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# I. STATEMENT OF POLICY

Federal regulation (<u>45 CFR 303.11</u>) provides the criteria for closure of child and medical support intake and collection cases. A case may be closed only if it meets one of the criteria which will be addressed in the section below. States have the option to choose which criteria applies according to the laws and procedures in their state. This policy provides criteria to use when closing all child and medical support cases. The Department may close a case as case closure is optional and not every case will close solely because it meets one of the case closure criteria.

When a case is closed, CSE is no longer \* providing \*\* services on the case, however, closing a case does not affect the underlying order or arrears owed to the CP. The child support order, including any payment due under the order or arrearages, remains in effect and continues to be enforceable by payee/obligee privately.

In initiating UIFSA cases where Louisiana DCFS is not a party or the issuing state, court action may not be necessary.

When Louisiana is the responding state, Louisiana is required to provide intergovernmental services as requested by the initiating state unless one of the closure criteria in E-912 under responding interstate cases applies.

**NOTE:** For situations when Child Support Enforcement (CSE) would not routinely close a case or closure would be inappropriate, see policy  $\underline{E-920}$ .

## II. PROCEDURES

All cases should be closed in LASES (per policy E-913) or CAFÉ using the Case Closure Page in the "Cases Tab". The Case Closure Page allows a user to enter a reason code and review the justification for the selected closure code. If the case does not meet the justification for that specific code, the user will need to review the case to determine the correct closure reason in accordance with this policy and <u>45 CFR 303.11</u>. The Case Closure Page displays data that the user must verify to ensure the case meets closure criteria. The user will select the 'next' key to initiate closure after reviewing and verifying all the information.

Refer to policy  $\underline{E-970}$  to ensure all appropriate actions are taken prior to closure.

Except when closure descriptions say otherwise, prior to closing a case or removing the arrears, the office must verify that the case has not received a payment and determine that the Noncustodial Parent (NCP) does not have any income or assets available to attach for support through the following means:

 Search LASES for assets, including Member Assets Screen (MEAS) and List Member Financial Assets Screen (LMFA).

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- Use on-line access, if available, to search the mortgage and conveyance records for the Clerk of Court where NCP lived or is believed to have owned property. If on-line access is not available, People-Finder may be used.
- Search Secretary of State website for businesses the NCP has affiliation with or owns.
- Check the Louisiana State Treasury website for unclaimed property. <u>www.louisiana.findyourunclaimedproperty.com</u>

**NOTE**: If review of a case or court order shows that the debt was end-dated without action being taken to suspend, modify, or terminate the ongoing support obligation, seek guidance via the policy clearance process in <u>C-1300</u>.

## E-911 CLOSURES WHICH REQUIRE ADVANCE NOTICE

CSE must provide, under certain circumstances, the recipient of services a notice of the intent to close the case and an opportunity to respond with the information needed for CSE to continue to provide IV-D services. For the closure codes below, a 60-day advance notice of closure (<u>CSE 105</u> Notice of Case Closure) is required. The Analyst will receive an alert at the end of the 60-day period. See section E-914 for procedures for advance notice of closure and closure of interstate cases.

**NOTE**: If the recipient of services or initiating agency responds to the 60-day notice with information needed for the next step in providing services and provides a valid reason for the case to remain open, the case remains open.

## No Current Support Order

The child support case may be closed for no current support when:

• It is verified that a current support order no longer exists and arrearages are less than \$500.

Case closure is permitted where there exists PA, cash medical (MS/MD), or NA arrearages either assigned to the state or owed to the family under \$500, and there is no longer a current support obligation. CSE will not continue to collect these arrearages unless there \* are \*\* means to collect them. These arrears may be removed from LASES, and the case may be closed without court action.

• It is verified that a current support order no longer exists and arrearages (PA, NA, or both) are unenforceable under state law.

If enforceability of the order is in question, all processes of administrative and judicial enforcement covered in Policy K (Enforcement of Support) must have been exhausted and proven unsuccessful before forwarding the case to the CSE Manager. Once the CSE Manager

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has reviewed the case, they **must** forward the case to the Attorney Supervisor for the region to determine the appropriate action. The designated attorney makes a CALO entry as to why the arrears are unenforceable and quote any law that applies. If it is determined that the arrears over \$500 are unenforceable under the law, submit to your manager all requests to remove the PA arrears along with a brief justification of the determination to State Office Financial (<u>DCFS-SES-Financial@la.gov</u>).

