
Rules of
Department of Social Services
Division 30—Child Support Enforcement
Chapter 9—Incentives

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**Title 13—DEPARTMENT OF
SOCIAL SERVICES**

**Division 30—Child Support Enforcement
Chapter 9—Incentives**

13 CSR 30-9.010 Incentives

PURPOSE: The purpose of this rule is to define how the Division of Child Support Enforcement will share available federal incentive funds with counties for allowable expenses not to exceed one hundred percent of counties' reasonable and necessary costs.

(1) Definitions. For the purposes of this rule, the following definitions are applicable.

(A) Division means the Division of Child Support Enforcement.

(B) Director means the director of the Division of Child Support Enforcement.

(C) New formula means the amount otherwise payable to a state as federal incentives under Section 458A of the Social Security Act.

(D) Old formula means the amount otherwise payable to a state as federal incentives under Section 458 of the Social Security Act.

(E) Counties means all counties and all cities not located within a county.

(F) Allowable expenses means expenses that may be claimed pursuant to 13 CSR 30-3.010.

(G) TANF means temporary aid for needy families.

(H) County incentives means the total amount of money counties are entitled to receive whether under the new formula, or the old formula or both. Incentives are equal to six percent (6%) of their counties' TANF collections plus six percent (6%) of their counties' non-TANF collections (not to exceed the six percent (6%) of TANF collections). Level A and B counties will receive six percent (6%) of their counties' TANF collections plus six percent (6%) of non-TANF collections (up to one hundred fifteen percent (115%) of their counties' TANF collections). The incentives are subject to availability of federal funding and shall only be paid from federal incentive funds.

(2) Three (3) Year Phase-In Plan. Between October 1, 1999 and September 30, 2000, county incentives will be paid at the rate of two-thirds (2/3) from the old formula and one-third (1/3) from the new formula. Between October 1, 2000, and September 30, 2001, county incentives will be paid at the rate of one-third (1/3) from the old formula and two-thirds (2/3) from the new formula. Beginning October 1, 2001, and thereafter, county incentives will be paid at one hundred percent (100%) from the new formula.

(3) Payments to be Received by Counties. Incentive payments to counties under the new formula shall not exceed one hundred percent (100%) of the counties allowable expenses which have not been reimbursed pursuant to 13 CSR 30-3.010. If the funds received by the county from the old formula plus the new formula do not equal one hundred percent (100%) of the counties non-reimbursed allowable expenses, the division will allocate additional funds up to one hundred percent (100%) of non-reimbursed allowable expenses if federal funds are available from the new formula after all other counties have received their county incentives. If the total federal funds received by the state under the new formula which have not been paid to counties are not sufficient to cover counties' cost which have not been reimbursed pursuant to 13 CSR 30-3.010 or which have not been covered by incentives paid under the new and old formula, the counties will share the incentives on a *pro rata* share based on the percent of the counties' total IV-D collections. If at anytime federal incentives received by the state are insufficient to pay county incentives, then the federal incentives shall be distributed to the counties *pro rata* based on collections in IV-D cases. If the total federal funds received by the state under the new formula exceed the amount necessary to pay all counties allowable costs after reimbursement pursuant to 13 CSR 30-3.010 and receipt of all incentives to which they are entitled to under both the old and new formulas, the state shall retain these incentives for use as appropriated.

(4) Base Year Expenses. The division will initially use calendar year 1999 as the starting base year to determine the amount of allowable expenses for each county. The base year will include expenses of the counties that are normal and usual yearly expenses for the counties' operations. The division will exclude from the base year any one-time expenses not related to normal and usual expenses. After the first base year is established, then each year thereafter, the previously approved year's expenses will be used as the base year. The counties may request additional funding over the base amount from the director of the division in writing. These requests must be received by the director on or before the first day of July. Additional requests may be submitted as needed throughout the year. Requests may be made for increases to the base year or for a one-time expense. The director may approve the request, deny the request or approve for reimbursement pursuant to 13 CSR 30-3.010.

(5) Expenditures of Incentives. Incentives received by counties under the old formula may be used by the counties at their discretion. Incentives received by counties under the new formula must be reinvested into the IV-D program.

(6) Performance Audits. Counties must pass performance audits conducted by the division pursuant to 13 CSR 30-2.010 or submit corrective action plans to receive full incentives. Counties that fail to achieve corrective action plans shall be subject to reductions of their incentives. These reductions will be at four percent (4%) of the previous base year's expenses for the first failure, eight percent (8%) for the second consecutive failure and sixteen percent (16%) for the third consecutive failure and subsequent failures; these reductions will begin upon failure to achieve corrective action plans.

AUTHORITY: section 454.400.2(5), RSMo Supp. 1999. Original rule filed Feb. 3, 2000, effective Sept. 30, 2000.*

**Original authority: 454.400.2(5), RSMo 1982, amended 1985, 1986, 1990, 1993, 1995, 1997.*