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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Department of Child Support Services

SUBMITTAL DATE:
September 16, 2014

SUBJECT: Approval of standard Plan of Cooperation with California Department of Child Support Services. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Plan of Cooperation with the California Department of Child Support Services;
2. Authorize the Director of Child Support Services to sign the Plan of Cooperation on behalf of the County of Riverside

BACKGROUND:

Summary

The standard Plan of Cooperation required with the California Department of Child Support services for provision by all local child support departments of federal and State mandated services, will now extend for one federal fiscal year through FFY 2015, subject to later further written renewal or extension. The Plan of Cooperation has been approved as to form by County Counsel.

John Replogle
John Replogle
Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: 66% Federal and 34% State reimbursement				Budget Adjustment: No	
				For Fiscal Year: 2014/15 and through 9/30/15	

C.E.O. RECOMMENDATION: APPROVE

BY: *Elizabeth J. Olson*
County Executive Office Signature Elizabeth J. Olson

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS
DATE: 9/25/14

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 11/6/12(2.5); 9/28/10(3.22);
6/6/08(3.14); 5/2/06 (3.8); 7/26/05 (3.11)

District: ALL

Agenda Number:

3-8

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Approval of standard Plan of Cooperation with California Department of Child Support
Services, All Districts. [\$0]**

DATE: September 16, 2014

PAGE: 2 of 2

Impact on Residents and Businesses

Ensures compliance with State plan for administering the Title IV-D support enforcement program on behalf of agency customers.

CALIFORNIA
DEPARTMENT OF
CHILD SUPPORT SERVICES

PLAN OF COOPERATION
FFY 2015

OCTOBER 1, 2014 – SEPTEMBER 30, 2015



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SECTION I: AUTHORITY

Family Code (FC) §17202 designates the Department as the single organizational unit whose duty it shall be to administer the Title IV-D state plan for securing child and spousal support, medical support, and determining paternity. State plan functions shall be performed by other agencies as required by law, by delegation of the Department, or by cooperative agreements.

FC §17304(a) requires the Director of the California Department of Child Support Services (DCSS) to negotiate and enter into cooperative agreements with county and state agencies to carry out the requirements of the state plan for administering the Title IV-D child support program.

FC §17304(b) requires the Director of DCSS to have direct oversight and supervision of the Title IV-D operations of the local child support agency. No other local or state agency shall have any authority over the local child support agency (LCSA) as to any function relating to its Title IV-D operations.

FC §17314(b) requires Regional Administrators to oversee the LCSAs to ensure compliance with all state and federal laws and regulations.

SECTION II: PURPOSE

The purpose of this Plan of Cooperation is to define responsibilities for securing child support, including child support establishment, collection, and disbursement services; medical support; determining paternity; and providing other public services in accordance with the provisions of Title IV-D of the Social Security Act (SSA), Title 42 U.S.C. §651 et seq., hereinafter referred to as "Title IV-D," "Title IV-D program," or Title IV-D services."

This Plan of Cooperation hereinafter referred to as the "POC" is entered into between the DCSS hereinafter referred to as the "Department" and the Riverside County Department of Child Support Services, hereinafter referred to as the "Local Child Support Agency (LCSA)."

SECTION III: GENERAL PROVISIONS

- 1) Comply and work in collaboration with all provisions of this POC, Title IV-D of the SSA, and all federal and state laws, regulations, policies and directives.
- 2) Promote an effective statewide child support program by monitoring and evaluating the child support functions administered and delivered at the state and/or local level.
- 3) Consult on program initiatives as well as the development and clarification of program policy; to provide clear direction as well as to adequately assess the local program and workload impacts.

