Certification Page
Regular and Emergency Rules

1. General Information

a. Agency/Board Name *See attached list for references*
Department of Family Services

b. Agency/Board Address	c. Agency/Board City	d. Agency/Board Zip Code
122 W. 25th Street, 1st Floor East	Cheyenne	82002

e. Name of Contact Person	f. Contact Telephone Number
Brenda Lyttle	(307) 777-6068

g. Contact Email Address	h. Adoption Date:
brenda.lyttle@wyo.gov	November 14, 2012

i. Program(s) *See attached list for references*
Child Support Enforcement

2. Rule Type and Information

a. These rules are: ☐ **Emergency Rules** *(After completing all of Section 2, proceed to Section 5 below)* ☒ **Regular Rules**

b. Choose all that apply: ☐ **New Rules*** ☒ **Amended Rules** ☐ **Repealed Rules**

* *"New" rules means the first set of regular rules to be promulgated by the Agency after the Legislature adopted a new statutory provision or significantly amended an existing statute.*

If "New," provide the Enrolled Act number and year enacted:

c. Provide the Chapter Number, and Short Title of Each Chapter being Created/Amended/Repealed *(if more than 5 chapters are being created/amended/repealed, please use the Additional Rule Information form and attach it to this certification)*

Chapter Number:	Short Title:
Chapter 16	Services in Intergovernmental Cases

d. ☒ The Statement of Reasons is attached to this certification.

e. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

3. State Government Notice of Intended Rulemaking

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the **Secretary of State**: November 14, 2012

b. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the **Legislative Service Office**: November 14, 2012

c. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the **Attorney General**: November 14, 2012

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. ☐ Yes ☐ No ☒ N/A

b. A public hearing was held on the proposed rules. ☐ Yes ☒ No

If "Yes:"	Date:	Time:	City:	Location:

5. Final Filing of Rules

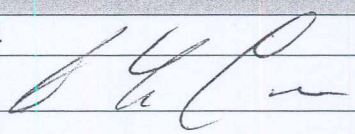
a. Date on which the Certification Page with original signatures and final rules were sent to the **Attorney General's Office for the Governor's signature**: November 14, 2012

b. Date on which final rules were sent to the **Legislative Service Office**: November 14, 2012

c. Date on which a PDF of the final rules was electronically sent to the **Secretary of State**: November 14, 2012

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	Steve Corsi
Signatory Title	Director of the Department of Family Services
Date of Signature	9/14/12

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

Distribution List:

Attorney General

1. Statement of Reasons;
2. Original Certification Page;
3. Summary of Comments (regular rules);
4. Hard copy of rules: clean and strike/underscore; and
5. Memo to Governor documenting emergency (emergency rules).

LSO

1. Statement of Reasons;
2. Copy of Certification Page;
3. Summary of Comments (regular rules);
4. Hard copy of rules: clean and strike/underscore;
5. Electronic copy of rules: clean and strike/underscore; and
6. Memo to Governor documenting emergency (emergency rules).

SOS

1. PDF of clean copy of rules; and
2. Hard copy of Certification Page as delivered by the AG.

Statement of Principal Reasons for Adoption

Wyoming Department of Family Services
Child Support Enforcement Division
Child Support Rules

The Department of Family Services, Division of Child Support Enforcement is proposing amended rules as specific language was erroneously omitted from Wyoming's Rules, Chapter 16 - Intergovernmental Services in IV-D cases The Department of Family Services has been given the authorization to promulgate rules by Wyo. Stat. § 42-2-103(b)(xiv).

