

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF HUMAN SERVICES

Title of Rule: Child Support Program Rules and Regulations (218-RICR-30-00-1)

Rule Identifier: 218-RICR-30-00-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 10/30/2020

End of Public Comment: 11/29/2020

Authority for this Rulemaking:

R.I. Gen. Laws § 44-30.1

Internal Revenue Code 26 U.S.C. §§6305(b) and 6402(c)

Social Security Act, 42 U.S.C. §§ 651, 654

R.I. Gen. Laws § 40.6

R.I. Gen. Laws Chapter 15-8.1, Article 6, Uniform Parentage Act

Summary of Rulemaking Action:

The purpose of the Child Support Program (Title IV-D Program) is to enforce the support obligations owed by non-custodial parents to their children and the parent with whom such children are living, locating non-custodial parents, establishing paternity and/or parentage, obtaining child and spousal support, and assuring that assistance in obtaining support will be available to all children.

This amendment to the Child Support Regulation is being made to support the passage of R.I. Gen. Laws Chapter 15-8.1, Article 6 of the Uniform Parentage Act, effective January 1, 2021. Changes are being made to amend the legality in determining the parentage of a child born within or outside of a marriage, to opposite gender or same gender couples.

This amendment will also align the Child Support Regulation with the IRS Federal Regulation intercept timeline for holding offsets. It will change the hold from one hundred and twenty (120) days to one hundred and eighty (180) days. This change will allow the spouse of the non-custodial parent more time to request their portion of diverted funds to avoid any potential financial harm.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until November 29, 2020 by contacting the appropriate party at the address listed below:

Mary Beth Slinko
Department of Human Services
LP Bldg #57, 25 Howard Ave.
Cranston, RI 02920
Mary.Slinko@dhs.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Regulatory Analysis Summary and Supporting Documentation:

This amendment to the Child Support Regulation is being made to support the passage of R.I. Gen. Laws Chapter 15-8.1, Article 6 of the Uniform Parentage Act, effective January 1, 2021. Changes are being made to amend the legality in determining the parentage of a child born within or outside of a marriage, to opposite gender or same gender couples.

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For full regulatory analysis or supporting documentation see agency contact person above.