I. DEPARTMENT
HUMAN SERVICES DEPARTMENT

II. SUBJECT
CHILD SUPPORT ENFORCEMENT PROGRAM
PROGRAM SERVICES
INCOME WITHHOLDING
PARENTAL RESPONSIBILITY ACT LICENSE SUSPENSION
ADMINISTRATIVE OFFSET BY THE SECRETARY OF THE TREASURY
COLLECTION OF FEES/RECOUPMENTS
DISTRIBUTION OF COLLECTIONS
ADMINISTRATIVE HEARINGS
NOTICE OF ADMINISTRATIVE ENFORCEMENT ACTION

III. PROGRAMS AFFECTED
(TITLE IV-D) CHILD SUPPORT ENFORCEMENT

IV. ACTION
FINAL RULE

V. BACKGROUND SUMMARY
The Department is finalizing regulations that were proposed in the Human Services Register (HSR) Vol. 41 No. 39 to the General Provisions.

A public hearing was held on February 21, 2019 and there were no attendees and no written or oral comments were received by the department.

Concise Explanatory Statement:

- Changes in the rules are to revise child support program services offered, to state that income withholding will comply with federal regulation and to remove language stating the income withholding is upon request, to revise language to reflect the current procedure for license suspension, to allow for the seizure of administrative offset for child support delinquency, to revise program fees, to clarify the definition of payees, to include income withholding and administrative offset as claims for requesting an administrative hearing, and to include the requirement of due process notice for an administrative offset. The purpose of the proposed rules are to comply with federal child support regulations and to update internal procedures.

VI. RULES

These rules will be contained in 8.50.100.9 NMAC, 8.50.110.8 NMAC, 8.50.112.8 NMAC, 8.50.112.16 NMAC, 8.50.125.10 NMAC, 8.50.125.11 NMAC, 8.50.130.8 NMAC, 8.50.130.10 NMAC. The final register and rule languages are available on the HSD website at: http://www.hsd.state.nm.us/LookingForInformation/child-support-enforcement-division-registers.aspx and on the Sunshine Portal at http://statenm.force.com/public/SSP_RuleHearingSearchPublic. If you do not have internet access, a copy of the final register and rules may be requested by contacting Jennifer Salazar-Valdez at (505) 476-7186.

VII. EFFECTIVE DATE

July 1, 2019

VIII. PUBLICATION

Publication of these final regulations approved on April 4, 2019 by:

[Signature]

DR. DAVID SCRASE, SECRETARY
HUMAN SERVICES DEPARTMENT

NM Human Services Register Vol. 42 No. 4
**NMAC Transmittal Form**

**Commission of Public Records**

**Human Services Department Child Support Enforcement Division P.O. Box 2348 Santa Fe, NM 87504**

**Contact person's name:** Jennifer Salazar-Valdez  
**Phone number:** (505) 476-7186  
**E-mail address:** Jennifer.Salazar-Va@state.nm.us

**Type of rule action:** 
- Amendment
- Repeal
- Emergency
- Renumber

**Title number:** 8
**Title name:** Social Services

**Chapter number:** 50
**Chapter name:** Child Support Enforcement Program

**Part number:** 100
**Part name:** General Provisions

**Amendment description (If filing an amendment):**
"Amending one section"

**Amendment's NMAC citation (If filing an amendment):**
"Sections B of 850.100.9 NMAC"

**Specific statutory or other authority authorizing rulemaking:**

**Notice date(s):** 01/20/2019  
**Hearing date(s):** 02/21/2019  
**Rule adoption date:** 07/01/2019  
**Rule effective date:**

**Findings required for rulemaking adoption:**

**Findings MUST include:**
- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;  
- Reasons for any change between the published proposed rule and the final rule; and  
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to remove outdated language for IV-A applicant upon a fee, request non-custodial parent to be located and pursue support individually. To updated language of IV-D agency does not take any action to establish any order for spousal support. Remains to the obligee's responsibility to establish such an order.