Per Action Transmittal, AT 10-08, revisions were made to the provision of Services in Intergovernmental IV-D Cases. Revisions were made to federal requirements for establishing and enforcing intergovernmental support obligations in child support program cases receiving services under Title IV-D of the Social Security Act (the Act). These changes became effective January 3, 2011 and include:

1. Revising previous interstate requirements to apply to case processing in all intergovernmental cases through use of the term "intergovernmental" in lieu of "interstate;"
2. Addressing state processing of interstate and intrastate cases, Tribal IV-D cases under section 455 of the Act, and international cases under sections 454(32) and 459A of the Act;
3. Requiring the responding state IV-D agency to pay the cost of genetic testing;
4. Clarifying the responsibility for determining in which state tribunal a controlling order determination is made where multiple support orders exist;
5. Recognizing and incorporating electronic communication advancements; and
6. Makes conforming changes to the federal substantial compliance audit and state self-assessment requirements.

These amended rules meet the minimum substantive state statutory requirements. The proposed rules meet but do not exceed minimum federal requirements.

Chapter 16 was previously amended earlier this year and submitted to the Federal Regional Office on June 7, 2012; however, specific language regarding Payment and Recovery of Costs in Intergovernmental IV-D Cases and Case Closure Criteria was erroneously omitted from Chapter 16, and therefore, need to be added for completion of the amended rules.

WYOMING DEPARTMENT *of*
Family Services

122 W. 25th Street
Herschler Bldg., 1E
Cheyenne, WY 82002-0490
Tel: 307.777.6948
Fax: 307.777.5588
dfsweb.state.wy.us

Department of Family Services

Child Support Rules

Comment Summary & Agency Response

November 14, 2012

The Public Notice for Proposed Rules for Child Support Enforcement Rules Comment Period was September 28, 2012 through November 11, 2012. They were published in the Cheyenne Tribune-Eagle and in the Casper Star on September 28, 2012.

The Department received two requests for copies of the proposed rules on October 1, 2012. The request was fulfilled and emailed October 1, 2012.

The public comment period ended on November 11, 2012.

No comments were received by the department.

WYOMING DEPARTMENT OF FAMILY SERVICES

CHILD SUPPORT ENFORCEMENT DIVISION

CHILD SUPPORT RULES

CHAPTER 16

SERVICES IN INTERGOVERNMENTAL CASES

Section 1. **General Responsibilities.**

(a) CSED shall establish and use procedures for managing its intergovernmental IV–D caseload that ensure provision of necessary services as required by federal law and regulation and shall include maintenance of necessary records in accordance with federal law and regulation.

(b) CSED shall periodically review program performance on intergovernmental IV–D cases to evaluate the effectiveness of the procedures established under federal law and regulation.

(c) CSED shall ensure that the organizational structure and staff of the IV–D agency are adequate to provide for the administration or supervision of the following functions specified in federal regulation for its intergovernmental IV–D caseload: Intake; establishment of paternity and the legal obligation to support; location; financial assessment; establishment of the amount of child support; collection; monitoring; enforcement; review and adjustment; and investigation.

(d) CSED shall use federally-approved forms in intergovernmental IV–D cases, unless a country has provided federally approved alternative forms. When using a paper version, CSED shall provide the number of complete sets of required documents needed by the responding agency, if one is not sufficient under the responding agency's law.

(e) CSED shall transmit requests for information and provide requested information electronically to the greatest extent possible.

(f) CSED shall within thirty (30) working days of receiving a request, provide any order and payment record information requested by a state IV–D agency for a controlling order determination and reconciliation of arrearages, or notify the state IV–D agency when the information will be provided.

(g) CSED shall notify the other agency within ten (10) working days of receipt of new information on an intergovernmental case.

(h) CSED shall cooperate with requests for the following limited services: quick locate, service of process, assistance with discovery, assistance with genetic testing, teleconferenced hearings, administrative reviews, high-volume automated administrative enforcement in interstate cases under the Act, and copies of court orders and payment records. CSED may honor requests for other limited services.

Section 2. **Central Registry.**

(a) CSED shall establish a central registry responsible for receiving, transmitting, and responding to inquiries on all incoming intergovernmental IV–D cases.

