

Families First Child Support Cooperation

Policy 23.11

Effective: December 15, 2023

Introduction

Caretakers of Families First assistance units must agree to cooperate with the IV-D Child Support Program and assign all court-ordered and voluntary child support payments to the Tennessee Department of Human Services. Failure to cooperate with the IV-D Child Support Program will result in the ineligibility of the entire assistance unit.

Scope

The purpose of this policy is to outline the requirements to cooperate with the IV-D Child Support Program as a way to promote parental responsibility and assist the caretaker in reaching self-sufficiency.

Policy

Child Support Cooperation

1. The caretaker must cooperate with the IV-D Child Support Program to:
 - a. Identify the noncustodial parent(s);
 - b. Establish paternity, if necessary;
 - c. Locate the noncustodial parent(s); and/or
 - d. Pursue court-ordered support for each assistance unit (AU) child.
2. Past, present, and future child support and spousal support payments received by the AU are assigned to the IV-D Child Support Program and are collected to reimburse the Tennessee Department of Human Services (TDHS) for the Families First benefits provided to the AU.
3. The child support cooperation requirements still apply if the Families First payment is not issued because it is less than ten dollars (\$10) or is reduced to zero dollars (\$0) because of a recoupment.

4. If a minor parent is the caretaker of their own Families First case, any support paid by a noncustodial parent (NCP) of the minor caretaker must also be assigned to the State.
 - a. If the minor parent is not a caretaker of their own Families First case, there is no requirement for cooperation against the noncustodial parent of the minor's child.
5. Social Security lump sum payments, based on a noncustodial parent's disability and received by a caretaker for an AU child are considered child support. These monies must be forwarded to the State Disbursement Unit (SDU) using the methods listed on the [State of Tennessee Child Support Payment Information Page](#). Failure to do so may result in possible fraud charges for not reporting the payment and not forwarding the money as required.

Exceptions

1. The following individuals are exempt from the assignment requirement for the IV-D Child Support Program:
 - a. Caretakers who receive voluntary payments made for an unborn child.
 - b. Caretaker Only cases in which the dependent child in the AU is not receiving Families First benefits because they receive Supplemental Security Income (SSI).
2. The following AU types are exempt from the cooperation requirement for the IV-D Child Support Program:
 - a. Single parent adoptions;
 - b. An AU containing only a pregnant woman;
 - c. Caretaker Only cases in which the dependent child in the AU is not receiving Families First benefits because they receive SSI; and

- d. Caretakers who have been determined to have good cause for refusal to cooperate with the IV-D Child Support Program.

IV-D Reports to Family Assistance

1. If the IV-D Child Support Program reports any information, including information about cooperation status, the noncustodial parent, or the AU to Family Assistance, staff must take prompt action to:
 - a. Review the information,
 - b. Determine its impact on the AU, and
 - c. Implement any necessary changes to the case.
2. If the IV-D Child Support Program reports that a named noncustodial parent has been excluded by a DNA test, Family Assistance staff must contact the caretaker to inform them of the exclusion and obtain the name of the biological parent.

Retention of Direct Support Payments

1. The customer must be advised that the following actions are required when direct child support is received from the noncustodial parent:
 - a. Notify Family Assistance staff of the receipt of direct payments; and
 - b. Forward the direct payment received to the SDU using the methods listed on the State of [Tennessee Child Support Payment Information Page](#).
2. If Family Assistance staff learns that the AU is retaining support payments, IV-D Child Support Program must be notified.

Good Cause

1. There is no good cause reason for refusing to assign child support payments to TDHS.

2. Good cause for non-compliance with the requirement to cooperate with the IV-D Child Support Program may be granted in certain circumstances. See [Families First Good Cause for Non-Compliance](#) for good cause reasons and [Families First Child Support Cooperation Procedures](#) for additional information on determining good cause.

Failure/Refusal to Cooperate with Child Support

1. When the caretaker refuses to cooperate with the IV-D Child Support Program at initial application, the application will be denied.
 - a. Prior to the denial, good cause must be discussed with the customer to determine if there is a good cause reason for refusal to cooperate.
2. When adding a child to an existing AU, cooperation is presumed to exist, and a referral will be made to the IV-D Child Support Program to determine whether or not the caretaker is in cooperation.
3. Once it has been determined that the caretaker is not in cooperation with the IV-D Child Support Program, without good cause, the Families First case must be closed.
 - a. If a minor parent who is a child in their parent’s AU refuses or fails to cooperate with child support, the AU will not be sanctioned. Cooperation must be encouraged, and the fiscal and social advantages of cooperation with the IV-D Child Support Program must be explained.

Supporting Documents

- [Families First Child Support Cooperation Procedures](#)
- [Families First Good Cause for Non-Compliance](#)
- [Tennessee Child Support Payment Information Page](#)

Definitions/Acronyms

Term	Definition
IV-D Child Support Program	Title IV-D of the Social Security Act requires all states to have a child support program. The Child Support program is sometimes referred to as the IV-D program. If services from the local child support office are received, the child support case is an IV-D case.
Acronym	Expansion
AU	Assistance Unit

NCP	Noncustodial Parent
SDU	State Disbursement Unit
SSI	Supplemental Security Income
TDHS	Tennessee Department of Human Services

Supersedes

Policy 23.10 Families First Child Support Cooperation, eff. date 02/15/2018.

Approval History

Approved By	Approver Title	Approved Date	Effective Date
Clarence Carter	Commissioner	12/03/2023	12/03/2023
Danielle Barnes	Commissioner	01/29/2018	02/15/2018

Revision History

Date	Version	Location of Change	Description/Reason for Change
12/03/2023	12/03/2023	Introduction, Policy Section, Definitions and Acronyms.	Minor changes to the language; renumbered policy; updated definitions and acronyms.
01/29/2018	02/15/2018	N/A	New Policy

Approved By	<i>Clarence H. Carter</i>	Approval Date	12/03/2023
Authority	Tenn. Code Ann. § 71-3-104 Tenn. Comp. R. and Regs. 1240-01-48	Effective Date	12/15/2023
Application	All TDHS Family Assistance Staff and Contractors		