

**WISCONSIN DEPARTMENT OF CHILDREN AND FAMILIES
Division of Family and Economic Security
Bureau of Child Support**

**CHILD SUPPORT
BULLETIN**

No.: 07-24B - R

Date: 10/15/2009

**To: Child Support Directors
Child Support Supervisors or Lead Workers
Child Support Attorneys**

**From: Director
Bureau of Child Support**

Subject: TANF Review & Adjustment Requirements

This CSB is being revised to include new policy regarding Review and Adjustment requirements when a TANF case becomes non-TANF during the 180-day review period, before the review has been completed. The changes are italicized at the end of the TANF Review Requirements Section on page 2.

Purpose

This bulletin informs child support agencies about new requirements for child support review & adjustment (R&A) processing for TANF cases every three years. These requirements are **effective October 1, 2007**.

This Child Support Bulletin series, CSB 07-24 A, B, and C consolidates R&A policy and covers the following:

- Part A - Review & Adjustment Requirements
- Part B - TANF Review & Adjustment Requirements
- Part C - Threshold (Reasonable Quantitative Standard) for Review and Adjustment

Background

Under federal regulation, 45 CFR 303.8, each state is required to have procedures to review and, if appropriate, adjust child support orders according to the guidelines established under section 467(a) of the Social Security Act. This review must occur every 3 years if there is a TANF assignment, or upon the request of either parent if there is no TANF assignment.

Under the Deficit Reduction Act, federal law 42 UCS 666(a)(10) requires the mandatory review of all TANF cases (WWIQ, KCAR) every three years beginning October 1, 2007, (This also includes Caretaker Supplement/CTS cases.) In TANF cases, this review must take place whether or not the CP or NCP requests a review. To implement this change, the review and adjustment process in KIDS has been modified, and this CSB will clarify CSA responsibilities for ensuring that all TANF cases are timely reviewed and adjusted.

Policy

Each CSA must review and, when appropriate, adjust all TANF cases every three years. This requirement applies to all W-2 (WWIQ) and all Kinship Care cases. If there are multiple children in a family and some, but not all, children are receiving W-2 or Kinship Care benefits, the court order must be reviewed for all children.

The Review and Adjustment process must be completed within 180 days from the date the TANF Review Notice (RA19) is sent to the parties.

TANF Review Requirements

In conducting the TANF review, the CSA must evaluate the child support order currently in effect to determine whether the current support amount is consistent with the child support guidelines (DCF 150) or meets the threshold for adjustment as defined in part C of this CSB. The CSA must also ensure that the order currently includes a provision that results in private health insurance (HI) coverage that is accessible to the child(ren), if such coverage is available to either parent at a reasonable cost.

The TANF Review Notice (RA19) informs the parties that the CSA will review their child support order and both parties are asked to complete and return a financial disclosure form (RA22) and provide all additional financial information within thirty (30) days. The TANF Review Notice indicates that NLRs in Kinship Care cases are not required to return the financial information form. The parents are informed as follows:

If we do not receive the requested information within 30 days, our agency will conduct the review without your input, using the best information available and adjust your order if appropriate.

To conduct the review, the responsible worker must review the existing child support and medical support obligations, and use the best available income information to review the amount of support.

Income information may be obtained from the following sources:

- NCP/CP financial disclosure forms,
- The NCP's last-reported income source and amount,
- Employer records or check stubs,
- CARES records,
- Other sources as determined by the CSA.

At agency discretion, the CSA worker may require full financial disclosure from TANF recipients as a condition of cooperation. However, CSAs are not required to take additional action to secure full financial information from parents. At a minimum, the CSA must review the best available information, and check the UI wage data and calculate the child support under the DWD 40 Guidelines. If the order meets the threshold for adjustment as defined in part C of this CSB, the CSA must proceed to adjust the current child support obligation with a stipulation or the CSA must schedule a court hearing.

The CSA must also review medical support by determining whether the children might be covered by private HI that is accessible to the children and available to either parent at a reasonable cost. If the children are receiving BadgerCare, the CSA may assume that the custodial parent is carrying HI if available. If the CSA determines that a change in the order would result in the child(ren) being covered by private health insurance available to a parent, the CSA must proceed to modify the medical support order through a stipulation or through a court hearing.

*If a TANF case becomes non-TANF prior to the CSA completing the review and adjust process, the CSA **may** end the review process by **withdrawing the review** (RRWD-NREV) and **notifying the parties** that the review will not be completed (RA13 with appropriate com). See Review and Adjustment Fact Sheet – Coloring within the Lines for complete instructions.*

*Before ending the review, the CSA must consider whether the current support order is set at an appropriate level to ensure the family's continued financial independence. If either parent requests that the review be completed, the CSA must complete the review. If the non-TANF case subsequently reopens as a TANF case the CSA **must complete** the Review & Adjust process for the case.*

KIDS Events & Disposition Requirements

Several new events and dispositions have been added to the KIDS R&A process as a result of the new R&A processes for TANF. To ensure that the review and adjustment process is accurately recorded and that the federal timelines are met, the CSA workers must use the appropriate KIDS events and dispositions as described in the Review and Adjustment Fact Sheet.

Beginning in 2008, the Annual Self-Assessment process will expand the sample to identify review and adjustment processing in all counties to ensure that CSAs are providing the required review and adjustment services as outlined in this child support bulletin.

Resources

- [DCF150 Child Support Guidelines](#)