**Continued on next page**

7/1/2018
Findings required for rulemaking adoption:

continued

Issuing authority (If delegated, authority letter must be on file with ALD):

Name:  Dr. David Scrase
Title:  Secretary
Signature:  [Signature]  Date signed:  2/4/17

Check if authority has been delegated

7/1/2018
NMAC Transmittal Form

Volume: XXX Issue: 10 Publication date: 05/28/2019 Number of pages: 2 (ALD Use Only) Sequence No.

Issuing agency name and address:
Human Services Department Child Support Enforcement Division P.O. Box 2348 Santa Fe, NM 87504

Agency DFA code: 630

Contact person’s name: Jennifer Salazar-Valdez Phone number: (505) 476-7186 E-mail address: Jennifer.Salazar-Va@state.nm.us

Type of rule action:
New ☐ Amendment ☑ Repeal ☐ Emergency ☐ Renumber ☐ (ALD Use Only)

Most recent filing date:

Title number: 8 Title name: Social Services

Chapter number: 50 Chapter name: Child Support Enforcement Program

Part number: 110 Part name: Income Withholding

Amendment description (If filing an amendment):
"Amending two sections"

Amendment’s NMAC citation (If filing an amendment):
*Sections A and C of 8.50.110.8 NMAC*

Are there any materials incorporated by reference? Yes ☐ No ☑

Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes ☐ No ☑ Public domain ☐

Concise Explanatory Statement For Rulemaking Adoption:

Specific statutory or other authority authorizing rulemaking:


Notice date(s): 1/20/2019 Hearing date(s): 2/21/2019 Rule adoption date: Rule effective date: 7/1/2019

Findings required for rulemaking adoption:

Findings MUST include:
- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to revise child support program services offered, to state that income withholding will comply with federal regulation and to remove language stating the income withholding is upon request.

Continued on next page

7/1/2018
Concise Explanatory Statement For Rulemaking Adoption:

Specific statutory or other authority authorizing rulemaking:


Findings required for rulemaking adoption:

Findings MUST include:
- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to revise language to reflect the current procedure for license suspension.
Findings required for rulemaking adoption:
continued

Issuing authority (If delegated, authority letter must be on file with ALD):

Name: Dr. David Scrase

Title: Secretary

Signature: (BLACK ink only) [Signature]

Date signed: 4-4-19

7/1/2018
NMAC
Transmittal Form

Volume: XXX Issue: 10 Publication date: 05/28/2019 Number of pages: 2

Issuing agency name and address:
Human Services Department Child Support Enforcement Division P.O. Box 2348 Santa Fe, NM 87504

Contact person's name: Jennifer Salazar-Valdez Phone number: (505) 476-7186 E-mail address: Jennifer.Salazar-Va@state.nm.us

Type of rule action:
New ☑ Amendment □ Repeal □ Emergency □ Renumber □

Title number: 8 Title name: Social Services

Chapter number: 50 Chapter name: Child Support Enforcement Program

Part number: 112 Part name: Administrative Enforcement of Support Obligations

Amendment description (If filing an amendment): 
Amendment's NMAC citation (If filing an amendment):

Are there any materials incorporated by reference? Yes □ No ☑ Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes □ No □ Public domain ☑

Concise Explanatory Statement For Rulemaking Adoption:

Specific statutory or other authority authorizing rulemaking:

Notice date(s): 1/20/2019 Hearing date(s): 2/21/2019 Rule adoption date: Rule effective date: 7/1/2019

Findings required for rulemaking adoption:
Findings MUST include:
- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to allow for the seizure of administrative offset for child support delinquency, to revise program fees, to clarify the definition of payees, to include income withholding and administrative offset as claims for requesting an administrative hearing, and to include the requirement of due process notice for an administrative offset.