(b) CSED shall within ten (10) working days of receipt of an intergovernmental IV–D case:

(i) Ensure that the documentation submitted with the case has been reviewed to determine completeness;

(ii) Forward the case for necessary action either to the central State Parent Locator Service for location services or to the appropriate agency for processing;

(iii) Acknowledge receipt of the case and request any missing documentation; and

(iv) Inform the initiating agency where the case was sent for action.

(c) If the documentation received with a case is incomplete and cannot be remedied by the central registry without the assistance of the initiating agency, the central registry shall forward the case for any action that can be taken pending necessary action by the initiating agency.

(d) The central registry shall respond to inquiries from initiating agencies within five (5) working days of receipt of the request for a case status review.

Section 3. **Initiating Agency Responsibilities.**

(a) When initiating a case to another IV-D agency, CSED shall:

(i) Determine whether or not there is a support order or orders in effect in a case using the federal and state case registries, state records, information provided by the recipient of services, and other relevant information available to the state;

(ii) Determine in which state a determination of the controlling order and reconciliation of arrearages may be made where multiple orders exist; and

(iii) Determine whether the noncustodial parent is in another jurisdiction and whether it is appropriate to use its one-state remedies to establish paternity and establish, modify, and enforce a support order, including medical support and income withholding.

(b) Within twenty (20) calendar days of completing the actions required in paragraphs (a)(1) through (a)(3) and, if appropriate, receipt of any necessary information needed to process the case, CSED shall:

(i) Ask the appropriate intrastate tribunal, or refer the case to the appropriate responding state IV–D agency, for a determination of the controlling order and a reconciliation of arrearages if such a determination is necessary; and

(ii) Refer any intergovernmental IV–D case to the appropriate state central registry, tribal IV–D program, or central authority of a country for action, if one-state remedies are not appropriate.

(c) CSED shall provide the responding agency sufficient, accurate information to act on the case by submitting with each case any necessary documentation and intergovernmental forms required by the responding agency.

(d) CSED shall within thirty (30) calendar days of receipt of the request for information, provide the responding agency with an updated intergovernmental form and any necessary additional documentation, or notify the responding agency when the information will be provided.

(e) CSED shall notify the responding agency at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support under an initiating State order being enforced in the responding jurisdiction.

(f) CSED shall submit all past-due support owed in IV–D cases that meet the certification requirements under federal regulation for federal tax refund offset.

(g) CSED shall send a request for review of a child support order to another state within twenty (20) calendar days of determining that a request for review of the order should be sent to the other State and of receipt of information from the requestor necessary to conduct the review in accordance with the Act and federal regulation.

(h) CSED shall distribute and disburse any support collections received in accordance with federal regulation, the Act, and instructions issued by the Secretary of Health and Human Services.

(i) CSE shall notify the responding agency within ten (10) working days of case closure that the initiating state IV–D agency has closed its case pursuant to federal regulation, and the basis for case closure.

(j) CSED shall instruct the responding agency to close its interstate case and to stop any withholding order or notice the responding agency has sent to an employer before the initiating state transmits a withholding order or notice, with respect to the same case, to the same or another employer unless the two states reach an alternative agreement on how to proceed.

(k) If the initiating agency has closed its case pursuant to federal regulation and has not notified the responding agency to close its corresponding case, CSED shall make a diligent effort to locate the obligee, including use of the Federal Parent Locator Service and the State Parent Locator Service, and accept, distribute and disburse any payment received from a responding agency.

Section 4. **Responding Agency Responsibilities**.

(a) Upon receipt of a request for services from an initiating agency, CSED shall accept and process an intergovernmental request for services, regardless of whether the initiating agency elected not to use remedies that may be available under the law of that jurisdiction.

