Rules of
Department of Social Services
Division 40—Family Support Division
Chapter 100—Child Support Program,
General Administration

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Chapter 100—Child Support Program, General Administration

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 100—Child Support Program, General Administration

13 CSR 40-100.030 Cooperation Requirement

PURPOSE: This rule sets forth the requirement for individuals who are applicants for or recipients of public assistance benefits (applicants/recipients) to cooperate with the Family Support Division in its efforts to establish paternity and establish, modify, and enforce child support orders.

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

(A) “Division” means the Family Support Division;

(B) “Good cause” means the circumstances under which cooperation is not in the best interest of the child or custodian who has applied for or is receiving public assistance benefits;

(C) “Cooperation” means the duty of applicants/recipients to provide, within their ability to do so, all requested information and assistance to the division to enable it to establish paternity and establish, modify, and enforce child support and medical support orders;

(D) “Public assistance” means any benefits from a program funded pursuant to Part A or Part E of Title IV of the Social Security Act, Title XIX of the Social Security Act, or the Food Stamp Act;

(E) “Applicant/recipient” is a person who has applied for or is receiving public assistance;

(F) “NCP” means noncustodial parent;

(G) “AF” means alleged father;

(H) “Genetic Testing” means testing for paternity using blood cells, other tissue, or fluid.

(2) Cooperation Requirements. If it is determined by the Division’s Child Support Program that an applicant/recipient is not cooperating in establishing paternity, establishing a medical support order with respect to a child, or in establishing, modifying, or enforcing a support order, and the applicant/recipient does not qualify for a good cause or other exceptions established by the Division, the Division’s Child Support Program shall notify the Division’s Income Maintenance Program, who shall impose sanctions. Cooperation requirements include, but are not limited to, providing to the Division’s Child Support Program the following information pertaining to the noncustodial parent (NCP) or alleged father (AF) and assistance to establish paternity and establish, modify, and enforce support orders:

(A) Information relating to the NCP or AF includes, but is not limited to:

1. The name;
2. Date of birth or approximate age;
3. Social Security number;
4. Known address or last known address;
5. Past or present employer and usual occupation;
6. Name of high school, college, university, vocational school/expected graduation date;
7. Names of friends or relatives who may have information;
8. Names of clubs or union memberships;
9. Driver’s license information;
10. Physical description;
11. Make, model, or license plate of any vehicles owned;
12. Any information regarding any other property owned; and
13. Any other pertinent information relevant to locating the NCP/AF;

(B) Assistance required from the applicant/recipient—

1. Providing financial and income information, education, and work history of the applicant/recipient;
2. Providing and updating the street and mailing address of the applicant/recipient;
3. Appearing at and cooperating with the Division’s Child Support Program or prosecuting attorney’s offices and supplying written documentary evidence;
4. Appearing as a witness at judicial or administrative hearings;
5. Completing a notarized affidavit attesting to a lack of relevant requested information regarding the NCP or AF;
6. All other assistance requested by the Division’s Child Support Program to establish paternity including, but not limited to, establishing paternity and establish, modify, and enforce support orders.

(C) Cooperation in establishing paternity including, but not limited to, counselors, therapists, or any professional that conception is the result of rape. Acceptable medical records shall include records reflecting the judgment of a disinterested third party including, but not limited to, counselors, therapists, or any other medical or psychological health professional that conception is the result of rape;

(D) Medical records regarding the emotional health history and present emotional health status of the applicant/recipient or the child for whom support would be sought that indicate emotional harm would result from cooperation, or written statements from a mental health professional indicating such results;
(E) A written statement from a public or licensed private social agency that the applicant/recipient is being assisted by the agency to resolve the issue of whether to keep the child or relinquish him or her for adoption; or

(F) When none of the items listed above is present or conclusive, a sworn statement from the applicant/recipient, and at least one other individual with knowledge of the circumstances that provide the basis for the claim of good cause may be submitted.

(5) Due Process Rights.

(A) Upon application, the applicant/recipient will be given, in writing, notice of the cooperation requirements. These requirements will be explained along with what sanctions can be applied when the applicant/recipient fails to cooperate with the Division’s Child Support Program. If the applicant/recipient claims good cause, he/she will have twenty (20) calendar days to provide evidence to support the claim of good cause. The twenty (20) days may be extended, in the case of difficulty in obtaining the evidence, for a period of time not to exceed forty-five (45) days as determined by the Division’s Income Maintenance Program.

(B) Review and Determination. If the applicant/recipient claims good cause, the Division’s Income Maintenance Program will review the information provided and make the final determination as to whether there is good cause for noncooperation.

(C) Notification of Final Determination. The Division’s Income Maintenance Program will notify the applicant/recipient of its decision in writing. If the division finds that there is good cause for noncooperation, the division will give the applicant/recipient the option to have child support services stopped or be continued. If the division finds that there is no good cause to refuse to cooperate, the division will give the applicant/recipient an opportunity to cooperate, withdraw the request for assistance, or terminate assistance.

13 CSR 40-100.040 State Directory of New Hires

PURPOSE: For new hire reporting purposes under section 285.300, RSMo, this rule defines “newly hired employee” in accordance with The Trade Adjustment Assistance Extension Act of 2011 (Public Law 112–40) amendment to section 453A(a)(2) of the Social Security Act.

(1) “Newly hired employee” means an employee who—

(A) Has not previously been employed by the employer; or

(B) Was previously employed by the employer but has been separated from such prior employment for at least sixty (60) consecutive days.


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