Continued on next page

7/1/2018
Findings required for rulemaking adoption: continued

Issuing authority (If delegated, authority letter must be on file with ALD):
Name: Dr. David Serase
Title: Secretary
Signature: [Signature]
Date signed: 4-4-19

7/1/2018
### Concise Explanatory Statement For Rulemaking Adoption:

**Specific statutory or other authority authorizing rulemaking:**


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<th>Notice date(s):</th>
<th>Hearing date(s):</th>
<th>Rule adoption date:</th>
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<td>2/21/2019</td>
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<td>7/1/2019</td>
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</table>

**Findings required for rulemaking adoption:**

- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to revise language of parent locate fee of $60 has been removed. Adding language of administrative offset applicable federal fee.
Findings required for rulemaking adoption:
continued

Issuing authority (If delegated, authority letter must be on file with ALD):
Name: Dr. David Sernase
Title: Secretary
Signature: (BLACK ink only) 
Date signed: 7/1/2019
**NMAC Transmittal Form**

**Issuing agency name and address:**
Human Services Department Child Support Enforcement Division P.O. Box 2348 Santa Fe, NM 87504

**Contact person’s name:** Jennifer Salazar-Valdez
**Phone number:** (505) 476-7186
**E-mail address:** Jennifer.Salazar-Va@state.nm.us

**Type of rule action:**
- [x] Amendment
- Repeal
- Emergency
- Renumber

**Title number:** 8
**Title name:** Social Services

**Chapter number:** 50
**Chapter name:** Child Support Enforcement Program

**Part number:** 125
**Part name:** Fees, Payments, And Distributions

**Amendment description (If filing an amendment):** "Amending one section"

**Amendment’s NMAC citation (If filing an amendment):** "Section 11 subsection 1 of 8.50.125.11 NMAC"

**Are there any materials incorporated by reference?** Yes [x] No

**If materials are attached, has copyright permission been received?** Yes [ ] No [ ] Public domain [ ]

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**Concise Explanatory Statement For Rulemaking Adoption:**

**Specific statutory or other authority authorizing rulemaking:**

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**Notice date(s):** 1/20/2019
**Hearing date(s):** 2/21/2019
**Rule adoption date:**
**Rule effective date:** 7/1/2019

**Findings required for rulemaking adoption:**

Findings MUST include:
- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to revise language in the collected funds will be distributed to the resident parent, legal guardian, caretaker responsible for the child or children in custody.

**Continued on next page**

7/1/2018
Findings required for rulemaking adoption: 
continued

Issuing authority (If delegated, authority letter must be on file with ALD):
Name: Dr. David Serase
Title: Secretary
Signature: (BLACK ink only) [Signature]

Check if authority has been delegated

Date signed: 2/4/19

7/1/2018
Transmittal Form

Volume: XXX  Issue: 10  Publication date: 05/28/2019  Number of pages: 2

Issuing agency name and address:
Human Services Department Child Support Enforcement Division P.O. Box 2348 Santa Fe, NM 87504

Contact person's name: Jennifer Salazar-Vaidez  Phone number: (505) 476-7186  E-mail address: Jennifer.Salazar-Va@state.nm.us

Type of rule action:
New  Amendment  Repeal  Emergency  Renumber

Title number: 8  Title name: Social Services

Chapter number: 50  Chapter name: Child Support Enforcement Program

Part number: 130  Part name: Administrative Hearings

Amendment description (If filing an amendment):
"Amending one section"

Amendment's NMAC citation (If filing an amendment):
"Section A of 8.50.130.8 NMAC"

Are there any materials incorporated by reference?  Yes  No

If materials are attached, has copyright permission been received?  Yes  No  Public domain

Concise Explanatory Statement For Rulemaking Adoption:

Specific statutory or other authority authorizing rulemaking:

Notice date(s): 1/20/2019  Hearing date(s): 2/21/2019  Rule adoption date:  Rule effective date: 7/1/2019

Findings required for rulemaking adoption:
Findings MUST include:
- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to revise language in administrative hearings pertaining to an obliger requesting review to income withholding and referral for administrative offset.