SECTION IV: DEPARTMENT RESPONSIBILITIES

- 1) As a condition of disbursement of federal and state funds to the LCSA, ensure a current, signed POC, with amendments as deemed necessary by the Department to reflect new or revised federal and state laws, regulations, policies, and directives, is on file.
- 2) Per FC §17306(e)(1), develop, adopt, and disseminate directives, policies, and regulations to inform the LCSA and other appropriate county agencies of federal and state law, policies, standards, procedures, and instructions relative to Title IV-D services.
- 3) Per FC §17310, formulate, adopt, amend, or repeal regulations affecting the purposes, responsibilities, and jurisdiction of the Department consistent with the law and necessary for the administration of the state plan for securing child support and enforcing spousal support order and determining paternity.
- 4) Communicate with the Judicial Branch Partners regarding statewide uniformity issues and LCSA/local court workload priorities.
- 5) Maintain an organizational structure and sufficient staff to efficiently and effectively administer and supervise all automation functions for which it is responsible under the Title IV-D state plan and other federal and state automation requirements.
- 6) Analyze pending legislation to identify the impact to the child support program if enacted.
 - a) Initiate legislation, as required, to improve clarity and efficiency of the child support program and ensure compliance with federal and state laws, regulations, policies, and directives.
 - b) Assess proposal for legislative initiatives submitted by the LCSA.

A. Case Management

1) Case Processing

Establish and maintain systems and procedures to facilitate the LCSAs' administration of the Title IV-D program.

- a) Accurately collect and distribute child support, medical support, and spousal support payments in accordance with federal and state laws, regulations, policies, and directives. Take all steps necessary to minimize undistributed collections.
- b) Issue billing statements to the obligor and collection and distribution notices to the obligee in accordance with the Department's policy.
- c) Manage and oversee the Statewide Disbursement Unit (SDU) which maintains the collection and disbursement processes.
- d) Extend the full range of services available under the Title IV-D plan per 45 CFR §302.36.
- e) Manage the statewide Paternity Opportunity Program (POP) and database, per 45 CFR 302.31(a)(1).
 - i) Make available to the public qualified staff to answer questions regarding execution and rescission of voluntary declarations of paternity and the process for establishing paternity.

2) Case Record Maintenance

Manage the Child Support Enforcement (CSE) system and maintain CSE data in accordance with federal and state laws, regulations, policies, and directives for the administration of the Title IV-D program.

3) Case Records Retention

Maintain all closed Title IV-D case records in CSE for a period of four years and four months from the date of case closure, per 22 CCR §111450, unless the case is subject to an open federal or state audit, civil litigation, or a court order which extends the retention period. If a case is subject to an open federal or state audit, civil litigation, or court order requiring extended retention, the Department shall maintain the records supporting the case until the audit is complete, the court case is closed, or a court-ordered extension of the retention period expires.

4) Case Complaint Resolution Process

a) Ombudsperson

- i) Public Inquiry Response Team coordinates with LCSA Ombudsperson to respond to participant or outside inquiries.
- ii) Maintain a statewide list of Ombudspersons.

b) Program and State Hearing

- i) Maintain the DCSS portion of the complaint resolution and state hearing process as set forth in FC §17800 et seq., including maintenance of the Complaint Resolution Tracking System.
- ii) Work with the LCSAs to facilitate resolution of any complaints as needed.
- iii) Provide statewide training regarding handling of participant inquiries, complaint resolution, and state hearings.

5) Writs and Appeals

- a) Any decision by an appellate court regarding the conduct of child support can have broad application to state child support policy, all LCSAs, and the Department.
- b) Provide a procedure to review incoming appellate case submissions provided by LCSAs including respondent and appellant case submissions. Pursuant to FC §17304(b), DCSS shall review any request from an LCSA to pursue a writ or appeal and the DCSS Director shall approve or deny the request.
- c) Contract with the California Department of Justice to provide appellate representation in Title IV-D appeals, at no cost to LCSAs.

B. Training

- 1) Collaborate with LCSA and administer a statewide training program which delivers quality and efficient training.
- 2) Develop long and short-term program training goals; develop methods/metrics for measuring training effectiveness and meeting the goals of the training program.