Financial will refer the case to the CSE Director or Designee for permission to remove the PA/cash medical (MS/MD) arrears. If the CSE Director or Designee approves \* the request to remove the PA/cash medical (MS/MD) request that the CSE Manager remove all remaining arrears (up to \$500) prior to closing the case. If the request is not approved by the CSE Director or Designee to remove the PA and/or cash medical arrears (MS/MD) owed to the state, the case should remain open and the arrears enforced. Administrative action should be taken as specified in policy  $\underline{E-930}$ .

If it is determined that the NA arrears over \$500 are unenforceable under state law, the CSE Manager must remove the NA arrears and close the case. Administrative action should be taken as specified in policy E-930.

Use reason code MCE to close cases in which all children have emancipated. Use reason code NCS to close cases in which the minor child or children have not emancipated. (See also  $\underline{E-940}$ .)

## **Deceased Custodial Parent**

A child support case may be closed when the CP is deceased and no further action need be taken. No asset search is required. (See policy E-940 for procedures for closing these cases.)

## Alleged Father Deceased

A child support case may be closed when the NCP or alleged father is deceased and no further action, including a levy against the estate, may be taken. (See policy  $\underline{E-950}$  for procedures to close these cases.)

### Paternity cannot be established

A child support case may be closed when paternity cannot be established if:

- The child is at least 18 years old and action to establish paternity is barred by a statute of limitations. Use reason code SOL on CAS1 \*\* to close the case. (See E-920 for cases where a paternity suit was filed prior to emancipation.)
- A genetic test or court process has excluded the alleged father. Use reason code APX on CAS1 to close the case. Open a new case if another alleged father can be identified.

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- CSE determines that it would not be in the best interest of the child to establish paternity in a case involving incest, rape, or in any case where legal proceedings for adoption are pending. Use reason code NIC on CAS1 to close the case. (See <u>E-310</u> for more information.)
- The identity (the first and last name) of the biological father is unknown and cannot be identified after diligent efforts, including at least one interview with the recipient of services by the IV-D agency. An interview by the FITAP/KCSP worker is not sufficient for closure and the CSE Analyst must conduct the interview. It is recommended that the interview with the client be in person, but it may be conducted by telephone. Use closure code IDU \* on CAS1 \*\* to close the

case. No asset search is required.

**NOTE**: If there are multiple children on the case, LASES will not allow the code IDU to be used. Since LASES will not allow code IDU to be used, the case must be thoroughly documented to support the reason for closure. A manual <u>CSE 105</u> must be mailed to the CP to advise of the closure since the system will not generate one. Use ADM 60 days after mailing the CSE 105.

### NCP's location is unknown

An intake or collections case may be closed whenever the NCP's physical whereabouts are unknown (i.e. employer, residential or mailing address, or sources of assets). In order for the case to qualify for closure, the office must have made diligent efforts, using all appropriate locate resources, to find the NCP:

- Over a six (6) month period when there is not sufficient information to initiate automated locate efforts;
- After a one (1) year period when there is sufficient information (Full name and DOB) to initiate an automated locate interfaces but there is no verified Social Security number; or
- Over a two (2) year period when there is sufficient information (ex. DOB and SSN) to initiate automated locate efforts.

Use reason code NLI to close a case that meets the one (1) year, use reason code NLO to close a case that meets two (2) year criteria. Use reason code LVI to close a case that meets the six (6) month criteria.

**NOTE**: In the above instances, the case must have been in the locate function for the specified time frames to be eligible for closure due to "no locate" (See X-800 Introduction to Locate.) If LASES function tracking does not permit use of one of the closure codes, a review of locate efforts and supervisor approval is needed before ADM is used. A manual <u>CSE 105</u> must be generated to provide notice to the CP about the closure. The supervisor will have to wait for 60 days to pass before entering the ADM code. Administrative action should be taken as specified in policy <u>E-930</u>.

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### NCP living with minor child(ren) as Primary Caregiver

A case may be closed when the minor child(ren) is living with the NCP as the primary caregiver. When this occurs, the IV-D agency may determine that services are not appropriate because the noncustodial party has become the custodial party.

In intake cases where the minor child(ren) are living with the NCP as the primary caregiver after CSE filed a court petition/rule, the case must remain open until the court determines whether the NCP is required to provide support for the minor children. If CSE has not filed a court petition/rule, close the case.

In collections cases, CSE may provide the NCP or CP with a <u>CSE 145</u> to complete. However, if the NCP or CP does not return the completed CSE 145, the NCP or CP must make a verbal or written request for review per <u>J-420</u>. When the NCP or CP makes a verbal or written request for review, place a posting hold on the case and refer to court for modification (See Policy E-2637-00).