Continued on next page

7/1/2018
Findings required for rulemaking adoption:
continued

Issuing authority (If delegated, authority letter must be on file with ALD):
Name: Dr. David Sences
Title: Secretary
Signature: (BLACK ink only)

Check if authority has been delegated

Date signed: 2/4/19

7/1/2018
**Concise Explanatory Statement For Rulemaking Adoption:**

**Specific statutory or other authority authorizing rulemaking:**


**Findings required for rulemaking adoption:**

Findings MUST include:
- Reasons for adopting rule, including any findings otherwise required by law of the agency, and a summary of any independent analysis done by the agency;
- Reasons for any change between the published proposed rule and the final rule; and
- Reasons for not accepting substantive arguments made through public comment.

Changes in the rules are to revise language to comply with federal child support regulations and update internal procedures. A notice is sent to obliger for administrative offset is sent to the last known address on file with the IV-D agency.
Findings required for rulemaking adoption:
continued

Issuing authority (If delegated, authority letter must be on file with ALD):
Name: Dr. David Scrase
Title: Secretary
Signature: (BLACK ink only) [Signature]
Date signed: 4-4-19
Check if authority has been delegated [ ]

7/1/2018
This is an amendment to 8.50.100.9 NMAC, Sections 9, subsection B, C, D effective 07/01/2019.

8.50.100.9 PROGRAM SERVICES:

B. A non-IV-A applicant may, upon payment of a fee, request the non-custodial parent be located so he/she can pursue support individually. Requests for parent locate only are processed by the state parent locate unit and the applicant is informed of the results.

CB. Spousal support: The IV-D agency does not take any action to establish an order for spousal support. It remains the obligee's responsibility to establish such an order. The responsibility of the IV-D agency is limited to enforcing existing spousal support orders. The IV-D agency may enforce spousal support when:

1. the payee has a previously established order for spousal support or the payee subsequently obtains an order for spousal support, and
2. the minor child and the payee are living in the same household, and
3. the child support obligation established will be enforced by the IV-D agency; existing spousal support orders must be enforced even if the spousal support and child support are in separate orders.

DC. Parental kidnapping and child custody cases: Federal and state parent locate services may be used to locate parents involved in parental kidnapping and custody cases pursuant to 42 USC 663 and 45 CFR 303.15. Any information obtained through the state or federal parent locate service shall be treated as confidential and shall be used solely for the purpose for which it was obtained and shall be safeguarded. A fee may be charged to cover the costs of processing requests for information. A separate fee may be charged to cover costs of searching for a social security number before processing a request for location information.

ED. Mandatory and optional services: As a condition of eligibility, IV-A and IV-E applicants are mandated to receive full services, including medical support, and do not have the option to refuse any IV-D services. Medicaid only referrals that include an assignment of rights, including SSI referrals, are mandated to receive medical support services, but have the option of receiving full service. The custodial party must cooperate in establishing paternity and medical support. Non-IV-A, non-medicaid applicants may receive child support services, subject to service and the actual cost of fees.

[8.50.100.9 NMAC - Rp, 12/30/2010; A, 07/01/2019]
[8.50.100.9 NMAC - Rp, 8.50.100.9 NMAC, 12/30/10]
8.50.100.9 PROGRAM SERVICES:

B. Spousal support: The IV-D agency does not take any action to establish an order for spousal support. It remains the obligee's responsibility to establish such an order. The responsibility of the IV-D agency is limited to enforcing existing spousal support orders. The IV-D agency may enforce spousal support when:

1. the payee has a previously established order for spousal support or the payee subsequently obtains an order for spousal support, and
2. the minor child and the payee are living in the same household, and
3. the child support obligation established will be enforced by the IV-D agency; existing spousal support orders must be enforced even if the spousal support and child support are in separate orders.

C. Parental kidnapping and child custody cases: Federal and state parent locate services may be used to locate parents involved in parental kidnapping and custody cases pursuant to 42 USC 663 and 45 CFR 303.15. Any information obtained through the state or federal parent locate service shall be treated as confidential and shall be used solely for the purpose for which it was obtained and shall be safeguarded. A fee may be charged to cover the costs of processing requests for information. A separate fee may be charged to cover costs of searching for a social security number before processing a request for location information.