C. Tribal

- 1) Provide statewide leadership, through the Department's tribal liaison, to establish direct and open communication with tribal governments in an effort to establish government-to-government relationships.
- 2) Enter into Memorandums of Understanding with comprehensive Tribal IV-D programs, operating under Title 45 CFR §309.65(a), which shall be included in the state plan.
- 3) Manage shared tribal IV-D cases where both California and any Tribal IV-D program in California have an interest in the case.
 - a) Coordinate the transfer of IV-D cases to any comprehensive Tribal IV-D program in California where court action has not been initiated.
 - b) Coordinate case transfer under California Rule of Court, Rule 5.372, with the LCSAs and any Tribal IV-D program in California.
- 4) Provide locate services to any comprehensive Tribal IV-D program operating under Title 45 CFR §309.65(a) consistent with Title 42, USC §§654(26) and 666(c)(1)(D), Title 45 CFR §302.35, and FC §17212.
- 5) Extend the full range of services to any Tribal IV-D program operating under Title 45 CFR §309.65(a) with the exception of tribal IV-D responding intergovernmental cases.

D. Audits

1) Data Reliability

- a) Coordinate and oversee data reliability monitoring to ensure the LCSAs maintain complete and reliable data in accordance with the standards set forth by the federal incentive funding system outlined in the federal Child Support Performance and Incentive Act of 1998.
- b) Take all steps necessary to ensure the accuracy of all data, including data entered into the state automated system; provide policy and system documentation to ensure data is entered correctly; and ensure LCSA is in compliance with federal state data reliability standards. The implementation of required corrective actions is included in these steps.
- c) Coordinate and oversee the quarterly data reliability reviews and participate in other data reliability efforts consistent with Department directives. This ensures the maintenance of complete and reliable data in accordance with the standards set forth by the federal incentive funding system.
- d) Coordinate, oversee, and participate in all annual federal data reliability audit activities as needed, including, but not limited to, the following:
 - i) Provide LCSA-specific case samples selected by federal auditors to validate;
 - ii) Coordinate, facilitate, and attend conference calls to discuss questions;
 - iii) Request LCSA provide any hardcopy case documentation required, and image such documents to ensure availability of documents in CSE;
 - iv) Work with the LCSA to address and resolve issues with problem cases; and

- v) Work with the LCSA to address and resolve any case variances as identified by federal auditors.

2) Other Audits

- a) Coordinate and oversee federal and state auditors when conducting required audits to assess completeness, accuracy, reliability, and security of data used in calculating the performance indicators. This includes, but is not limited to, the following:
 - i) Department of Finance, Bureau of State Audits, and contract auditors as prescribed by the Department, access to all requested information in order to conduct audits/review including, but not limited to, data reliability audits, administrative and expenditure claims audits, and Internal Revenue Service Safeguard reviews.
 - ii) Require LCSA to provide to independent auditors all case records necessary to comply with the Single Audit Act Amendments of 1996 and revised Office of Management and Budget (OMB) Circular A-133, "Audits of States, Local Governments, and Non-Profit Organization" as well as provide access to necessary case and financial records as per Title 45 CFR §92.26. Monitor data reliability to ensure the LCSA maintains complete and reliable data in accordance with the standards set forth by the federal incentive funding system outlined in the federal Child Support Performance and Incentive Act of 1998.

E. Outreach

- 1) Per FC §17210, establish systems for informing the public, including custodial and non-custodial parents of dependent children, of its services and operations.
- 2) Make Title IV-D outreach materials available to the public.
- 3) Provide appropriate translation of statewide public education and outreach materials and required forms.
- 4) DCSS will coordinate with the LCSA Public Information Officer regarding any media contact.

F. Program Performance

1) Performance Management Plan

- a) Develop a state strategic plan and annual goals.
- b) Develop an annual performance plan aligned with the state strategic plan and annual goals.
- c) Review and approve LCSA performance management plan and quarterly updates.