When the CP or NCP completes the **\*** CSE 145, place a posting hold on the case and refer to court for a modification based on a change in circumstance. When CP nor NCP complete the CSE **\*\*** 145, but one party requests a review because the child(ren) resides with the NCP, place a posting hold on the case and refer for modification based on a change in circumstance. The caseworker must advise that the individual will need to bring supporting documentation to court (school records, medical records, custody order, or certification in another agency's program i.e. SNAP, Medicaid, etc.) to show that the children reside in the NCP's household. Complete the CSE 102 to refer the case to court for modification due to a change in circumstances. (See Policy <u>J-470</u>.)

Once the court order is received, end date the ongoing debt in accordance with the order, remove the posting hold and journal any money held in suspense to the party to whom the funds are due. If the court modifies the order to include cash medical only, do not set up the cash medical debt. Take administrative action as specified in  $\underline{E-930}$  and close the case.

Note: If the court takes longer than 180 days to adjust the order, complete an audit then email the financial unit to discuss journaling some of the funds to the case that remain undistributed in P suspense.

If there are any arrears owed after end dating the debt, the case must remain open. If there are no arrears owed, close the case using NPG.

### Intact Two Parent household

An intake or collections case may be closed when both parents are living with the minor child(ren) in an intact two parent household. The IV-D agency may determine that services are not appropriate or are no longer appropriate because the custodial party and noncustodial party live together functioning as an intact family unit.

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In intake cases where the NCP is living with the minor child(ren) in an intact two (2) parent household, prior to CSE filing a court petition/ rule, the NCP or CP needs to complete the <u>CSE</u> <u>145</u> prior to closing the case. A manual <u>CSE 105</u> must be mailed to inform the CP about the closure since the system will not generate one. After 60 days have passed, use code ADM to close the case. The case must be thoroughly documented to support the reason for closure.

**NOTE**: If the intake case opened as a result of a IV-A or IV-E referral, proceed with filing suit for support.

If the NCP is living with the minor child(ren) in an intact two (2) parent household after CSE filed a court petition/rule, the case must remain open pending the court's decision. The case remains open if the court sets child support. However, if the court chooses to set cash medical only, CSE must amend out of the order as specified in  $\underline{E-930}$  and manually generate the CSE 105 prior to closing the case. Note: Verify the court order, update COOD and LICD with cash medical order information then amend out of the order to avoid DRA errors.

On collection cases for all debt types:

If both parents reside in the home with the minor child, place a posting hold on the case and the CP must complete the CSE 145 (Affidavit of Intact Household or Noncustodial Parent Caregiver). Upon receipt of the CSE 145, the caseworker must take steps to end support enforcement services. \* Complete the CSE 102 to refer the case to court for a modification due to a change in circumstance and attach the CSE 145. (See Policy J-470.) \*\* Only if the CP requests to forgive arrears owed to the family should the <u>CSE 132</u> Affidavit to Credit Arrears (See <u>K-160</u> Procedures to Credit Arrears in Child Support Cases) be completed. \*\*\* The person assigned must file \*\*\* CSE 132 into the court record.

Note: When the NCP is no longer an absent parent, it is not appropriate for the noncustodial parent to continue to pay cash medical support. The court needs to be made aware of the change in circumstance so the cash medical obligation can be stopped. If the court does not terminate or suspend the cash medical support, then CSE should use the <u>CSE 632</u> to remove DCFS as payee.

Once administrative action is taken as specified in policy E-930, end date the debt, remove the posting hold, and disburse any funds according to the distribution rules (Policy X-1930).

**NOTE:** CSE should never encourage the CP to credit arrears at case closure. If the custodial party does not complete the CSE 132 (Affidavit to Credit Arrears), we must wait until administrative action is taken to remove the NA arrears and close the case. The arrears that are still owed on the case will be collectible by the CP privately.

If the custodial party completes the CSE 145 and he/she wants CSE to continue collection of the arrears owed to the family (NA), the case does not qualify for closure (See <u>E-920</u>). Complete the

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CSE 102 to refer the case to court for modification of the ongoing support obligation. Based upon the court's determination, update the case accordingly.

- If the CP does not complete the <u>CSE 145</u>, the NCP may requests a review by providing documentation that they are living in the home with the minor child and CP, complete the CSE 102 to refer the case for modification of the ongoing support obligation. Based upon the court's determination, update the case and debt accordingly.
- Verify on CAS2 if the case was opened because of a Medicaid referral. If yes, complete <u>CSE 106</u> to notify Medicaid that the CSE case meets the closure criteria (NCP is in the household) and take action to close the case. Administrative action should be taken as specified in <u>E-930</u>.
- If FISU shows that PA and/or cash medical arrears that are owed to the state exist on the case, complete <u>CSE 102</u> to refer the case for modification of the ongoing support. Based upon the court's determination, update the case accordingly. CSE will continue collection of the PA and/or cash medical arrears (MS/MD) owed prior to the date the support (child or cash medical) was modified, suspended, or terminated until paid in full.
- Use reason code \* NCS to close the case.