D. Mandatory and optional services: As a condition of eligibility, IV-A and IV-E applicants are mandated to receive full services, including medical support, and do not have the option to refuse any IV-D services. Medicaid only referrals that include an assignment of rights, including SSI referrals, are mandated to receive medical support services, but have the option of receiving full service. The custodial party must cooperate in establishing paternity and medical support. Non-IV-A, non-medicaid applicants may receive child support services, subject to service and the actual cost of fees.

[8.50.100.9 NMAC - Rp, 12/30/2010; A, 07/01/2019]
This is an amendment to 8.50.100.8 NMAC, Sections 8, paragraph A, C, effective 07/01/2019;

8.50.110.8  INCOME WITHHOLDING: State and federal laws require the IV-D agency to seek to obtain an immediate income withholding in all Title IV-D cases.

A. The IV-D agency complies with the Support Enforcement Act, Section 40-4A-1 et seq. NMSA 1978-45 CFR 8 303.100 when it requests or initiates wage withholding.

B. Although the Support Enforcement Act provides for a good cause exemption to immediate wage withholding and a procedure to avoid immediate income withholding, the IV-D agency will not stipulate or agree to such provisions. The party requesting to avoid wage withholding bears the burden or proof on this issue with the court.

   (1) The IV-D agency will comply with any valid court or administrative order that prohibits wage withholding.

   (2) If an obligor receives an exemption to wage withholding and later accrues a delinquency, the IV-D agency, in its discretion, may pursue wage withholding from the appropriate judicial or administrative authority.

C. The department will take all actions necessary to institute income withholding upon the request of an obligor.

[8.50.110.8 NMAC - Rp, 12/30/2010; A, 07/01/2019];
[8.50.110.8 NMAC - Rp, 8.50.110.8 NMAC, 12/30/10]
8.50.110.8 INCOME WITHHOLDING: State and federal laws require the IV-D agency to seek to obtain an immediate income withholding in all Title IV-D cases.

A. The IV-D agency complies with CFR § 303.100 when it requests or initiates wage withholding.

B. Although the Support Enforcement Act provides for a good cause exemption to immediate wage withholding and a procedure to avoid immediate income withholding, the IV-D agency will not stipulate or agree to such provisions. The party requesting to avoid wage withholding bears the burden or proof on this issue with the court.

1. The IV-D agency will comply with any valid court or administrative order that prohibits wage withholding.

2. If an obligor receives an exemption to wage withholding and later accrues a delinquency, the IV-D agency, in its discretion, may pursue wage withholding from the appropriate judicial or administrative authority.

[8.50.110.8 NMAC - Rp, 12/30/10, A, 07/01/2019]
This is an amendment to 8.50.112.8 NMAC, Sections 8, paragraph F, subparagraph 1, 2, effective 07/01/2019.

8.50.112.8 PARENTAL RESPONSIBILITY ACT (LICENSE SUSPENSION):
   F. Responsibilities of the obligor: The obligor has the following responsibilities:
      (1) The obligor must supply a valid mailing address for the processing of the certificate of compliance to be mailed when complete. The obligor may elect to have the certificate of compliance sent to his/her attorney of record, but must also provide the IV-D agency with a current, valid mailing address and physical address for the obligor.
      (2) The obligor is entirely responsible for submitting the certificate(s) of compliance to all licensing agencies for the reinstatement of any and all licenses within thirty (30) days of date of the certificate of compliance is issued. Failure to comply with the licensing agency's requirements for license application approval or license reinstatement may result in the obligor's license(s) continued denial or suspension. The IV-D agency will not re-issue a certificate of compliance if the obligor fails to maintain compliance with all court orders for support.

[8.50.112.8 NMAC - Rp, 12/30/10; A, 07/01/2019]
[8.50.112.8 NMAC - Rp, 8.50.112.8 NMAC, 12/30/10]

This is a new rule to 8.50.112 NMAC, Sections 16, paragraph A, B, C, effective 07/01/2019.