(b) Within seventy-five (75) calendar days of receipt of an intergovernmental form and documentation from its central registry, CSED shall:

(i) Provide location services in accordance with federal regulation if the request is for location services or the form or documentation does not include adequate location information on the noncustodial parent;

(ii) If unable to proceed with the case because of inadequate documentation, notify the initiating agency of the necessary additions or corrections to the form or documentation; and

(iii) If the documentation received with a case is incomplete and cannot be remedied without the assistance of the initiating agency, process the case to the extent possible pending necessary action by the initiating agency.

(c) CSED shall within ten (10) working days of locating the noncustodial parent in a different state, return the forms and documentation, including the new location, to the initiating agency, or, if directed by the initiating agency,

forward/transmit the forms and documentation to the central registry in the state where the noncustodial parent has been located and notify the responding state's own central registry where the case has been sent.

(d) CSED shall within ten (10) working days of locating the noncustodial parent in a different political subdivision within the state, forward/transmit the forms and documentation to the appropriate political subdivision and notify the initiating agency and CSED's own central registry of its action.

(e) If the request is for a determination of controlling order, CSED shall:

(i) File the controlling order determination request with the appropriate tribunal in its state within thirty (30) calendar days of receipt of the request or location of the noncustodial parent, whichever occurs later; and

(ii) Notify the initiating state agency, the controlling order state and any state where a support order in the case was issued or registered, of the controlling order determination and any reconciled arrearages within thirty (30) calendar days of receipt of the determination from the tribunal.

(f) CSED shall provide any necessary services as it would in an intrastate IV–D case including:

(i) Establishing paternity in accordance with federal regulations and, if the agency elects, attempting to obtain a judgment for costs should paternity be established;

(ii) Establishing a child support obligation in accordance with federal regulations and;

(iii) Reporting overdue support to consumer reporting agencies, in accordance with the Act and federal regulations;

(iv) Processing and enforcing orders referred by an initiating agency, whether pursuant to UIFSA or other legal processes, using appropriate remedies applied in its own cases in accordance with federal regulation, and submit the case for such other federal enforcement techniques as CSED determines to be appropriate, such as administrative offset under federal regulations and passport denial under the Act;

(v) Collecting and monitoring any support payments from the noncustodial parent and forwarding payments to the location specified by the initiating agency. The IV–D agency must include sufficient information to identify the case, indicate the date of collection as defined under federal regulations, and include CSED's case identifier and locator code, as defined in

accordance with instructions issued by the Secretary of Health and Human Services; and

(vi) Reviewing and adjusting child support orders upon request in accordance with federal regulations.

(g) CSED shall provide timely notice to the initiating agency in advance of any hearing before a tribunal that may result in establishment or adjustment of an order.

(h) CSED shall identify any fees or costs deducted from support payments when forwarding payments to the initiating agency in accordance with federal regulations.

(i) CSED shall within ten (10) working days of receipt of instructions for case closure from an initiating state agency under federal regulation, stop CSED's income withholding order or notice and close the intergovernmental IV–D case, unless the two states reach an alternative agreement on how to proceed.

(j) CSED shall notify the initiating agency when a case is closed pursuant to federal regulations.

Section 5. **Payment and Recovery of Costs in Intergovernmental IV–D Cases.**

(a) The responding IV–D agency shall pay the costs it incurs in processing intergovernmental IV–D cases, including the costs of genetic testing. If paternity is established, the responding agency, at its election, may seek a judgment for the costs of testing from the alleged father who denied paternity.

(b) Each State IV–D agency may recover its costs of providing services in intergovernmental non-IV–A cases in accordance with federal regulations, except that a IV–D agency may not recover costs from an Foreign Reciprocating Country (FRC) or from a foreign obligee in that FRC, when providing services in accordance with federal regulations

Section 6. **Case Closure Criteria.**

(a) The IV-D child support case may be closed as long as it meets all of the requirements outlined in the federal regulations. The case closure criteria that may apply in intergovernmental cases are:

(i) The IV–D agency documents failure by the initiating agency to take an action which is essential for the next step in providing services;

(ii) The initiating agency has notified the responding State that the initiating State has closed its case in accordance with federal regulations; and

(iii) The initiating agency has notified the responding State that its intergovernmental services are no longer needed.