Note: During the modification hearing, the court shall not cancel any arrears that have accrued unless the department, through the CSE Director, determines that there is no possibility of collecting them. If this occurs, follow the procedures in <u>L-610</u> for adverse ruling.

## Sole income is SSI, SSI and SSDI, or SSI/SSR

The intake or collection case may be closed when the NCP's sole income is Supplemental Security Income (SSI) payments or a combination of SSI payments and Social Security Disability Insurance (SSDI) or Social Security Retirement (SSR) benefits under Title II of the Act.

- NCP must provide current verification from the Social Security Administration showing receipt of SSI or SSDI and SSI benefits or combination of SSI/SSR. Note: This information may also be obtained through FPLS.
- If the child is a minor and no order of support has been established, but the suit has already been filed, proceed to the hearing. Once the court renders the decision and the office receives the judgment, update COOD and/or LICD to reflect the court order then take administrative action as specified in E-930 to close the case. If the court does not render a support order, document the reason for closure in CALO and close the case SSI, SSD, or SSR.
- If the petition to establish paternity and support has not been filed, close the case. Use closure code SSI, SSD, or SSR if child(ren) have not emancipated, SOL if child(ren) have emancipated. If there is a need to use \*\* DIS as the closure reason, APD4 must be updated with the Physician's

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name, address, and the date of diagnosis (SSI award letter date or the date on the physician's statement). The IV-D agency must document the actual case closure reason in CALO "E".

- \*\*\* \* When reviewing a collections case where the noncustodial parent's income includes SSI or a combination of SSDI and SSR, document the reason for closure of the case in CALO. Take administrative action as specified in E-930 to close the case. If the income is SSI only, use closure code SSI. If the income is combination of SSI and SSDI, use closure code SSD. Finally, if the income is a combination of SSI and SSR, use closure code SSR.
- If there are arrears owed to the state over \$500, submit a request to financial to remove the PA/cash medical arrears (MS/MD).
- End date the debt and remove any remaining arrears prior to closure. Use closure code MCE if all
  participating children have emancipated and SSI, SSD, or SSR if there are children who have not
  emancipated.

**NOTE:** According to LA R.S. 46:236.1.2, the court shall not cancel any arrears that have accrued unless the department, through the CSE Director, determines that there is no possibility of collecting them. If this occurs, follow the procedures in L-610 for adverse ruling.

 If the current support order no longer exists with arrears owed to the family and there are no assets, remove the arrears and close the case. Use reason code MCE, SSI, SSD, or SSR \*\* as appropriate.

### Long-term care placement

A case may be closed when the NCP is entering or has entered long-term care placement such as a residential care facility or home health care, and the children have emancipated. The NCP must have no income or assets that CSE can levy or attach for support and there are NA /UDA arrears only. Use closure code LTC.

**NOTE:** If there are PA and/or cash (MS/MD) medical arrears owed to the state, the case does not qualify for closure until paid in full. When the NCP does not have the ability to pay any of the state owed arrears due to being in long term care placement, the state may remove the arrears if there is no means to collect them. Submit a request to financial to remove state owed arrears over \$500.

- The NCP is responsible for providing verification as needed to confirm long-term care placement. Once CSE receives the verification, update the APD4 screen.
- Take administrative action as specified in policy <u>E-930</u> then remove the arrears and close the case.

### NCP cannot pay during the child's minority:

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Case may be closed when the NCP cannot pay child or medical support for the duration of the child's minority (or after the child has reached the age of majority) because the NCP:

- 1. Is institutionalized in a psychiatric facility (Use reason code DIS to close the case);
- 2. Has a medically verified total and permanent disability with no evidence of support potential (Use reason code DIS to close the case); or
- 3. Is incarcerated with no chance of parole (Use reason code INC on CAS1 to close the case). Note: Use Cajun information to confirm no chance for parole. The incarcerated NCP case may also qualify for closure if Cajun or APD2 shows that the NCP parole eligibility/early release date is two (2) or more years after the minor child's emancipation date. Note: This closure reason applies to cases with an ongoing support obligation.

Example 1: The NCP of a minor child receives a prison term that is less than two (2) years after the child's emancipation date. The case will not qualify for closure because the NCP will not serve at least two (2) years before being released.

Example 2: The NCP of a minor child receives a prison term that will last for two (2) or more years after the child's emancipation date. The case will qualify for closure because the NCP will serve at least 2 years of the sentence before being released.