8.50.112.16 ADMINISTRATIVE OFFSET BY THE SECRETARY OF THE TREASURY
   A. Referral for administrative offset: Federal administrative offset is utilized to pay support arrearages, including child support, medical support, and spousal support. Cases meeting specific criteria are referred to the U.S. department of treasury’s financial management service. When referring a case for administrative offset by the secretary of the treasury, the IV-D agency shall comply with the provision of 31 CFR § 285.1.
   B. Notification of administrative offset:
      (1) Written advance notice is sent to inform an obligor that the amount of his or her past due support will be referred to the secretary of the U.S. treasury for collection by administrative offset. The notice shall be sent to the obligor’s last address of record with the IV-D agency. The IV-D agency shall inform the obligor:
         (a) of the right to contest the department’s determination that past due support is owed;
         (b) of the right to contest the amount of the past due support;
         (c) of the right to an administrative review; and
         (d) of the procedures and time frame for requesting an administrative review.
   C. Contesting referral for administrative offset: The obligor has thirty (30) days from the date of notification of a referral for administrative offset to notify the IV-D agency that he or she contests the referral. The notification issued by the IV-D agency provides the address and telephone number to be contacted in order for the obligor to request a hearing to contest the referral.
      (1) Upon receipt of an appeal request from the obligor, a notice is generated by the administrative law judge and sent to the obligor and the IV-D agency.
      (2) The notice shall set forth the time and place of the administrative hearing. The hearing is conducted in accordance with 8.50.130 NMAC.

[8.50.112.16 NMAC - N, 07/01/2019]
8.50.112.8 PARENTAL RESPONSIBILITY ACT (LICENSE SUSPENSION):

F. Responsibilities of the obligor: The obligor must supply a valid mailing address for the processing of the certificate of compliance. The obligor may elect to have the certificate of compliance sent to his/her attorney of record, but must also provide the IV-D agency with a current, valid mailing address and physical address for the obligor.

[8.50.112.8 NMAC - Rp, 12/30/10, A, 07/01/2019]

8.50.112.16 ADMINISTRATIVE OFFSET BY THE SECRETARY OF THE TREASURY

A. Referral for administrative offset: Federal administrative offset is utilized to pay support arrears, including child support, medical support, and spousal support. Cases meeting specific criteria are referred to the U.S. department of treasury's financial management service. When referring a case for administrative offset by the secretary of the treasury, the IV-D agency shall comply with the provision of 31 CFR § 285.1.

B. Notification of administrative offset:
   (1) Written advance notice is sent to inform an obligor that the amount of his or her past due support will be referred to the secretary of the U.S. treasury for collection by administrative offset. The notice shall be sent to the obligor's last address of record with the IV-D agency. The IV-D agency shall inform the obligor:
       (a) of the right to contest the department's determination that past due support is owed;
       (b) of the right to contest the amount of the past due support;
       (c) of the right to an administrative review; and
       (d) of the procedures and time frame for requesting an administrative review.

C. Contesting referral for administrative offset: The obligor has thirty (30) days from the date of notification of a referral for administrative offset to notify the IV-D agency that he or she contests the referral. The notification issued by the IV-D agency provides the address and telephone number to be contacted in order for the obligor to request a hearing to contest the referral.
   (1) Upon receipt of an appeal request from the obligor, a notice is generated by the administrative law judge and sent to the obligor and the IV-D agency.
   (2) The notice shall set forth the time and place of the administrative hearing. The hearing is conducted in accordance with 8.50.130 NMAC.

[8.50.112.16 NMAC – N, 07/01/2019]

8.50.112 NMAC
This is an amendment to 8.50.125 NMAC, Section 10, paragraph A, subparagraph 5-16, effective 07/01/2019.;

8.50.125.10 COLLECTION OF FEES/RECOUPMENTS:

A. Fee types and amounts:

(1) non-IV-D wage withholding payment processing only: $25 (annually)
(2) non-IV-aA full service IRS collection: applicable federal fee
(3) paternity genetic testing: as charged by lab
(5) parent-losers-only: $60
(6)(5) filing fee: actual cost
(7)(6) witness fee: actual cost
(8)(7) service of process: actual cost
(9)(8) expert witness fee: actual cost
(10) court costs: as assessed
(11) establishment of support obligation and paternity (if necessary): $250
(12) modification: $150
(13) enforcement: $250
(14) tax intercept related: as determined by federal regulations
(15) IRS tax intercept service: $25
(16) TRD tax intercept service: $20

