child is eligible for enrollment through Insure Oklahoma. Information is available at <http://www.insureoklahoma.org/>.

**Our Company Offers Both Insure Oklahoma (OEPIC) and Major Medical Insurance for Our Employees. The Employee Has Chosen to Enroll in Insure Oklahoma. What Should We Do When We Receive a National Medical Support Notice?**

The employee must enroll the child in the major medical insurance if the child is not eligible for Insure Oklahoma.

**Now That the Child Has Been Enrolled in Insurance, When Do I Stop Withholding the Cash Medical Support from My Employee's Paycheck?**

CSS will send an Amended Income Withholding Order to let you know the appropriate amount to withhold. Since the termination of cash medical support must be confirmed by a court, the cash medical support can not be stopped automatically. Immediately notify CSS and the insurance recipient that enrollment has occurred. The longer the employer waits, the more the employee will pay in cash medical support.

**What Do I Do When I'm Withholding Cash Medical Support as Part of the Original Income Withholding Order, But Then Also Receive a National Medical Support Notice?**

Withholding for cash medical support is intended as alternative support for when enrollment in health insurance coverage is not possible. This could include, but is not limited to, an employee not being eligible for coverage due to a probationary period or if the cost of health insurance exceeds CCPA withholding limits. In the event that health insurance can be provided, an employer should enroll the dependents named on the notice and notify CSS by properly responding to the National Medical Support Notice. An employer should continue to follow the original Income Withholding Order, even if they begin withholding for health insurance, until instructed otherwise by CSS.

**My Employee is Now Eligible for Insurance But Wants to Continue Paying Cash Medical Support Instead. Can We Do That?**

No, if the court order specifies the employee must enroll the child when insurance is available, he/she cannot choose to not enroll the child.

## **I Received an Income Withholding Order with Cash Medical Support and the Child is Already Enrolled in Insurance. What Should I Do?**

It is possible for the court order to have both a cash medical support amount and a child to be enrolled in insurance. This cash medical support could actually be for a fixed recurring payment for items such as orthodontia or asthma treatments. Contact the Child Support Employer Services Center if you have questions about the amounts.

## **I Know That When the Income Withholding Order is Received, There is a Limitation on How Much Income Can Be Withheld from My Employee's Paycheck. Does This Also Apply to the Cost of the Insurance and the Cash Medical Support?**

Yes, when determining whether the cost of the insurance and the income withholding are reasonable, the Consumer Credit Protection Act limits do apply. These limits are:

- 50% of the disposable income if the obligor is supporting another family
- 55% of the disposable income if the obligor is supporting another family, with arrears greater than 12 weeks
- 60% of the disposable income if the obligor is not supporting another family
- 65% of the disposable income if the obligor is not supporting another family, with arrears greater than 12 weeks

However, an Oklahoma employee may voluntarily consent to exceed the CCPA limits to provide a child's health care coverage [12 O.S. 1171.2].



# APPENDIX E

## GLOSSARY



# GLOSSARY

**Administrative Fee:**

A fee that can be withheld from an employee's wages to cover administrative costs associated with the income withholding. In Oklahoma, an employer can deduct \$5 per pay period, not to exceed \$10 per month. This fee cannot come from the child support withholding.

**Allocation:**

A method of dividing child support withholding among multiple cases. Oklahoma uses the prorating method. The State Disbursement Unit can take care of the Allocation, if all cases are Oklahoma cases.

**Allowable Disposable Income:**

The amount of disposable income that is subject to child support withholding. This is the maximum amount available for child support withholding and is calculated by applying set percentages, determined by dependents and arrears, to the disposable income.

**Arrears, Arrearage or Past-Due Child Support:**

The total amount of unpaid child support obligations that has accrued under a child support order.

**Child Support:**

An obligation addressing monetary support, cash medical support, medical support for the child(ren).

**Child Support Services (CSS):**

Child Support Services, a division of the Department of Human Services. CSS is the state agency designated to administer the child support enforcement program for the State of Oklahoma. CSS includes employees and agents of a central state office, district offices, and other offices that may be administered through contract or cooperative agreements with district attorneys, Community Action Program agencies and others.

**Consumer Credit Protection Act (CCPA):**

The Consumer Credit Protection Act (CCPA) defines the limit that may be withheld from earnings to satisfy a garnishment. Child support is not subject to the general CCPA limits. Instead a scale of percentages is used to determine allowable disposable income, based on current dependents and arrears.