(b) In cases meeting the criteria in accordance with federal regulations, the State must notify the recipient of services, or in an intergovernmental case meeting the criteria for closure in accordance with federal regulations, the initiating agency, in writing 60 calendar days prior to closure of the case of the State's intent to close the case. The case must be kept open if the recipient of services or the initiating agency supplies information in response to the notice which could lead to the establishment of paternity or a support order or enforcement of an order, or, in accordance with federal regulations, if contact is reestablished with the recipient of services. If the case is closed, the former recipient of services may request at a later date that the case be reopened if there is a change in circumstances which could lead to the establishment of paternity or a support order or enforcement of an order by completing a new application for IV–D services and paying any applicable application fee.

WYOMING DEPARTMENT OF FAMILY SERVICES

CHILD SUPPORT ENFORCEMENT DIVISION

CHILD SUPPORT RULES

CHAPTER 16

SERVICES IN INTERGOVERNMENTAL CASES

Section 1. **General Responsibilities.**

(a) CSED shall establish and use procedures for managing its intergovernmental IV–D caseload that ensure provision of necessary services as required by federal law and regulation and shall include maintenance of necessary records in accordance with federal law and regulation.

(b) CSED shall periodically review program performance on intergovernmental IV–D cases to evaluate the effectiveness of the procedures established under federal law and regulation.

(c) CSED shall ensure that the organizational structure and staff of the IV–D agency are adequate to provide for the administration or supervision of the following functions specified in federal regulation for its intergovernmental IV–D caseload: Intake; establishment of paternity and the legal obligation to support; location; financial assessment; establishment of the amount of child support; collection; monitoring; enforcement; review and adjustment; and investigation.

(d) CSED shall use federally-approved forms in intergovernmental IV–D cases, unless a country has provided federally approved alternative forms. When using a paper version, CSED shall provide the number of complete sets of required documents needed by the responding agency, if one is not sufficient under the responding agency's law.

(e) CSED shall transmit requests for information and provide requested information electronically to the greatest extent possible.

(f) CSED shall within thirty (30) working days of receiving a request, provide any order and payment record information requested by a state IV–D agency for a controlling order determination and reconciliation of arrearages, or notify the state IV–D agency when the information will be provided.

(g) CSED shall notify the other agency within ten (10) working days of receipt of new information on an intergovernmental case.

(h) CSED shall cooperate with requests for the following limited services: quick locate, service of process, assistance with discovery, assistance with genetic testing, teleconferenced hearings, administrative reviews, high-volume automated administrative enforcement in interstate cases under the Act, and copies of court orders and payment records. CSED may honor requests for other limited services.

Section 2. **Central Registry.**

(a) CSED shall establish a central registry responsible for receiving, transmitting, and responding to inquiries on all incoming intergovernmental IV–D cases.

(b) CSED shall within ten (10) working days of receipt of an intergovernmental IV–D case:

(i) Ensure that the documentation submitted with the case has been reviewed to determine completeness;

(ii) Forward the case for necessary action either to the central State Parent Locator Service for location services or to the appropriate agency for processing;

(iii) Acknowledge receipt of the case and request any missing documentation; and

(iv) Inform the initiating agency where the case was sent for action.

(c) If the documentation received with a case is incomplete and cannot be remedied by the central registry without the assistance of the initiating agency, the central registry shall forward the case for any action that can be taken pending necessary action by the initiating agency.

(d) The central registry shall respond to inquiries from initiating agencies within five (5) working days of receipt of the request for a case status review.

