



Administrative Policies and Procedures: 23.10

Subject Families First Child Support Cooperation

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Authority Tenn. Code Ann. §71-3-104
Tenn. Comp. Rules and Regs. 1240-1-3-.32 – .39

Application Family Assistance Staff

Policy Statement

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

Purpose

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.

Procedures

A. Child Support Cooperation

1. The caretaker must cooperate with the IV-D Child Support Program to:
 - a) Identify the absent parent(s);
 - b) Establish paternity, if necessary;
 - c) Locate the absent parent(s); and/or
 - d) Pursue court-ordered support for each 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 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 his/her own Families First case, any support paid by an absent parent (AP) of the minor caretaker must also be forwarded to the State.
 - If the minor parent is not a caretaker of his/her own Families First case, there is no requirement for cooperation against the AP of the minor's child.
5. Social security lump sum payments, based on an absent 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.

B. Exceptions

1. The following individuals are exempt from the assignment requirement for Child Support:
 - a) Caretakers who receive voluntary payments made for an unborn child.
 - b) Caretaker Only cases where the dependent child in the AU is not receiving Families First benefits because he/she is receiving SSI.
2. The following AU types are exempt from the cooperation requirement for Child Support:
 - a) Single parent adoptions;
 - b) An AU containing only a pregnant woman;
 - c) Caretaker Only cases where the dependent child in the AU is not receiving Families First benefits because he/she is receiving SSI; or
 - d) Caretakers who have been determined to have good cause for refusal to cooperate with Child Support Services.

C. IV-D Reports to Family Assistance

1. If Child Support (IV-D) reports any information, including information about cooperation status, about the absent parent or the AU to Family Assistance, the caseworker 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 IV-D reports that a named absent parent has been excluded by a DNA test, the caseworker must contact the caretaker to inform him/her of the exclusion and obtain the name of the biological parent.

D. Retention of Direct Support Payments

1. The customer must be advised that when direct child support is received from the absent parent:
 - a. They must notify their caseworker 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 the caseworker learns that the AU is retaining support payments, he/she will notify Child Support (IV-D) worker via email.

- E. 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 the [Families First Good Cause for Non-Compliance](#) collateral document. See [Families First Child Support Cooperation Procedures](#) for additional information on determining good cause.
- F. Failure/Refusal to Cooperate with Child Support**
1. When the caretaker refuses to cooperate with child support at initial application, the application will be denied.
 - Prior to the denial, the caseworker must discuss good cause 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 the referral will be made to child support to determine whether or not the caretaker is in cooperation.
 3. Once it has been determined that the caretaker is not in cooperation with child support, without good cause, the AU must be closed.
 - 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 caseworker and/or client representative should explain the fiscal and social advantages of cooperation with Child Support to the minor parent.

Forms None

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

Additional Resources None

Retention of Records Pending

Glossary

Term **Definition**

NONE

Acronyms

Abbreviation	Expansion
AP	Absent Parent
AU	Assistance Unit
SDU	State Disbursement Unit
TDHS	Tennessee Department of Human Services

Supersedes

- Families First Online Policy Manual Chapter 26
- Families First Handbook pp 84-90
- Bulletins
 - FA-12-01
 - FA-05-26
 - FA-02-41
- Numbered Memoranda:
 - FF-12-03
 - FF-12-04
 - FS-12-08 as it applies to Families First
 - FA-11-17 as it applies to Families First
 - FF-11-07
 - FA-10-06
 - FF-10-03
 - FF-10-04
 - FF-08-03
 - FA-07-05 as it applies to Families First
 - FF-07-15
 - FF-07-26
 - FF-06-07
 - FF-06-15
 - FF-05-01
 - FF-05-03
 - FF-05-05
 - FF-04-06
 - FF-04-16
 - FF-04-18
 - FF-03-37
 - FF-03-01
 - FF-02-17
 - FF-02-07
 - FF-02-04
 - FF-02-03
 - FF-01-03