2) Corrective Action

- a) Require a corrective action plan for any area of noncompliance identified by a federal or state audit, or state program or local review or assessment, or resulting from any conditions of program deficiencies pursuant to FC §17602.
- b) Withhold part or all of federal and state funds from the LCSA, after notice to the LCSA as required by FC §17604, when the Director of the Department

determines the LCSA is failing in a substantial manner to comply with any provisions of the POC, Title IV-D or federal or state laws, regulations, policies, and directives.

- c) Impose sanctions on the county for failure of the LCSA to meet audit or performance-related criteria as specified in federal and state laws, regulations, policies, and directives.

G. Fiscal Administration

In accordance with federal and state laws, regulations, policies, and directives, the Department shall carry out the fiscal activities described herein.

1) Accounting and Recordkeeping

In discharging its fiscal accountability per 45 CFR §302.14, the Department will maintain an accounting system and supporting fiscal records to adequately ensure claims for federal funds are in accordance with applicable federal requirements.

2) Separation of Cash Handling and Accounting

Per 45 CFR 302.20 Maintain methods of administration designed to ensure persons responsible for handling cash receipts of support do not participate in accounting or operating functions which would enable concealment of the misuse of support receipts within the accounting records.

3) Payment Application Data Security Controls

Provide policy direction regarding the acceptance of electronic payments.

4) Budgeting and Annual Allocation Process

- a) Review and approve the LCSA annual operating budget as required by FC §17306(b)(9). Issue an initial and/or final allocation.
- b) Provide approval or denial of the LCSAs' request for new funding needs for the upcoming budget year.
- c) The Department may request expenditure projections necessary to assess spending trends and patterns statewide.
- d) Request timely submission of fiscal information necessary to accurately develop the annual Governor's Budget for the child support program.
- e) Audit final submission of the CS356 Local Child Support Agency Administrative Expense Claim Schedule and Certification form.
- f) Review and approve or deny written requests from the LCSA for equipment and capital expenditures as defined in Title 2 CFR, Part 225, Appendix B (OMB Circular A-87) and CSS letter 05-05.

5) Data Reporting

Compile and validate the CS34 (Monthly Report of Collections and Disbursements) and the CS35 (Supplement to the CS34 Monthly Report of Collections and Disbursements) data and provide the LCSA with a monthly notification upon completion. Compile and validate the OCSE 34 (Child Support Enforcement Program Quarterly Collection Report) and OCSE 396 (Child

Support Enforcement Program Quarterly Financial Report) and submit to the federal government on a quarterly basis.

6) Bonding

Pursuant to 45 CFR §302.19, the Department shall require, for every person who has access to or control over funds collected under the child support enforcement program, a surety bond covering against loss resulting from employee dishonesty.

7) Contracts - Funded by Title IV-D

a) *Delegating Title IV-D Functions*

Pursuant to FC §17304(c), the Department must provide written approval to the LCSA prior to entering into a contract/agreement for delegating or contracting out Title IV-D core program functions to other county departments, public agencies, or private vendors.

- i) All agreements shall be reviewed in the Cooperative Agreement Tracking System (CATS) when implemented; those requiring approval shall be approved or denied within 60 days of submission.
- ii) If the Department fails to approve or deny the submitted agreement within 60 days of receipt, it shall be deemed approved.

b) *Superior Court - Plan of Cooperation*

Provide an approved template for the LCSA to complete when entering into a plan of cooperation with the Superior Court. The Department shall:

- i) Review the plan of cooperation between the LCSA and the Superior Court within 60 days of electronic submission via the CATS data application once the application is released and implemented.
- ii) Ensure compliance with the requirements and provisions of Title IV-D and this POC.

c) *Shared Service Agreements*

Review and approve all shared services agreements between LCSAs. If the Department fails to approve or deny the submitted agreement within 60 days of receipt, it shall be deemed approved.

d) *Non-Title IV-D Activities*

- i) Per 45 CFR §302.15, Parts 304, 305, and 308, the Department will monitor LCSAs to ensure compliance and the integrity of Title IV-D funding.
- ii) Per 45 CFR §303.20 and FC §17304, the Department will monitor to ensure the LCSA is separate and independent from any other county agency or department.
- iii) Upon submission of a plan from an LCSA Director to perform Non-Title IV-D activities, the Department will respond within 30 days with any comments, questions, suggested revisions, or approval. If needed, the Department will request additional time to respond. If no response is

provided by the Department within 60 days of receipt the plan shall be deemed approved.