**NOTE:** If the case is closed, all arrears due to the family have to be collected by the CP as CSE will not reopen an 'arrears only' case unless requested by an Initiating State.

If the collection case meets one of the criteria above, remove the NA arrears and close the case. The order for support should never be dismissed. Administrative action should be taken as specified in policy  $\underline{\text{E-930}}$ .

If the closure reasons above are met, the arrears owed to the state requires that a request be submitted to the financial unit for approval to remove the PA/cash medical (MS/MD) arrears. Financial will refer the case to the CSE Director or Designee for permission to remove the state owed arrears over \$500. If the request is approved, close the case. If the request to remove the PA/cash medical arrears (MS/MD) is not approved, the case should remain open and the order enforced.

## Arrears only cases for Incarcerated NCPs

If the NCP has been or will be incarcerated for two (2) or more years after the child's emancipation date or incarcerated with no chance for parole, the case may be closed.

EXAMPLE 1: The NCP of an emancipated child receives a prison term for less than two (2) years after the child's emancipation date. The case is not eligible for closure because the NCP will not serve at least two (2) years before being released.

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EXAMPLE 2: The NCP of an emancipated child receives a prison term that will last for two (2) or more years after the child's emancipation date. The case is eligible for closure because the NCP will serve at least 2 years of the sentence before being released.

Note: The case will not qualify for closure if the early release date allows the NCP to leave prison without serving a two-year sentence.

If the case has less than \$500 in NA arrears only, remove the arrears and close the case. If the case has a combination of cash medical, PA only, or NA and PA arrears, submit the request to State Office Financial for approval to remove the PA/cash medical (MS/MD) arrears that are over \$500. Once all the remaining arrears are removed, close the case using MCE.

If the NCP is incarcerated and the child will be a minor upon the NCP's release date, the case should remain open and the order enforced.

In the above three instances, the office must determine that no income or assets are available to the NCP which could be levied or attached for support prior to closure.

## NCP out of the Country

A case may be closed if the NCP is a citizen of, and lives in, a foreign country, does not work for the Federal government or a company with headquarters or offices in the United States, and has no reachable domestic income or assets, and there is no federal or state reciprocity with the country. (Use reason code OOC to close the case.) Administrative action should be taken as specified in policy  $\underline{E-930}$ .

**NOTE:** Reciprocity with a country could be through either a federal or state treaty or reciprocal agreement.

## Unable to Contact

The case may be closed if the office is unable to contact the recipient of services. Efforts to contact must include at least one letter, sent by first class mail, to the recipient's last known address.

**NOTE:** This closure reason does not apply to cases with PA and/or cash medical (MS/MD) arrears owed to the state. Once the PA and/or cash medical arrears (MS/MD) are paid in full, BAD may be considered as the closure reason for deceased CP or other IV-D cases.

In order to close the case, cooperation with the IV-D agency must not be required of the recipient
of services and two 60-day time periods are to be observed. Once the mail has been returned,
take the appropriate action by initiating the <u>CSE 103</u> (NA Clients) or CSE 310 (FA Clients) to
begin the first 60-day time frame. The CSE 103 or <u>CSE 310</u> should be generated via Document
Generation. The system will automatically populate LOSU.

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- After the first 60-day time period has elapsed, mail the <u>CSE 632</u> to the parties to end support enforcement services. The analyst should then PCL the case by entering "BAD" in the REASON code field on CAS1 to begin the second 60-day time frame or LASES will automatically PCL the case during the monthly case closure process. Administrative action should be taken as specified in policy <u>E-930</u>.
- If contact is re-established with the recipient of services within the 60-day time periods to provide his/her new address to stop the closure process, the case remains open to continue providing IV-D services.

**NOTE:** If the CP is a current assistance FITAP/KCSP recipient, the case cannot be closed.

## Failure to Cooperate

The failure to cooperate provisions apply on the following types of cases (See <u>E-530</u>): Never Assistance cases, Non IV-A Medicaid, Former FITAP/KCSP cases, and Former Medicaid cases. On these cases, CSE must determine when the applicant's participation is needed. CSE must also determine when the case cannot move forward with the next action because the applicant is not working jointly with the office to take part in the case. When this determination is made that the applicant is not cooperating, CSE must document the reason for the noncooperation before proceeding to close the case FTC. Documentation must specifically state the reason and policy reference showing that cooperation is required (See policy <u>G-168</u>). It must also specify the next step action that cannot be completed due to the CP's failure to cooperate.

Referrals received from other agencies (IV-A, IV-E, or Medicaid) require their recipients to cooperate with CSE. When the recipient does not cooperate with CSE, CSE must report the non-coop to the other agency. The agency may remove the benefits according to their guidelines. Once benefits are removed, the recipient is no longer required to cooperate. For Medicaid, the case then becomes a child-only Medicaid case. For FITAP/KCSP, the recipient's benefits are sanctioned. At this point, the CSE case qualifies for closure.

