

P2215 CHILD SUPPORT (continued)

P2215B Child Support Waiver (Reach Up rule 2235.4) **(20-02)**

Requesting a Waiver

If the household claims in the interview or on the Child (and Medical) Support Authorization (form 137) that due to domestic violence it is not in the best interest of the child to pursue the establishment of paternity or support, you will:

- Enter Absent Parent Coop Code 2 (pending waiver) on the ABSP panel.
- If the waiver request was not indicated on the original 137, do the following:
 - If in person, ask the household to correct the 137, initial the change and sign the 137 with a new date.
 - If over the phone, add a sticky note to the 137 document in OnBase, indicating that a waiver has been requested.
- Offer the parent the paperwork [Domestic Violence You Don't Have to Face it Alone \(form 201DV\)](#).
- Explain that the decision to grant or deny a waiver of cooperation is up to the District Management team.
- When appropriate refer participant to contact the District DV Liaison.
- Consider using the Absence Questionnaire (202AQ) to gather information from the household. Ignore question 6 which is obsolete at this time.
- Have the household complete and sign a Waiver of Cooperation for Child Support (form 137W).
- When possible, review the 137W with the household and discuss what supporting information is available. Offer to help if the household has difficulty getting the information without assistance. OCS has access to some records.
- Make sure a copy of the Child Support Authorization 137 is scanned into OnBase. The 137W and other supporting documents should not be scanned to OnBase but maintained in the District's Classified file.
- Inform OCS through CATN/TODO when the Reach Up is approved (see P-2215A for the process). OCS will suspend collection activity for households that request a waiver.

Send a written request for the 137W and allow 10 days as the due date. Allow 2 additional business days past the due date for the scanning and dispatching process through the Application & Document Processing Center (ADPC).

- The household will be granted 5 additional business days if there is a delay in obtaining information.

Making decision on a waiver request

When all available evidence has been collected or the last deadline has been reached, whichever comes first, complete the Waiver of Cooperation for Child Support Supplement (form 137WS) and complete the top of the Notice of Decision-Waiver Request (form 220W).

Send the 220W, the 137W, 137WS, 137, 202AQ (if available), and the household's information to the designated member of the District Management Team for decision.

The District Management Team designee reviews the waiver request packet. Decisions on whether the waiver should be granted or denied should be made using the guidance found at rules 2235.3 and 2235.4 which includes if the waiver should be permanent or reviewed annually. If there are questions or the Management Team is considering denying the waiver, they should call the household member to see if there is any further information that would support the waiver being approved rather than denied.

When the decision has been made, the District Management Team designee completes the 220W, mails the original to the household, and sends a copy of the decision to OCS via email.

The District Management Team designee then enters the appropriate Absent Parent Coop Code in ACCESS, 1-waiver denied and parent is cooperating, 3-waiver was granted and needs a review date or 7-waiver granted and it is permanent, no review needed.

A clear CATN should be entered regarding the Waiver decision.

Waiver denials

A new 137 is not required by OCS if a waiver has been requested, the request was denied and the denial notice of decision has been sent to the participant and OCS.

Waiver request not pursued

If the household decides not to pursue a waiver after checking the waiver box on the 137, OCS will need to have the household indicate that a waiver is not being pursued. It is not enough that ESD emails or CATNs this information.

Ask the household to either:

- initial and explain on the original 137 that a waiver is NOT being requested or
- complete a new 137 with the waiver box not checked.

Keep the Absent Parent Coop Code as 02 (pending waiver) while waiting for new 137. If a new 137 is not provided, follow the process to officially deny the waiver.

Fair Hearing request on waiver decision

If a household requests a Fair Hearing based on the child support waiver decision, email OCS of the request. Enter a CATN explaining that a Fair Hearing request has been made on the waiver decision.

OCS will wait for 90 days following a denial before working a case to make sure the decision is not being appealed.

Waiver Reviews

At each regularly scheduled eligibility review, review the circumstances of the waiver. **The decision of a waiver review must be CATN-ed.**

No change to waiver

If there have been no changes, and the household wishes to continue with the waiver, no new forms or supporting material are required. Update the review date to align with the next eligibility review date.

Waiver circumstances changed

If a change has occurred (for example, the household is now in contact with the absent parent) and you believe the waiver request needs to be evaluated again, follow the same procedures as for an initial waiver. The household does not need to resubmit information already in the case record. Since the District Management Team designee has a copy of that information, you do not need to attach it. Encourage the household to submit any new information (for example, new or continuing threats) and include that information with the required forms.

Reapplying for Reach Up with waiver

Reach Up households granted a child support waiver who then close and re-open with a break in benefits, must still complete a new 137 and request the waiver by checking the box on the 137. However, supporting documentation does not need to be completed. Write on the 137WS that the participant had a waiver in place.

The District Management Team designee can extend a new waiver approval based on the previously provided documentation. A new Notice of Decision-Waiver Request (form 220W) must be sent to the household and to OCS via email.

Example: Participant applied for Reach Up on 1/20/18 and requested a child support waiver. A 137W was sent to the participant and returned. Waiver was granted with a yearly review and Reach Up was approved 2/1/2018. Waiver granted through 1/31/19.

At the end of July (7/31/18), participant's Reach Up is closed, as they did not return their Interim Report. On 8/1/2018, participant re-applies and new 137 is completed. Participant marks "waiver requested" on the 137 again. At this time, the department can still see that the previous waiver was approved (ABSP panel with code 3 or 7) and writes on the 137WS that waiver has already been approved through 1/31/19 in this case. The District Management Team Designee completes a new 220W based on the waiver information that was provided in 1/2018. The new 220W is sent to both participant and OCS.

BPS Support

Absent Parent Coop Codes

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More: +
ASHADMCS
ABSP Coop Codes
1 Cooperating.
2 Requested Waiver (pending) - no CS collected.
3 Waiver Granted - needs review date, no CS collected.
4 Not cooperating - 25% grant reduction;Med Support Denial/Close.
5 R First or R Ahead- no assignment of support required.
7 Waiver Granted - permanent, no CS collected.
Place cursor on desired line and hit enter
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