8) Electronic Data Processing

Per 45 CFR §95.611(a)(3), the Department shall review all proposed EDP contracts for child support exceeding \$1,000,000. If the proposal is approved, the Department will forward to the Administration for Children and Families (ACF) for federal approval. In addition, the Department shall review all contract amendments exceeding the \$1,000,000 threshold and/or extend the period of performance for more than 60 days per 45 CFR 95.611(a)(6)(b)(iv). Approved amendments shall be sent for federal approval.

H. Information Security and Privacy Protection

- 1) Maintain the Department's Child Support systems as identified in governing documents.
 - a) Provide technical support as described in the DCSS Hardware/Software Plan located on CA Child Support Central.
 - b) Maintain a centralized LCSA service desk as described in the DCSS Help Desk Plan located on CA Child Support Central.
 - c) In order to meet the child support program needs, maintain DCSS controlled statewide systems' availability and performance.
 - d) Identify and implement improvements to the statewide systems under the control of DCSS, as documented in the IT Governance Management Plan located on CA Child Support Central.
- 2) Ensure access to information from the following sources, including but not limited to, the Department of Motor Vehicles (DMV), Medi-Cal Eligibility Data System (MEDS), Title IV-A and Employment Development Department (EDD), is consistent with the terms and conditions of agreements made with those information providers.
- 3) Maintain and disseminate Information Security policies and standards consistent with 5 U.S.C 552a, 42 U.S.C. 654, 45 CFR Part 95, 45 CFR Part 95.621, 45 CFR Part 302.85, 45 CFR Part 303.21, 45 CFR Part 305.60, 45 CFR Part 307.10, 45 CFR Part 307.11, 45 CFR Part 307.13, IRC 6013(l)(6), IRC 6013(l)(8), IRC 6013(l)(10), IRC 6013(p)(4), IRS Publication 1075, NIST 800-53 rev. 4, CA Family Code §17212, CA Civil Code §1798.29, CA State Administrative Manual §5300, and Payment Card Industry (PCI) Data Security Standard version 3.0.
- 4) Provide assistance to LCSAs in the maintenance of Business Continuity Management Plans.
- 5) Enforce federal and state requirements for information security incident reporting.
- 6) Implement and manage a security safeguards review program which assesses the compliance with all security-related requirements; assists LCSA Directors and staff with compliance efforts.

- 7) Coordinate all federal and state information security reporting requirements to include the annual IRS Safeguard Security Report (SSR), Business Continuity Plans, and Incident Reporting.
- 8) Maintain an Information Security Awareness Training program pursuant to federal and state mandates.
- 9) Monitor access to all information and systems maintained by the DCSS.

I. Federal Grants

1) Section 1115 Demonstration Grants

- a) Monitor Section 1115 Demonstration Grant forecasts and announcements.
 - i) Alert LCSA of potential forecasts, announcements, and timelines for national child support grant program opportunities.
 - ii) Provide support to LCSA in preparing grant conceptual proposals.
 - iii) If Department approves conceptual proposal, a grant sponsor will be assigned to assist the LCSA in the grant application process.
 - iv) Submit grant application documents to OCSE.
 - v) If awarded, monitor grant projects through completion.
 - vi) Assist LCSA in preparation of quarterly and end-of-project performance and financial grant reports; submit to OCSE.

2) Special Improvement Project Grants

- a) Monitor Special Improvement Project (SIP) grants, forecasts, and announcements.
 - i) Alert LCSA of potential forecasts, announcements, and timelines for special projects relating to state child support programs.
 - ii) Provide a letter of support to the LCSA should the conceptual proposal be approved.
 - iii) Provide support to LCSA with grant application documentation.
 - iv) Provide support upon grant award.