**NOTE:** Mandatory Referrals cannot be closed for FTC as long as the recipients are included in the certification. (See <u>E-530</u>, <u>E-540</u>, and <u>F-230</u>.)

## E-912 INTERSTATE CLOSURES WHICH REQUIRE ADVANCE NOTICE

## **Responding UIFSA Cases**

When Louisiana is the responding state agency, Louisiana may only close an intergovernmental case when the closure reason meets one of the criteria listed under responding interstate cases. The case does not qualify for closure using any other closure criteria.

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On responding interstate cases, the case may be closed when:

- CSE cannot move forward with the next action without the Initiating State's participation. CSE
  documents failure by the initiating agency to take an action, which is essential for the next step in
  providing services. Supervisory approval is required prior to closure. Use reason code FIS to close
  the case.
- CSE receives notice that the initiating state has closed its case. The initiating state agency's closure must be pursuant to federal regulations and initiating state must notify the responding agency of the basis for case closure. Use reason code ARR on CAS1 to close the case.
- The initiating agency has notified CSE that its intergovernmental services are no longer needed. Use reason code ARR on CAS1 to close the case.

See section E-915 for procedures for advance notice of closure and closure of interstate cases. A task is sent to alert the analyst at the end of the 60-day period.

**NOTE:** Within 10 days of receiving notification of case closure from an initiating state agency, the Louisiana corresponding interstate case must be closed and the income withholding order must be stopped. If Louisiana established the order, remove the arrears and close the case. Administrative action should be taken as specified in policy <u>E-930</u>. If the order was issued by another state or foreign country, it is not necessary to file a motion to amend to remove DCFS as payee. Use reason code ARR on CAS1 to close the case. Image any transmittals from the other state and document the case in CALO.

If the CP or NCP applicant has applied for IV-D services in a new state of residence, the IV-D agency of the new state may request closure of the LA case. If there are state owed arrears or the CP is receiving state assistance (FITAP, IV-E, or Medicaid) closure of the LA case is not permitted. See <u>E-920</u>.

## **INITIATING UIFSA CASES**

When Louisiana is the initiating state agency, the case closure reason must be pursuant to federal regulations and policy E-910 or the case may not be closed.

See section E-915 for procedures for advance notice of closure and closure of interstate cases. A task is sent to alert the analyst at the end of the 60-day period.

## E-913 NO ADVANCE NOTICE REQUIRED

### Recipient of Service requests closure

The Recipient of Service may only request case closure under 45 CFR 303.11 (b) (12) when:

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- The recipient is not receiving IV-A Services (FITAP/KCSP),
- There are no arrears owed to the state, and
- There is no assignment of rights for medical support or cash medical, (child is not active Medicaid).

Administrative action should be taken as specified in policy  $\underline{E-930}$ . Once administrative action is taken, end date the debt, remove the arrears, and close the case.

### Arrears only Cases

If the CP that does not receive FITAP/KCSP or Medicaid, requests case closure and wants to pursue collection of the arrears privately, then only request that the CP complete the CSE 314 (Request for Closure). Once the CP has completed the <u>CSE 314</u> (Request for Closure), remove the NA arrears and close the case. Administrative action should be taken as specified in policy E-930.

### Credit of Arrears

While CSE can inform the CP of their right to forgive arrears, the agency must never encourage or force the arrears to be forgiven. Nonetheless, if the CP that does not receive FITAP/KCSP or Medicaid, requests case closure and wants to permanently render the arrears uncollectible, then the CP must complete both the <u>CSE 132</u> (Affidavit to Credit Arrears) and the CSE 314 (Request for Closure).

Once the caseworker receives both completed forms, the caseworker must take administrative action as specified in policy E-930. Remove the NA arrears and close the case. Use reason code "ARR" to close the case.

**NOTE:** The CSE 314 may be used as documentation of the recipients request for closure. Other documentation is acceptable based on supervisor approval.

## Good Cause

When there is a finding by the IV-D agency, or at the option of the State by the responsible State agency, of good cause or other exceptions to cooperation with the IV-D agency, and the State or local assistance program (such as IV-A, IV-E, SNAP or Medicaid) has determined that support enforcement may not proceed without risk of harm to the child or caretaker relative, enter reason code GCP on CAS1 to close the case.