[8.50.125.10 NMAC - Rp, 12/30/2010; A, 07/01/2019];
[8.50.125.10 NMAC - Rp, 8.50.125.10 NMAC, 12/30/10]

This is an amendment to 8.50.125 NMAC, Section 11, paragraph I, effective 07/01/2019.;

8.50.125.11 DISTRIBUTION OF COLLECTIONS (EXCEPT FOR FEDERAL INCOME TAX REFUND OFFSETS):

I. No collectors Collected funds will be sent to third parties, attorneys, or agents, except in cases where there is a court order directing the support payment(s) to a person or entity other than the custodial party: distributed to the resident parent, legal guardian, caretaker relative having custody of or responsibility for the child or children, judicially-appointed conservator with a legal and fiduciary duty to the custodial parent and the child, or alternate caretaker designated in a record by the custodial parent. An alternate caretaker is a nonrelative caretaker who is designated in a record by the custodial parent to take care of the children for a temporary time period.

[8.50.125.12 NMAC – Rp, 12/30/2010; A, 07/01/2019];
[8.50.125.11 NMAC - Rp, 8.50.125.11 NMAC, 12/30/10]
8.50.125.10 COLLECTION OF FEES/RECoupMENTS:
   A. Fee types and amounts:
      (1) non-IV-D wage withholding payment processing only: $25 (annually)
      (2) non-IV-A full service IRS collection: applicable federal fee
      (3) paternity genetic testing: as charged by lab
      (4) non-IV-A/IV-B case processing: actual cost
      (5) filing fee: actual cost
      (6) witness fee: actual cost
      (7) service of process: actual cost
      (8) expert witness fee: actual cost
      (9) court costs: as assessed
      (10) establishment of support obligation and paternity (if necessary): $250
      (11) modification: $150
      (12) enforcement: $250
      (13) tax intercept related: as determined by federal regulations
      (14) IRS tax intercept service: $25
      (15) TRD tax intercept service: $20
      (16) administrative offset: applicable federal fee

8.50.125.11 DISTRIBUTION OF COLLECTIONS (EXCEPT FOR FEDERAL INCOME TAX REFUND OFFSETS):
   I. Collected funds will be distributed to the resident parent, legal guardian, caretaker relative having
custody of or responsibility for the child or children, judicially-appointed conservator with a legal and fiduciary duty
to the custodial parent and the child, or alternate caretaker designated in a record by the custodial parent. An
alternate caretaker is a nonrelative caretaker who is designated in a record by the custodial parent to take care of the
children for a temporary time period.

[8.50.125.10 NMAC - Rp, 12/30/10, A, 07/01/2019]

[8.50.125.11 NMAC - Rp, 12/30/10, A, 07/01/2019]
This is an amendment to 8.50.130 NMAC, Section 8, paragraph A and C, effective 07/01/2019.;
8.50.130.8 ADMINISTRATIVE HEARINGS: The Title IV-D agency will provide for administrative hearings for:
   A. an obligor requesting a review pertaining to income withholding, an adverse administrative order, or referral for federal tax intercept, referral for state tax intercept, referral for passport denial, referral for administrative offset, lien on lottery winnings, lien on gaming winnings, or referral for the HIDM program;
   C. an obligor’s spouse who requests the refund of more than one-half of a state tax intercept; and
[8.50.130.8 NMAC - Rp, 12/30/2010; A, 07/01/2019];
[8.50.130.8 NMAC - Rp, 8.50.130.8 NMAC, 12/30/10]

