

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

DATE: November 8, 2005
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to section 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 adoption, amendment, or rescission of the rules identified below and of a public hearing thereon.

Rules 5101:1-30-03, "Safeguarding of federal parent locator services (FPLS) information," and 5101:1-30-65, "Safeguarding IRS taxpayer information" are being proposed for rescission. Rule 5101:1-30-03 states that precautions will be taken to ensure the safeguarding of personal information received by the child support enforcement agency (CSEA) when using the Federal Parent Locator Service (FPLS). Rule 5101:1-30-65 describes how the child support enforcement agencies (CSEA) should maintain security safeguards when dealing with IRS information. These rules will be replaced with rule 5101:12-10-25.4, entitled "Safeguarding of participant information."

Rule 5101:1-30-58.4, entitled "IV-D services for Ohio obligees residing in other states," is being proposed for rescission. This rule describes how a child support obligee may apply for IV-D services in his or her Ohio county of jurisdiction. It will be replaced with rule 5101:12-10-30.1, entitled "Administrative responsibility."

Rule 5101:1-30-61.3, entitled "Termination of support," is being proposed for rescission. This rule describes the steps necessary when the child support enforcement agency (CSEA) terminates a child support order. It will be replaced with rule 5101:12-60-50, entitled "Termination of support."

Rule 5101:1-30-79, entitled "Collection of child support through unemployment compensation," is being proposed for rescission. This rule describes how a child support enforcement agency (CSEA) may attempt to collect child support through the withholding of unemployment compensation. It will be replaced by rule 5101:12-50-10.8, entitled "Withholding from unemployment compensation benefits initiated by a child support enforcement agency (CSEA)."

Rule 5101:1-30-87.1, entitled "Lien levy and execution," is being proposed for rescission. This rule describes how a child support enforcement agency (CSEA) may take action before a lien expires and use any money collected from the sale of property to help satisfy a support delinquency. It will be replaced by rule 5101:12-55-20.1, entitled "Lien levy and execution."

Rule 5101:1-31-73, entitled "Penalty for failure to meet reporting requirements," is being proposed for rescission. This rule describes the penalties a child support enforcement agency (CSEA) may incur if it does not complete certain ODJFS child support forms in a timely fashion. It will be replaced with rule 5101:12-10-40.3, entitled "Penalty for failure to meet reporting requirements."

Rule 5101:12-10-25.4, entitled "Safeguarding of participant information," is being proposed for adoption as part of the OCS rule reorganization. This rule discusses the safeguarding requirements for information obtained from the IRS and the Federal Parent Locator Service. Safeguarding requirements for information obtained from the Ohio Department of Taxation and the Ohio Office of Unemployment Compensation have also been included in the replacement rule. The proposed rule adds requirements for the certification that information from all four sources listed in the rule will be safeguarded by employees, contractors, OCS staff, and CSEAs. The proposed rule describes new procedures for federal tax information safeguarding visits to CSEAs by OCS staff. This rule replaces rules 5101:1-30-03, "Safeguarding of federal parent locator services (FPLS) information," and 5101:1-30-65, "Safeguarding IRS taxpayer information."

Rule 5101:12-10-30.1, entitled "Administrative responsibility," is being amended as part of the OCS rule reorganization. Provisions in this rule replace rule 5101:1-30-58.4, entitled "IV-D services for Ohio obligees residing in other states," which is being proposed for rescission. This rule amends the ways a CSEA may receive a request for services, the timeframes for completing a request for services, and when the transfer of administrative responsibility may occur.

Rule 5101:12-10-40.3, entitled "Penalty for failure to meet reporting requirements," is being proposed for adoption as part of the OCS rule reorganization. The proposed rule includes revisions to the penalties for failure by a CSEA to submit certain fiscal reports in a timely manner. It replaces former rule 5101:1-31-73, entitled "Penalty for failure to meet reporting requirements," which is being proposed for rescission.

Rule 5101:12-50-10.8, entitled "Withholding from unemployment compensation benefits initiated by a child support enforcement agency (CSEA)," is being proposed for adoption as part of the OCS rule reorganization. This rule contains reorganized and clarified requirements for the withholding of unemployment compensation benefits. No substantive changes in CSEA procedures have been made. It replaces former rule 5101:1-30-79, entitled "Collection of child support through unemployment compensation," which is being proposed for rescission.

Rule 5101:12-55-20.1, entitled "Lien levy and execution," is being proposed for adoption as part of the OCS rule reorganization. The proposed rule includes all information from the rescinded rule plus specific procedures for use in asserting liens on motor vehicles. It replaces former rule 5101:1-30-87.1, entitled "Lien levy and execution," which is being proposed for rescission.

Rule 5101:12-60-50, entitled "Termination of support," is being proposed for adoption as part of the OCS rule reorganization. The proposed rule 5101:12-60-50 has been reorganized for clarity. No substantive changes in CSEA procedures have been made. It replaces former rule 5101:1-30-61.3, entitled "Termination of support," which is being proposed for rescission.

Rule 5101:12-70-05.1, entitled "Requirements for initiating and responding CSEAs in interstate cases," is being amended to add language from rules 5101:1-30-58.5, entitled "Interstate collections," and 5101:1-30-58.7, entitled "Payment and recovery of costs for interstate cases," which have been proposed for rescission.

A copy of the proposed rules is 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 a copy 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, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us.