



CHILD SUPPORT CHANGES

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JOINT COMMITTEE ON CHILD WELFARE OVERSIGHT - NOVEMBER 9, 2021



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EXPAND AVAILABILITY AND ACCESS FOR IV-D

Evaluation Goal 2: The Availability and Accessibility of IV-D Services to Kansas Residents

Advantages	Disadvantages
<ul style="list-style-type: none"> • Increased options for customers • Improved customer service from competition from contractors • Utilization of corporate/business practices and leadership that optimize efficiency and resources 	<ul style="list-style-type: none"> • Three separate processes for services <ul style="list-style-type: none"> ○ IV-D ○ Court Trustees in part of state ○ Private and/or self-represented • Complexity for employers and payors/payees • Knowledge not shared to retain competitive advantages

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TECHNOLOGY UPGRADES

Evaluation Goal 3: The Efficiency, Customer Service, and General Managerial Effectiveness of IV-D Service Offices

<ul style="list-style-type: none"> • IV-D program utilizes KAESCES <ul style="list-style-type: none"> ○ Re-platforming begun 6/1/2021 ○ Changes should be easier and faster ○ Automation should be easier to implement • IV-D system must be certified to IV-D standards <ul style="list-style-type: none"> ○ Large scale changes may impact certification 	<ul style="list-style-type: none"> • Considerations <ul style="list-style-type: none"> ○ Distribution is out of compliance with K.S.A. 23-3123 ○ Changes in distribution will impact Non IV-D caseload as distribution will be to the person level not to the current case level ○ Imaging is not part of KAESCES <ul style="list-style-type: none"> ➢ Contractors currently provide and maintain imaging software and storage
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MEANINGFUL PERFORMANCE MEASURES

Evaluation Goal 7: Metrics to Measure Meaningful IV-D Performance for All Stakeholders: Taxpayers, Customers (Obligors, Obligees, and the Secretaries of DCF and Corrections), Court System, Employers/Payers of Income, and Vendors

- Are the IV-D performance measures meaningful outside of the IV-D community?
- What metrics could be put in place for both IV-D and non-IV-D programs that would help the public evaluate their choices?
 - Length of time for a modification from first request to actual filed order?
 - Identification of count of caseload in categories such as paid within last 12 months, paid within 24 months, paid within 60 months, have never paid?
 - Count of types of payors: full time employed; part-time employed; self-employed; not employed; incarcerated in excess of 180 days; disabled; retired; other.

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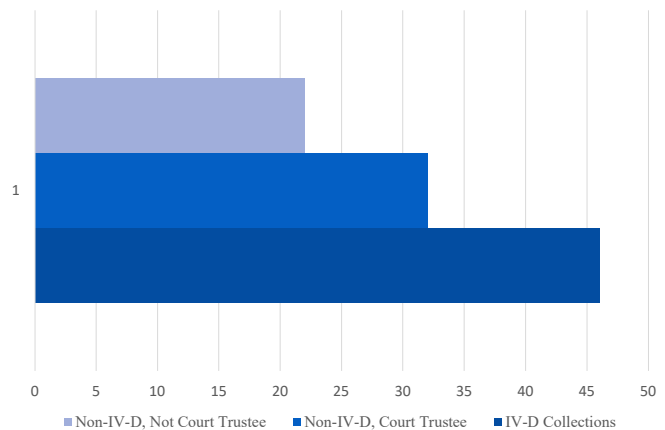
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REFER NON-IV-D CASES TO IV-D

Refer Non-IV-D Cases into the IV-D System

- IV-D is available in all counties/judicial districts at no cost in Kansas.
- Court Trustees are in 16 judicial districts.
- Support paid through KPC SFY 2019 reflects 22% of parties are proceeding without assistance from a child support professional.

Collection Type Percentage



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MODERNIZE FUNDING

Shift and Modernize the Funding Paradigm of the IV-D Program

- Five options to fund child support programs:
 - 1) Self funded
 - 2) IV-D funding – 66% Federal, 34% State;
 - Maintenance of Effort (MOE) is what we must spend on the program. If MOE is not spent, there is a penalty.
 - Federal match is based upon *allowable expenditures*.
 - No maximum amount from Federal government.
 - 3) Cost recovery based upon TANF recipients
 - 4) IV-D Incentive Pool – incentive dollars have to be spent on IV-D program
 - 5) Fees – IV-D programs must charge all non-mandatory families a fee of \$35 after \$550 is collected in the year.
- Current funding of the Kansas IV-D program is based upon cost recovery with a supplemental to replace the fees that were being charged to families.

Congressional Research Service. *Child Support Enforcement: Program Basics* updated July 25, 2019.
<https://sgp.fas.org/crs/misc/RS22380.pdf>

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CHANGE DISTRIBUTION

Distribution Opportunity

- Two distribution models are available for IV-D use:
 - Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)
 - Assignments of support rights
 - Passthrough part of this model and has implications on federal share For example, see a questions posed in October 1997 in AT-97-17
 - QUESTION 5: Is there a State option allowed under PRWORA for the State to continue passing the \$50 (or even a higher amount at State option) through to the current TANF recipient and disregarding this amount in calculating the grant amount for the recipient?
 - ANSWER 5: Under section 457(a)(1) of the Act, as revised by section 302 of PRWORA, States may continue to distribute ("pass- through") any portion of the State share of the amount collected on behalf of a family receiving assistance under title IV-A of the Act, after first paying the Federal government the Federal share of the amount collected. For eligibility purposes, the State TANF program may choose to disregard all or a part of the child support distributed to the family under 167457(a)(1)(B).
 - Deficit Reduction Act of 2005 (DRA)
 - Change in Assignment
 - See Checklist for discussion points from OCSE incorporated into DCL-08-2

<https://www.acf.hhs.gov/css/policy-guidance/instructions-distribution-child-support-under-section-457-social-security-act>

https://www.acf.hhs.gov/sites/default/files/documents/ocse/dcl_08_21a.htm

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CHANGE DISTRIBUTION

Continued

- Current funding of the Kansas IV-D program is based upon cost recovery and fee replacement through SGF.
- Opportunity to change distribution model for IV-D cases but will impact IV-D budget.

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OPTIMIZE USE OF ADMINISTRATIVE PROCESSES

- Child support cases are heard through a judicial process.
- Changes to Administration will impact Administrative Hearing Office as well as the Judicial Branch.
- Will have a split process that will have to be addressed through statutes and regulations as to how it will work for cases that were established under a judicial order.
 - Statutes are in place for an administrative process in IV-D but regulations have not been adopted. K.S.A. 39-7,137 through 39-7,152.
- What will happen if parties change between Non-IV-D and IV-D?

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TOP THREE RECOMMENDATIONS

1. Identify meaningful performance metrics for the IV-D and non-IV-D programs.
2. Ensure that every family is able to access a child support professional.
3. Investigate distribution and long-term funding to determine if now is the right time to make meaningful changes for Kansas families.

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QUESTIONS?

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