J. Civil Rights

The Department shall adhere to and administer and operate the Title IV-D program in accordance with the provisions of the Title VI and Title VII of the Civil Rights Act of 1964, as amended; the California Fair Employment and Housing Act; the Americans with Disabilities Act of 1990 and 2008 Amendment; the Rehabilitation Act of 1973, §504 and §508; the California Department of General Services, Office of the State Architect, Title 24 CCR and Title 28 CFR Part 35, and appendix A of Title 28 CFR Part 36; the Dymally-Alatorre Bilingual Services Act and all other applicable federal and state laws, regulations, policies, and directives prohibiting discrimination on the basis of age, sex, race, color, religion, ancestry, national origin, disability, medical condition, denial of family and medical care leave, genetic information, marital status, military and veteran status, or sexual orientation.

K. Non-Compliance

- 1) If the LCSA does not comply with the terms and conditions of this POC, and non-compliance becomes an issue for any of the following reasons, the Department may withhold funds for any of the following:
 - a) Failure to submit required reports or requested data.
 - b) Major breach of federal or state program requirements or of the requirements of this POC.
 - c) Failure to exceed minimum federal standards on a federal performance measure, including federal data reliability requirements.
- 2) Prior to the withholding of funds, the Department shall notify the LCSA in writing of the LCSA's failure or breach. The letter shall specifically identify the relevant standard the LCSA failed to meet. The Department shall require the submittal of a corrective action plan by the LCSA within a specified period of time.
 - a) The Department will begin withholding from any funds due the LCSA during the monthly payment process until the LCSA is in compliance, has an approved corrective action plan, and is in compliance with that plan.
- 3) Consistent with the requirements set forth in FC §17604(f), the Department shall establish and implement a process whereby any LCSA sanctioned by the Department may appeal any sanction as well as appeal the Department's decision to impose any sanction.
- 4) If the LCSA submits a justification for reconsideration:
 - a) The Director of the Department or his/her designee shall review the LCSA's justification and render a decision. There is no formal hearing.
 - b) The Department will notify the LCSA, in writing, the results of the appeal within 30 calendar days of receipt of the appeal.
 - c) If the Department reconsiders its previous position/decision as a result of the new information, any funding withheld due to the alleged failure will be reimbursed. If the reconsideration process does not change the position of the Department, funding will not be approved until the LCSA meets established requirements or has an approved corrective action plan.

SECTION V: LCSA RESPONSIBILITIES

- 1) Ensure a current POC is on file as a condition of receiving federal and state funds from the Department, with amendments as deemed necessary by the Department to reflect new or revised federal and state laws, regulations, policies, and directives.
- 2) Provide all Title IV-D program services within the Riverside County as directed by the Department and described herein. The LCSA shall be responsible for providing Title IV-D services as required by federal or state laws, regulations, policies, or directives.
- 3) Notify the Director of any situation or circumstance directly impacting the operation of the local child support agency.
- 4) Notify the Director and Regional Administrator of changes in LCSA Leadership; these include Director, Assistant Director, Chief Attorney, or any other high-level management positions.
- 5) Provide proposals for legislative initiatives to the Department for assessment and consideration.