If the CP provides information that there is a threat of harm, document the case in CALO and provide the CP/caretaker relative with a  $\underline{CSE 672}$ . If the CP/caretaker relative wishes to cooperate with CSE

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after completing the CSE 672, image the form and update the Family violence indicator. If there is a finding that cooperating with CSE may pose a risk of harm to the CP/caretaker or child, after the CP completes the <u>CSE 672</u> form, end date the child support debt and enter reason code GCP. If there is no debt or CSE has not filed a petition, enter reason code GCP to close the case (See policy C-770). If CSE has filed a petition, consult attorney handling the case for next step action.

**NOTE:** Please explain to the CP that closing the case with CSE will not necessarily terminate their child support order or any arrears that have accrued under that order.

If no order has been established, document the reason for closure in CALO and close the case GCP.

If there is an order already established, administrative action should be taken as specified in policy  $\underline{\underline{E}}$ -<u>930</u> Once administrative action is taken, end date the debt, remove the arrears, and close the case.

### Locate only services

The agency has provided parent locate only services as requested by the recipient of services. Once the agency has provided parent locate services, use reason code LOC to close the case. (see F-310)

### Inappropriate Referrals

CSE has entered into an agreement with the referring agencies (IV-A, IV-E and Medicaid) pertaining to specific criteria of when a referral is deemed appropriate. When the criteria are not met, the referral is considered inappropriate and CSE may take action to close the IV-D case. For IV-A criteria see  $\underline{F-110}$ . For IV-E (Foster care/OJJ) criteria see  $\underline{F-410}$  and Medicaid criteria see  $\underline{F-210}$ .

If a case was created as a result of an inappropriate referral, report the inappropriate referral to the respective agency. All inappropriate referrals must be verified and documented. Use reason code REF to close the case.

## **Continuation of Services**

When CSE receives a Fast Form from Child Welfare requesting closure and we have no applicant that has ever applied for services, it is not possible to continue to provide services to the family. When this occurs, the case qualifies for closure (See  $\underline{E-930}$  for more information).

Before closing the case, CSE must amend the order obtained for Child Welfare to end support enforcement services. End date the debt and close the case COS. Administrative action must be taken as specified in policy E-930.

\* If CSE is notified that the minor child(ren) is being returned to the custody of the CP on an existing IV-D case, close the foster care case on CAS1 using closure code COS. (See F-0470). \*\*

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**NOTE**: If there are arrears on the case, take administrative action as specified in policy E-930 and continue collection of the arrears.

### **Opened in Error**

If the case is open due to an administrative error, then the case must be carefully documented to reflect the administrative error. Use reason code OIE to close the case.

### Administrative Closure

Reason code ADM is used to close a Non IV-D case and to close a LASES case when there is an administrative reason to close the case.

NOTE: Only an Analyst's supervisor or CSE Manager can enter reason codes ADM and OIE.

When there is another code available to use to meet federal notice requirements, the closure code provided in policy should be used unless policy E-910 specifically identifies ADM or OIE as the appropriate closure code. If ADM or OIE is used and the closure reason requires advance notice, staff must send the <u>CSE 105</u> manually \* and wait 60 days before closing \*\* to meet the federal notice requirements.

## E-914 CLOSING A CASE ON LASES

Once the required order is obtained or the case is closed in accordance with E-930, end date all ongoing debts on the DBOU screen (See <u>E-2505-00</u>). Review each case record before closing to determine whether there is an outstanding warrant for arrest that must be recalled or an income assignment that must be terminated. A supervisor must review all cases prior to closure. Enter reason code on CAS1. LASES generates form CSE 105 for all cases using reason codes listed in <u>E-911</u> above. In 60 days, if the reason code is not changed or removed, LASES does the following:

- Updates IV-D Status to CLS;
- Dispositions open summary screen actions on ENSU, ESSU, PASU, SESU with 0990 (Closed-Dispositioned by System) and on LOSU with CDBS (Closed-Dispositioned by System).
- A case closure report is generated at the end of each month.
- LASES generates an alert to the supervisor when the IV-D closure status reason is entered by the Analyst.

## E-915 CLOSING AN INTERSTATE CASE ON LASES

• Interstate cases in which the case status changes from ATV to PCL:

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- If the case is not CSENet active, the <u>OMB Transmittal 2 Subsequent Action Form</u>, must be sent to the responding state. This form can be generated through the Document Generation System or manually via the On-Line Policy Management System (OPMS).
- If the case is a Louisiana initiating interstate case and the case status changes to PCL, LASES generates form <u>CSE 105</u> to the CP.
- o If the responding state is active CSENet, the following occurs:

A CSENet transaction automatically generates to the responding state advising of our intent to close the case in 60 days.

 If the responding state on CACI is active CSENet and function type is not MSC, the following occurs:

Worker will receive an online message: "CSENet MSC Not Allowed-Create OMB Doc Manually."