Federal law that limits the amount that may be withheld from earnings to satisfy child support obligations. States are allowed to set their own limits provided they do not exceed the federal limits. Regardless of the number or withholding orders that have been served, the maximum that may be withheld for child support is:

- Without Arrearage
  - o 50 percent with a second family
  - o 60 percent with no other dependent children
- With Arrearage
  - o 55 percent with a second family and 12+ weeks in arrears
  - o 65 percent with no other dependent children 12+ weeks in arrears

**Custodial Person or Custodian (CP) (Custodial Party):**

The person who has primary physical custody of the child(ren) and is therefore entitled to child support on the child(ren)'s behalf. A CP could be the State in juvenile or child welfare cases. Sometimes called a Custodial Party.

**Data Registry Sheet:**

If you receive an Income Withholding Order from an Oklahoma entity and it directs you to send payments to an address other than that of the Oklahoma Centralized Support Registry (OCSR), you must file a Data Registry Sheet with OCSR. An account will be set up for you for that employee and you can then start remitting payments through this system. By law, you cannot send payments to a private party, unless specifically ordered by the courts.

**Delinquent Payor:**

Any person for whom a payment under an order for support becomes due and the payment remains unpaid. For interest purposes, any unpaid portion of an amount due is considered delinquent the day after the due date specified in the court order. If the court order does not specify a specific due date of the month, the payment must be made by the last day of the month, and it is delinquent on the first day of the following month if it is not paid.

**Department of Human Services (DHS):**

The state agency in Oklahoma created to administer and promote social services benefiting the general welfare, protection, and security of the people of Oklahoma. Examples of programs within DHS are Temporary Assistance for Needy Families (TANF), Medicaid, Foster Care, Child Care Subsidy and Licensing, and Child Support Services. See <http://www.okdhs.org> for more information about DHS.

**Dependent:**

A child who relies on or requires the aid of a parent or another person for support. Most children who are eligible to receive child support must be a dependent. A child ceases to be a dependent when they reach the “age of emancipation” as determined by state law, but depending on the state’s provisions, may remain eligible for child support for a period after they are emancipated.

**Disposable Income:**

The portion of an employee’s earnings that remains after deductions required by law (e.g., taxes) and that is used to determine the amount of an employee’s pay subject to a garnishment, attachment, or child support withholding order.

**Electronic Data Interchange (EDI):**

Process by which information regarding an Electronic Funds Transfer (EFT) transaction is transmitted electronically along with the EFT funds transfer.

**Electronic Funds Transfer (EFT):**

Process by which money is transmitted electronically from one bank account to another.

**Employee:**

Any person who works for wages or receives income.

**Employer:**

An employer is any person or organization for whom an individual performs or has performed any service, of whatever nature, as an employee. The term “employer” includes not only individuals and organizations in a trade or business, but organizations exempt from income tax, such as religious and charitable organizations, educational institutions, clubs, social organizations, and societies. It also includes the governments of the United States, the states, Puerto Rico, and the District of Columbia, as well as their agencies, instrumentalities, and political subdivisions.

**Family Group Number:**

Unique identification number assigned to a child support case. The Family Group Number (FGN) is a combination of the Absent Parent/Noncustodial Parent (AP/NCP) number plus the Biological Parent (BP) number. One FGN may have multiple custodial persons. And one AP/NCP number may have multiple FGNs.

**Federal Employer Identification Number (FEIN):**

Unique nine-digit number assigned to all employers by the Internal Revenue Service (IRS), which must be used in numerous transactions, including submitting data and responding to requests relevant to child support.

**Federal Parent Locator Service (FPLS):**

A computerized national location network operated by the federal Office of Child Support (OCSE) of the Administration for Children and Families (ACF), within the Department of Health and Human Services (DHHS). FPLS obtains address and employer information, as well as data on child support cases in every state, compares them and returns matches to the appropriate states. This helps state and local child support enforcement agencies locate noncustodial parents and putative fathers for the purpose of establishing custody and visitation rights, establishing and enforcing child support obligations, investigating parental kidnapping, and processing adoption or foster care cases. The expanded FPLS includes the Federal Case Registry (FCR) and the National Directory of New Hires (NDNH).

**Garnishment:**

A legal proceeding under which a fixed amount of a person's wages and/or assets are withheld for payment of a debt. (See also: income withholding; wage withholding; direct income withholding; immediate wage withholding).

**Gross Pay:**

Total wages earned before any deductions are taken.

**Health Insurance Portability and Accountability Act (HIPAA):**

The Health Insurance Portability and Accountability Act of 1996 provides for the privacy and security of health information.

**Imputed Income:**

An amount assigned as income to a party to compensate for voluntary unemployment or under employment. May also include fringe benefits provided to employees that may be taxable but which cannot be counted as additional disposable income that is subject to child support obligations.