Section 3. **Initiating Agency Responsibilities.**

(a) When initiating a case to another IV-D agency, CSED shall:

(i) Determine whether or not there is a support order or orders in effect in a case using the federal and state case registries, state records, information provided by the recipient of services, and other relevant information available to the state;

(ii) Determine in which state a determination of the controlling order and reconciliation of arrearages may be made where multiple orders exist; and

(iii) Determine whether the noncustodial parent is in another jurisdiction and whether it is appropriate to use its one-state remedies to establish paternity and establish, modify, and enforce a support order, including medical support and income withholding.

(b) Within twenty (20) calendar days of completing the actions required in paragraphs (a)(1) through (a)(3) and, if appropriate, receipt of any necessary information needed to process the case, CSED shall:

(i) Ask the appropriate intrastate tribunal, or refer the case to the appropriate responding state IV–D agency, for a determination of the controlling order and a reconciliation of arrearages if such a determination is necessary; and

(ii) Refer any intergovernmental IV–D case to the appropriate state central registry, tribal IV–D program, or central authority of a country for action, if one-state remedies are not appropriate.

(c) CSED shall provide the responding agency sufficient, accurate information to act on the case by submitting with each case any necessary documentation and intergovernmental forms required by the responding agency.

(d) CSED shall within thirty (30) calendar days of receipt of the request for information, provide the responding agency with an updated intergovernmental form and any necessary additional documentation, or notify the responding agency when the information will be provided.

(e) CSED shall notify the responding agency at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support under an initiating State order being enforced in the responding jurisdiction.

(f) CSED shall submit all past-due support owed in IV–D cases that meet the certification requirements under federal regulation for federal tax refund offset.

(g) CSED shall send a request for review of a child support order to another state within twenty (20) calendar days of determining that a request for review of the order should be sent to the other State and of receipt of information from the requestor necessary to conduct the review in accordance with the Act and federal regulation.

(h) CSED shall distribute and disburse any support collections received in accordance with federal regulation, the Act, and instructions issued by the Secretary of Health and Human Services.

(i) CSE shall notify the responding agency within ten (10) working days of case closure that the initiating state IV–D agency has closed its case pursuant to federal regulation, and the basis for case closure.

(j) CSED shall instruct the responding agency to close its interstate case and to stop any withholding order or notice the responding agency has sent to an employer before the initiating state transmits a withholding order or notice, with respect to the same case, to the same or another employer unless the two states reach an alternative agreement on how to proceed.

(k) If the initiating agency has closed its case pursuant to federal regulation and has not notified the responding agency to close its corresponding case, CSED shall make a diligent effort to locate the obligee, including use of the Federal Parent Locator Service and the State Parent Locator Service, and accept, distribute and disburse any payment received from a responding agency.

Section 4. **Responding Agency Responsibilities**.

(a) Upon receipt of a request for services from an initiating agency, CSED shall accept and process an intergovernmental request for services, regardless of whether the initiating agency elected not to use remedies that may be available under the law of that jurisdiction.

(b) Within seventy-five (75) calendar days of receipt of an intergovernmental form and documentation from its central registry, CSED shall:

(i) Provide location services in accordance with federal regulation if the request is for location services or the form or documentation does not include adequate location information on the noncustodial parent;

(ii) If unable to proceed with the case because of inadequate documentation, notify the initiating agency of the necessary additions or corrections to the form or documentation; and

(iii) If the documentation received with a case is incomplete and cannot be remedied without the assistance of the initiating agency, process the case to the extent possible pending necessary action by the initiating agency.

(c) CSED shall within ten (10) working days of locating the noncustodial parent in a different state, return the forms and documentation, including the new location, to the initiating agency, or, if directed by the initiating agency,

forward/transmit the forms and documentation to the central registry in the state where the noncustodial parent has been located and notify the responding state's own central registry where the case has been sent.

(d) CSED shall within ten (10) working days of locating the noncustodial parent in a different political subdivision within the state, forward/transmit the forms and documentation to the appropriate political subdivision and notify the initiating agency and CSED's own central registry of its action.