This is an amendment to 8.50.130 NMAC, Section 10, paragraph F, effective 07/01/2019.;
8.50.130.10 NOTICE OF ADMINISTRATIVE ENFORCEMENT ACTION:
   E. Notice to obligor for administrative offset referral: Notice regarding the referral for administrative offset is included in the FMS offset notice and is sent to the obligor at the last known address on file with the IV-D agency.
[8.50.130.10 NMAC - RP, 12/30/2010; A, 07/01/2019];
[8.50.130.10 NMAC - Rp, 8.50.130.8 NMAC, 12/30/10]
8.50.130.8 ADMINISTRATIVE HEARINGS: The Title IV-D agency will provide for administrative hearings for:
   A. an obligor requesting a review pertaining to income withholding, an adverse administrative order, or referral for federal tax intercept, referral for state tax intercept, referral for passport denial, referral for administrative offset, lien on lottery winnings, lien on gaming winnings, or referral for the FIDM program;
   C. an obligor’s spouse who requests the refund of more than one-half of a state tax intercept; and

[8.50.130.8 NMAC - Rp, 12/30/10, A, 07/01/2019]

8.50.130.10 NOTICE OF ADMINISTRATIVE ENFORCEMENT ACTION:
   F. Notice to obligor for administrative offset referral: Notice regarding the referral for administrative offset is included in the FMS offset notice and is sent to the obligor at the last known address on file with the IV-D agency.

[8.50.130.10 NMAC - Rp, 12/30/10, A, 07/01/2019]
Billing Information Sheet

Your agency must complete the following:

Publish in the *New Mexico Register*

Volume: XXX  Issue: 10  Publication date: 05/28/2019

Agency's 3-digit DFA code: 630

Purchase order 15-digit number: 63000-0000032914

Agency name: Human Services Department
Division name (if applicable): Child Support Enforcement Division
Street address or P.O. Box: P.O. Box 2348
City, State and Zip code: Santa Fe, NM 87504

Contact person's name: Charlette Probst
Contact person's phone number: (505) 827-7759
Contact person's e-mail address: Charlette.Probst@state.nm.us

Notice name (if submitting a notice):
Example: Notice of Rulemaking Hearing

Notice of Final Rule

*Or* Rule NMAC number and rule name (if filing an amendment, repeal & replace, repeal, new rule etc.)
Example: 19.31.3 NMAC, Hunting and Fishing License Application

8.50.100.9 NMAC, Program Services  8.50.110.8 NMAC, Income Withholding
8.50.112.8 NMAC Parental Responsibility Act License Suspension
8.50.112.16 NMAC, Administrative offset by the Secretary of the Treasury
8.50.125.10 NMAC, Collection of Fees/Recoupments
8.50.125.11 NMAC Distribution of Collections
8.50.130.8 NMAC, Administrative Hearings
8.50.130.10 NMAC, Notice of Administrative Enforcement Action

Electronic file name(s):
*(ALD Use Only)*

Analyst's initials:
*(ALD Use Only)*

CPR - ALD 7/1/2018
State of New Mexico
Purchase Order

Human Services Department
1474 Rodeo Rd.
Santa Fe NM 87505-5630
United States

PO Number to be on all Invoices and Correspondence

<table>
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<th>Line</th>
<th>Item/Description</th>
<th>Quantity</th>
<th>UOM</th>
<th>PO Price</th>
<th>Extended Amt</th>
<th>Due Date</th>
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<td>01/12/2019</td>
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Attention: CHARLETTE PROBST

Schedule Total

Item Total

Total PO Amount

Agency Approval: I certify that the proposed purchase represented by this document is authorized by and is made in accordance with all State (and if applicable Federal) legislation, rules and regulations. I further certify that adequate unencumbered cash and budget appropriations authority exists for this proposed purchase and all other outstanding purchase commitments and accounts payables.

Authorized Signature

Supplier: 0000000729
STATE RECORDS CENTER & ARCHIVES
COMMISSION OF PUBLIC RECORDS
1205 CAMINO CARLOS REY
SANTA FE NM 87507
United States

Ship To: 1474 Rodeo Rd
Santa Fe NM 87505
United States

Bill To: 1474 Rodeo Rd
Santa Fe NM 87505
United States

Origin: EXE
Exc/Exc#: 13-1-98-A

3423-05200-7101000000-5469000- -HSDCSE045- -119-C0000

questions contact Charlette Probst