**Income:**

As defined by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), income is any payment to an individual, regardless of source, including wages, salaries, winnings or proceeds, commissions, bonuses, workers' compensations, disability, pension, or retirement program payments and interest. All income is subject to income withholding for child support, pursuant to a child support order, but is protected by CCPA limits, both State and Federal.

**Income Assignment:**

An assignment, by operation of law or by court or administrative order, of a portion of the monies, income or periodic earnings due and owing by the obligor to the person entitled to the support or to another person designated by the support order or assignment. An income assignment may be for payment of current support, arrearages, medical support, or all three. It may be voluntary or involuntary and is accomplished by wage withholding or income withholding. Income withholding is a procedure by which automatic deductions are made from wages, income or periodic earnings.

**Income Withholding Order:**

See Income Assignment

**Independent Contractors:**

Any entity that does work for wages but that is not considered to have an employer–employee relationship. Although a company does not have to report their independent contractors as new hires, the company is responsible to withhold wages if an Income Withholding Notice is issued.

**IV-D:**

Title IV, Part D, of the Social Security Act, codified in Part D of Subchapter IV of Chapter 7 of Title 42 of the United States Code, which requires that each state create a program to locate noncustodial parents, establish paternity, establish and enforce child support obligations, and collect and distribute support payments. All recipients of public assistance, usually Temporary Assistance for Needy Families (TANF), are referred to their state’s IV-D child support program. States must also accept applications from families who do not receive public assistance, if requested, to assist in collection of child support. Title IV-D also established the federal Office of Child Support Enforcement.

**Mandatory Deductions:**

Mandatory deductions are deductions that must be taken before allowable disposable income is calculated. In Oklahoma, the mandatory deductions are federal, state, and local taxes, Social Security, and Medicare taxes.

**Medicaid:**

Medical assistance provided under a state plan approved under Title XIX of the Social Security Act, codified in Subchapter XIX of Chapter 7 of Title 42 of the United States Code.

**Medical Enforcement Only (MEO):**

A MEO case is a non-TANF Medicaid child support case where the custodian requests enforcement of medical support only. A paternity or support order may be established but only medical support is enforced, at the custodian’s request.

**Medical Support:**

Health insurance, alternative health coverage, cash medical support or a combination of these for the benefit of a minor child(ren).

**Multistate Employer:**

An organization that hires and employs people in two or more states. The multistate employer conducts business within each state and the employees are required to pay taxes in the state where they work. As with single-state employers, multistate employers are required by law to report all new hires to the State Directory of New Hires (SDNH) operated by their state government. However, unlike single-state employers, they have the option to report all of their new hires to the SDNH of only one state in which they do business rather than to all of them.

**Multi-state Employer Notification Form for New Hire Reporting:**

The form that must be submitted to the Secretary of Health and Human Services in order to report all new hires to a single state, regardless of where they work.

**National Automated Clearing House Association (NACHA):**

The association that establishes the standards, rules, and procedures that enable financial institutions to exchange payments on a national basis.

**National Directory of New Hires (NDNH):**

A national database containing new hire and quarterly wage data from every state and federal agency and unemployment insurance data from state employment security agencies. Data contained is first reported to each state's State Directory of New Hires and then transmitted to the NDNH. The federal OCSE maintains the NDNH as part of the expanded FPLS.

**New Hire Reporting (NHR):**

Program that requires that all employers report newly hired employees to the State Directory of New Hires (SDNH) in their State. This data is then submitted to the NDNH, where it is compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by income withholding. Some data is also made available to states to find new hires that have been receiving unemployment insurance or other public benefits for which they may no longer be eligible, helping states to reduce waste and fraud.

**Noncustodial Parent (NCP) (Obligor):**

The parent who does not have primary physical custody of the child(ren), and has an obligation to provide child and medical support. Also referred to as the obligor.

**Non IV-D:**

A child support case where the custodial person to whom child support is owed is not receiving IV-A benefits or IV-D services. However, a non-IV-D case obligor could be sending their support payments through the Centralized Support Registry.

**Notice/Order of Income Withholding:**

The form to be used by all states that standardizes the information used to request income withholding for child support. According to the Uniform Interstate Family Support Act (UIFSA), this form may be sent directly from the initiating state to a noncustodial parent's employer in another state.

**Office of Personnel Management (OPM):**

Oklahoma government's "Human Resources Agency."

**Oklahoma Centralized Support Registry (OCSR):**

The repository maintained by the OCSS program to receive, allocate, and distribute support payments, including child support, spousal support when paid in conjunction with child support, and related support payments under Section 413 of Title 43 of the Oklahoma Statutes. It serves as Oklahoma's State Disbursement Unit under Section 654b of Title 42 of the United States Code. The Centralized Support Registry processes payments:

- (A) In all cases in which child support services are being provided under the state child support plan as provided under Section 237 of Title 56 of the Oklahoma Statutes until all monies owed for child support are no longer owed;
- (B) In all other cases in which support is being paid by income withholding; and
- (C) When a court orders payments to be made through the Centralized Support Registry.

