

**County of San Diego, Health and Human Services Agency (HHSA)
CalWORKs Program Guide**

Child Support Non-Cooperation

Number

43-200.B

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Revision Date:

February 1, 2022

Background:

Per state regulations (EAS 82-500) unless exempted, a customer must cooperate with the Local Child Support Agency (LCSA) in establishing paternity to secure child/spousal support and identify any third parties who may be liable for medical care or services.

Purpose:

This section is being revised to update and reformat CalWORKs Program Guide (CPG) section 43-200.C Child Support Noncooperation and change the section number to CPG 43-200.B Child Support Noncooperation. This revision is also to provide clarifications between child support sanctions and penalties.

Policy:

Sanctions for Refusal to Assign Support Rights

When a customer refuses to assign support rights to the county without good cause that individual is sanctioned. To be sanctioned means that the individual is ineligible for cash aid and is not included in the Assistance Unit (AU). This may happen at intake or redetermination if they refuse to sign the CW 2.1 (Q) *Child Support Agreement*, or later at the LCSA level when an attempt is made to collect payments. A separate determination of medical support is required. The Family Resource Center (FRC) is responsible for imposing Child Support sanctions.

Timeframe for Removing Sanctions

The FRC is responsible for imposing Child Support sanctions. If a customer who has been sanctioned later agrees to assign support rights, the HSS will remove the sanction effective the 1st of the month in which the cooperation occurs and if otherwise eligible, add the person to the AU the following month.

Penalties for Child Support Noncooperation

When a parent/caretaker relative of a child for whom aid is sought fails to cooperate with the LCSA in the paternity establishment or child support enforcement process, the family's computed grant is reduced by 25% and a restriction is placed on the customer's Medi-Cal benefits.

Failure to turn over Direct Support Payments to the LCSA

When the customer receives direct child support payments but fails/refuses to turn over the payments, the FRC will notify the LCSA.

Quality and Eligibility Support Department (QESD)

The HHSA QESD will review CalWIN Child Support Noncooperation Alert (023) and impose noncooperation penalties and restrictions of Medi-Cal benefits in CalWIN. Once the customer reestablishes cooperation with the LCSA, the Child Support Officer will enter a Cooperation Status in the Child Support Enforcement System (CSE) which will generate a Child Support Cooperation Alert (024) in the CalWIN system. QESD will remove the penalty effective the first of the month in which cooperation occurs and the restriction is removed from the Medi-Cal benefits.

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Timeframe for Application and Removal of Penalties

Applying of Child Support penalties will be processed upon receipt or no later than ten (10) days of receipt of the "023" Alert. Removal of Child Support penalties will be processed no later than twenty (20) days of receipt of the "024" Alert.

Child Support Penalties and Inter County Transfer (ICT) cases

Child Support sanctions and penalties will be transferred to the receiving county during an ICT. The receiving county will make their own evaluation allowing the customer the opportunity to complete the child support forms and cooperate with the LCSA at the next appropriate evaluation.

References:

EAS 82-500

ACLs No. 10-29, 14-78, 15-72

Sunset Date:

This policy will be reviewed for continuance on or by February 28, 2025.

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services