A. Case Management

1) Case Processing

- a) Accept all applications and referrals from any source requesting service.
- b) Promote the availability of the POP Program.
 - i) Seek the establishment of paternity for a minor child when appropriate and work with hospitals to seek voluntary declarations of paternity through the POP program per FC §7571.
 - ii) Pay hospitals, clinics, or other places of birth, all sums required by FC§7571(c) for the filing of completed voluntary declarations of paternity.
- c) Per FC §17202 establish child support and medical support orders.
- d) Ensure all actions on a Title IV-D case have been suspended; either when notified by the county welfare department (CWD) of good cause for non-cooperation pursuant to Welfare and Institutions Code (WIC) §11477.04, or, when the case is under the jurisdiction of the juvenile court as provided in WIC §300.
- e) Conduct locate activities, using all appropriate federal, state, and local locate resources to assist in the location of all non-custodial parents (NCPs) or custodial party (CPs) whose whereabouts or assets are unknown.
- f) Initiate timely and appropriate enforcement actions to obtain payment of current and past due support in all Title IV-D cases with court orders for child and/or medical support.
- g) Report on a timely basis the following information on Title IV-D cases:
 - i) Information to CWD regarding any welfare applicant/recipient who refuses to cooperate with the LCSA in the establishment or enforcement of child support orders.
 - ii) Information to CWD regarding payments directly received by aided CP in accordance with 45 CFR §302.32(a).
 - iii) Information to Department of Health Care Services regarding payments directly received by a non IV-A Medicaid recipient in accordance with 45 CFR §302.33.

- h) Review child support orders when requested by an NCP or CP, or, when the LCSA becomes aware of a change of circumstances which may affect the support obligation. Review, and, if appropriate, adjust orders for current Temporary Assistance for Needy Families (TANF).
- i) Manage Title IV-D cases from other jurisdictions pursuant to the Uniform Interstate Family Support Act.
- j) Comply with federal and state laws, regulations, policies, and directives for case closure.
- k) Ensure all financial processing is in accordance with 45 CFR §302.32(b).

2) Case Records Maintenance

Prepare and maintain records for each Title IV-D case which includes information necessary for proper and efficient processing of cases in accordance with federal and state laws, regulations, policies, and directives for the administration of the Title IV-D program. This includes, but is not limited to, the following:

- a) Applications for child support services.
- b) Records created to locate and identify NCPs, to establish paternity, and to obtain, modify, and enforce support orders, including medical support, and the costs incurred in such actions. This includes any relevant facts and actions taken by the LCSA and the results of such action.
- c) Records pertaining to the amount and sources of support collection and the distribution of these collections.
- d) All records pertaining to complaint resolution and state hearings.

3) Case Records Retention

Maintain all Title IV-D closed case records for a period of four years and four months from the date of case closure per 22 CCR §111450, unless the case is subject to an open federal or state audit, civil litigation, or a court order that extends the retention period. If a case is subject to an open federal or state audit, civil litigation, or court order requiring extended retention, the LCSA shall maintain the records supporting the case until the audit is complete, the court case is closed, or a court-ordered extension of the retention period expires. The LCSA may send documents to central imaging or use local scanning capabilities. All documents scanned into CSE must be verified as readable. Once the documents have been verified, those documents must be destroyed via the LCSAs' confidential destruct process.

4) Case Complaint Resolution

a) Ombudsperson

- i) Have in place an Ombudsperson who is responsible for the implementation of a program which provides assistance to CPs and NCPs, employers, and the public on inquiries regarding the child support program, local complaint resolution process, and the state hearing process. The Ombudsperson shall be the liaison with the Department for all issues relating to the Ombudsperson program. The Ombudsperson

shall review complaint activity, identify systemic issues, and make recommendations to the LCSA's Title IV-D Director for improvement of services to customers.

- ii) The Ombudsperson is the designated State Hearing Coordinator for the purpose of managing the hearing schedule, securing the hearing site, contracting, and acting as the contact person for the complainant and liaison with the State Hearing Office.

b) Program and State Hearing Process

Maintain a complaint resolution program and state hearing process as set forth in FC §17800, et seq., and as specified in Title 22 CCR §120204. The LCSA shall:

- i) Maintain the complaint resolution process and seek to resolve all complaints within 30 days. Complaint investigators shall contact the customer and attempt to resolve complaints to the satisfaction of the customer consistent with the statutes, regulations, policies, and directives governing the Title IV-D program. The LCSA Director may extend the period for resolution of the complaint an additional 30 days in accordance with the regulations adopted pursuant to 22 CCR §120105(b).
- ii) Accurately track and report, in a timely manner, any complaints in the Department's complaint resolution tracking system.
- iii) Work with the Department's Office of Legal Services staff to facilitate resolution of any complaints as needed.
- iv) Continue to work with customers to resolve issues regardless of whether or not the customer requested a state hearing.