(e) If the request is for a determination of controlling order, CSED shall:

(i) File the controlling order determination request with the appropriate tribunal in its state within thirty (30) calendar days of receipt of the request or location of the noncustodial parent, whichever occurs later; and

(ii) Notify the initiating state agency, the controlling order state and any state where a support order in the case was issued or registered, of the controlling order determination and any reconciled arrearages within thirty (30) calendar days of receipt of the determination from the tribunal.

(f) CSED shall provide any necessary services as it would in an intrastate IV–D case including:

(i) Establishing paternity in accordance with federal regulations and, if the agency elects, attempting to obtain a judgment for costs should paternity be established;

(ii) Establishing a child support obligation in accordance with federal regulations and;

(iii) Reporting overdue support to consumer reporting agencies, in accordance with the Act and federal regulations;

(iv) Processing and enforcing orders referred by an initiating agency, whether pursuant to UIFSA or other legal processes, using appropriate remedies applied in its own cases in accordance with federal regulation, and submit the case for such other federal enforcement techniques as CSED determines to be appropriate, such as administrative offset under federal regulations and passport denial under the Act;

(v) Collecting and monitoring any support payments from the noncustodial parent and forwarding payments to the location specified by the initiating agency. The IV–D agency must include sufficient information to identify the case, indicate the date of collection as defined under federal regulations, and include CSED's case identifier and locator code, as defined in

accordance with instructions issued by the Secretary of Health and Human Services; and

(vi) Reviewing and adjusting child support orders upon request in accordance with federal regulations.

(g) CSED shall provide timely notice to the initiating agency in advance of any hearing before a tribunal that may result in establishment or adjustment of an order.

(h) CSED shall identify any fees or costs deducted from support payments when forwarding payments to the initiating agency in accordance with federal regulations.

(i) CSED shall within ten (10) working days of receipt of instructions for case closure from an initiating state agency under federal regulation, stop CSED's income withholding order or notice and close the intergovernmental IV–D case, unless the two states reach an alternative agreement on how to proceed.

(j) CSED shall notify the initiating agency when a case is closed pursuant to federal regulations.

Section 5. **Payment and Recovery of Costs in Intergovernmental IV–D Cases.**

(a) The responding IV–D agency shall pay the costs it incurs in processing intergovernmental IV–D cases, including the costs of genetic testing. If paternity is established, the responding agency, at its election, may seek a judgment for the costs of testing from the alleged father who denied paternity.

(b) Each State IV–D agency may recover its costs of providing services in intergovernmental non-IV–A cases in accordance with federal regulations, except that a IV–D agency may not recover costs from an Foreign Reciprocating Country (FRC) or from a foreign obligee in that FRC, when providing services in accordance with federal regulations

Section 6. **Case Closure Criteria.**

(a) The IV-D child support case may be closed as long as it meets all of the requirements outlined in the federal regulations. The case closure criteria that may apply in intergovernmental cases are:

(i) The IV–D agency documents failure by the initiating agency to take an action which is essential for the next step in providing services;

(ii) The initiating agency has notified the responding State that the initiating State has closed its case in accordance with federal regulations; and

(iii) The initiating agency has notified the responding State that its intergovernmental services are no longer needed.

(b) In cases meeting the criteria in accordance with federal regulations, the State must notify the recipient of services, or in an intergovernmental case meeting the criteria for closure in accordance with federal regulations, the initiating agency, in writing 60 calendar days prior to closure of the case of the State's intent to close the case. The case must be kept open if the recipient of services or the initiating agency supplies information in response to the notice which could lead to the establishment of paternity or a support order or enforcement of an order, or, in accordance with federal regulations, if contact is reestablished with the recipient of services. If the case is closed, the former recipient of services may request at a later date that the case be reopened if there is a change in circumstances which could lead to the establishment of paternity or a support order or enforcement of an order by completing a new application for IV–D services and paying any applicable application fee.