• If the responding state on CACI is not CSENet active, the following occurs:

Worker will receive an online message: "Other State not CSENet-Create OMB Doc Manually."

- If the case is a Louisiana responding interstate case and the case status changes to PCL the CSE 105 will not generate.
- o If the initiating state on CACI is active CSENet with function type MSC, the following occurs:

A CSENet transaction automatically generates to the initiating state advising of our intent to close the case in 60 days.

• If the initiating state on CACI is active CSENet and function is not MSC, the following occurs:

Worker will receive an online message: "CSENet MSC Not allowed-Create OMB Doc Manually."

 $\circ~$  If the initiating state on CACI is not CSENet active, the following occurs:

Worker will receive an online message: "Other State not CSENet-Create OMB Doc Manually." Interstate cases in which the case status changes from PCL TO CLS the following occurs:

 If the other state on CACI (initiating or responding) is active CSENet with function type MSC, the following occurs:

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A CSENet transaction automatically generates to the state advising that case has been closed.

 If the other state on CACI (initiating or responding) is active CSENet and function type MSC is not allowed, the following occurs:

Worker will receive an online message: "CSENet MSC Not allowed-Create OMB Doc Manually."

• If the other state on CACI (initiating or responding) is not CSENet active, the following occurs:

Worker will receive an online message: "Other State not CSENet-Create OMB Doc Manually."

- If Louisiana is the responding state a <u>CSE 316</u> (Noncustodial Parent Notice of Closure) will generate to the NCP.
- On Interstate cases in which the case status changes from ATV to CLS due to reason code ADM no CSENet action is taken.
- Interstate cases in which the case status changes from ATV to CLS due to reason code OIE, the following occurs:
  - If the other state on CACI (initiating or responding) is active CSENet with function MSC, the following occurs:

A CSENet transaction automatically generates to the other state advising that case was opened in error and is now closed.

 If the other state on CACI (initiating or responding) is active CSENet and function type is not MSC, the following occurs:

Worker will receive an online message: "CSENet MSC Not allowed-Create OMB Doc Manually."

• If the other state on CACI (initiating or responding) is not CSENet active, the following occurs:

Worker will receive an online message: "Other State not CSENet-Create OMB Doc Manually."

- Interstate cases in which the case status changes from ATV to CLS due to reason code FIS or GCP, the following occurs:
  - If the other state on CACI (initiating or responding) is active CSENet with function type MSC, the following occurs:

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A CSENet transaction automatically generates to the other state advising that case was closed.

 If the other state on CACI (initiating or responding) is active CSENet and function type is not MSC, the following occurs:

Worker will receive an online message: "CSENet MSC Not allowed-Create OMB Doc Manually."

o If other state on CACI (initiating or responding) is not CSENet active, the following occurs:

Worker will receive an online message: "Other State not CSENet-Create OMB Doc Manually."

**NOTE:** Form <u>CSE 105</u> will not generate.

## E-916 INTERSTATE CASE CLOSURE PROCESSING INITIATED BY OTHER STATE

- If the case is a Louisiana responding interstate case and we receive a PCL CSENet transaction from the initiating state, no response is necessary.
- If the case is a Louisiana initiating case and we receive a PCL CSENet transaction from the responding state, the Analyst must place the appropriate closure code on CAS1 to allow LASES automation to take over. If it appears that the PCL CSENet transaction is inappropriate, the Analyst should take appropriate action.

### III. FORMS AND INSTRUCTIONS

CSE 102 Form / Instructions Case Referral for Action

CSE 103 Form / Instructions Notice of Bad Address to Custodial Parent

CSE 105 Form / Instructions Notice of Case Closure

SES 106 Form / Instructions Notice to Review the Medicaid Referral to Child Support Enforcement

- CSE 132 Form / Instructions Affidavit to Credit Support Arrears
- CSE 145 Form / Instructions Affidavit of Intact Household or Noncustodial Parent Caregiver
- CSE 310 Form / Instructions Notice of Intent to Discontinue Child Support
- CSE 314 Form / Instructions Request for Closure
- CSE 316 Form / Instructions Noncustodial Parent Notice of Closure
- CSE 632 Form / Instructions Notice to End Support Enforcement Services

CSE 667 Form / Instructions Motion and Order Removing DSS as Payee for Child Support Payments in Civil Cases

CSE 668 Form / Instructions Rule to Show Cause Redirection of CS Payment

OMB-Transmittal #2 CSE Transmittal #2 - Subsequent Actions <u>Form</u> / <u>Instructions</u> Appendix 31.4B Information Form

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# IV. REFERENCES

45 CFR 303.11(b)(11)