**Oklahoma Employer Account Number:**

The Oklahoma Employer Account Number is the number assigned by the Oklahoma Employment Security Commission (OESC). This identification number must be included in the new hire reports.

**Oklahoma Employment Security Commission (OESC):**

OESC is the state agency where employers report their new hires.

**Paternity:**

The legal determination of fatherhood.

**Paternity Acknowledgment:**

A sworn statement signed by the alleged father stating he is the natural father of the child born out-of-wedlock.

**Payor:**

Any person or entity paying monies, income or earnings to an obligor. In the case of a self-employed person, the payor and the obligor may be the same person.

**Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA):**

Federal legislation that provided a number of requirements for employers, public licensing agencies, financial institutions, as well as state and federal child support agencies, to assist in the location of noncustodial parents and the establishment, enforcement, and collection of child support. This legislation created the New Hire Reporting program and the State and Federal Case Registries. Otherwise known as Welfare Reform.

**Public Assistance:**

Benefits granted from state or federal programs to aid eligible recipients (eligibility requirements vary between particular programs). Applicants for certain types of public assistance, e.g., TANF, are automatically referred to their state IV-D agency to identify and locate the NCP, establish paternity, and/or obtain child support payments. This allows the state to recoup or defray some of its public assistance expenditures with funds from the NCP.

**Qualified Medical Child Support Order (QMCSO):**

An order, decree, or judgment, including approval of a settlement agreement, issued by a court or administrative agency of competent jurisdiction that provides for medical support for a child of a participant under a group health plan or provides for health benefit coverage to such child.

**Quarterly Wage Reporting:**

Data on all employees that must be submitted by employers on a quarterly basis to the State Employment Security Agency (SESA) in the State in which they operate. This data is then submitted to the National Directory of New Hires (NDNH). Minimum information must include the employee's name, address, Social Security Number (SSN), wage amount, and the reporting period as well as the employer's name, address, and Federal Employer Identification Number (FEIN). The data is then compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by wage garnishment. Federal Agencies report this data directly to the NDNH.

**Rehire:**

For purposes of new hire reporting, a rehire is someone who had previously left the employer's payroll and a new W-4 must be completed.

**Remitting Payments:**

The process by which payments due from an income withholding order are sent. In Oklahoma, all court-ordered child support payments must be made through the State Disbursement Unit (SDU).

**Section 125:**

Code section 125 of the Internal Revenue Service makes it possible for employers to offer their employees a choice between cash salary and a variety of nontaxable benefits (qualified benefits). Qualified benefits include health care, vision and dental care, group-term life insurance, disability, adoption assistance and certain other benefits.

**State Disbursement Unit (SDU):**

The single site in each State where all IV-D child support payments are processed. Upon full implementation, all income assigned payments, as well as those court ordered, will be processed through the SDU.

**State Employer Identification Number (SEIN):**

See Oklahoma Employer Account Number

**State of Hire:**

For purposes of new hire reporting, this is the state in which the new hire works for wages.

**Title IV-D of the Social Security Act:**

The legislation, enacted in 1975, established the Federal Child Support Enforcement Program.

**Uniform Interstate Family Support Act (UIFSA):**

Laws enacted at the state level to provide mechanisms for establishing and enforcing child support obligations in interstate cases (when a noncustodial parent lives in a different state than his/her child and the custodial person). Based on model legislation that was drafted by the National Conference of Commissioners on Uniform State Laws to revise and replace URESA. The provisions of UIFSA supersede those of URESA, although some URESA provisions may remain in effect (some states have rescinded all of URESA, while others have left in place those provisions not specifically superseded by UIFSA). Among the law's provisions is the ability of state IV-D agencies to send withholding orders to employers across state lines. PRWORA mandated that all states adopt legislation requiring that UIFSA be adopted, without modification by the state, January 1, 1998. Oklahoma adopted UIFSA in September 1994. It was revised in 2001.

**W-2:**

Employers are required to file Form W-2 for wages paid to each employee from whom: Income, social security, or Medicare taxes were withheld if the employee had claimed no more than one withholding allowance or had not claimed exemption from withholding on Form W-4, Employee's Withholding Allowance Certificate.

**W-4:**

An Internal Revenue Service form, filled out by the employee, for purposes of withholding federal taxes.

**Wages Withholding:**

See Income Withholding Order

**Wages:**

See Income

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