

**PUBLIC HEARING NOTICE**  
**OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**DATE: 12/4/2012**

**TIME: 10:00 AM**

**LOCATION: Room 2921, Rhodes State Office Tower, 30 East Broad St., Columbus, Ohio 43215**

Pursuant to sections 3119.51 and 3125.25 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment or rescission of the rules as identified below and of a public hearing thereon.

The following Ohio Administrative Code (OAC) rules are being proposed for amendment:

- Rule 5101:12-10-90.2, "New hire directory of employees," describes the process by which the Ohio Department of Job and Family Services (ODJFS) enters the information described in division (A)(1) of section 3121.89.2 of the Revised Code into the new hire directory of employees. Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and a format correction to a Revised Code reference.
- Rule 5101:12-50-10, "Income withholding or income deduction," describes in part the requirements for a child support enforcement agency (CSEA) to implement income withholding or income deduction. Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and to implement use of the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012) for financial institutions.
- Rule 5101:12-50-10.2, "CSEA's responsibility for income withholding and income deduction," describes when a child support enforcement agency (CSEA) shall issue an income withholding or income deduction. Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012) and references have been made to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012) to deduct funds from a financial institution.
- Rule 5101:12-50-10.8, "Withholding from unemployment compensation benefits initiated by a child support enforcement agency," describes the requirements for withholding unemployment compensation benefits received by an obligor. The rule has had the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012) updated to match the new form.
- Rule 5101:12-50-19, "Investigation of obligor's source of income or status of account," describes how a child support enforcement agency (CSEA) with administrative responsibility shall conduct an investigation of an obligor's employment and/or resources when the CSEA receives notification or becomes aware of a change in the obligor's source of income or status of accounts in a financial institution. Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012) and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012).

- Rule 5101:12-50-90, "Additional authority to collect arrearages," describes how a CSEA administering the support order may take enforcement actions to collect any arrearage amount that has not yet been collected. Changes to the rule include updating the revision date and title of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012). Clarification added to paragraph (B)(5) indicating when a financial institution withdrawal directive is issued by a CSEA.
- Rule 5101:12-55-03.1, "Identification of default and notice to obligor of default and potential action," describes how at the end of each month, the support enforcement tracking system (SETS), upon identifying that an obligor appears to meet the default criteria and the case meets the automatic income withholding criteria, issues a JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 12/2002), to the obligor's current employer and the obligor. The revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012) has been updated.
- Rule 5101:12-55-03.2, "Default investigation," describes the process of how the child support enforcement agency (CSEA) shall conduct an investigation once an obligor has been identified to be in default. Changes to the rule include updating the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012).
- Rule 5101:12-55-03.4, "Final and enforceable determination of default," describes when a final and enforceable determination of default exists. Changes to the rule include updating the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012). Clarification was added to paragraph (C) regarding required and appropriate enforcement action.
- Rule 5101:12-60-50.1, "Administrative termination investigation, findings and recommendations, and impounding support," describes the process that a child support enforcement agency (CSEA) shall follow to complete an administrative termination investigation, issuing findings and recommendations as a result of that investigation, and the process for impounding support. Changes to the rule include updating the revision date of the JFS 04047, "Order/Notice to Withhold Income for Child and Spousal Support" (rev. 5/2012), and references have been updated to include the JFS 04017, "Notice to Deduct Funds for Child and Spousal Support" (5/2012).

Copies of the proposed rules are available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>.

A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for copies of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services and Acquisition, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).