5) Writs and Appeals

- a) Any decision by an appellate court regarding the conduct of child support can have broad application to state child support policy, all LCSAs, and the Department.
- b) LCSA shall notify DCSS as soon as possible upon receipt of notice of an appeal in a Title IV-D case using the Appellate Case Review process.
- c) LCSAs who wish to pursue a writ or appeal of a court's decision in a Title IV-D case shall submit a request to DCSS using the Appellate Case Review process prior to taking any appellate action. Consistent with the authority established in FC §17304(b), a writ or appeal shall not be filed unless approved by the Department. However, this provision is not intended to prevent any action by a county counsel, or private counsel hired to act in the same capacity as a county counsel, to defend the county from any action for damages, including sanctions. The LCSA, when informed of such action being taken by the county counsel or private counsel, shall inform the Department when the action is related to a child support matter.

B. Training

- 1) Submit training requests to the Department annually, as requested.
- 2) LCSAs will self-certify that locally developed child support program related training material complies with all federal and state policies, regulations and laws.

C. Tribal Relations

Maximize opportunities to establish and maintain effective working relationships with tribal governments.

Pursuant to Title 42 USC Chapter 7 §§654(7) and (33), and Title 45 CFR §302.34, the LCSA may enter into cooperative agreements with other entities, including Indian tribes or tribal organizations provided they are included in the Title IV-D state plan. LCSAs pursuing working relationships with tribal governments could include, but are not limited to, developing:

- 1) Cooperative agreements with individual Tribal TANF programs to establish procedures for referring Tribal TANF recipients to the LCSA to secure Title IV-D services and to memorialize the expectations of both the Tribal TANF program and the LCSA. This agreement must be submitted to the Department prior to enactment for approval.
- 2) Cooperative agreements with federally recognized tribes, pursuant to the Full Faith and Credit for Child Support Orders Act (FFCCSOA) which specifically applies to Indian Country (as defined by Title 18 USC §1151), as well as States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and U.S. territories and possessions, to recognize and enforce the other's valid child support orders, i.e., orders entered with appropriate subject matter and personal jurisdiction. The FFCCSOA requires the appropriate parties of such jurisdiction to:
 - a) Enforce, according to its terms, a child support order consistent with FFCCSOA by a court or agency of another State.
 - b) Modify such an order only in accordance with FFCCSOA.
- 3) In addition, the LCSA shall take the following actions:
 - a) Appoint a tribal liaison to provide local expertise on tribal matters and serve as a single point of contact for tribes, tribal organizations, and Tribal IV-D programs; and participate in all activities convened by the Department's tribal liaison related to tribal issues.
 - b) Initiate and appear at court proceedings under California Rule of Court, Rule 5.372 at the request of the Department.
 - c) Provide notice to the Tribal IV-D program operating under Title 45 CFR §309.65(a) in California.
 - d) File a motion with the court that shows the manner in which the intent to request case transfer was made in accordance with FC §17212 and which states whether any party provided with notice objected, the identity of the party objecting, and the reason indicated for the objection.
 - e) Conduct itself in accordance with FC §17406 which includes providing the court with authorities to secure information concerning tribal laws and the legal effect of tribal judgments or orders under FC §4931.
 - f) Provide assistance, upon request, with case account and unreimbursed assistance pool audits as needed.

- g) Enforce, according to its terms, a child support order consistent with FFCCSOA by a court or agency of another state.
- h) Modify such a child support order only in accordance with FFCCSOA.
- i) Provide the full range of services available under the Title IV-D plan in responding to intergovernmental cases under Title 45 CFR §302.36, to any comprehensive Tribal IV-D programs operating under Title 45 CFR §309.65(a).

D. Audits

1) Data Reliability

- a) Monitor data reliability to ensure the LCSAs maintain complete and reliable data in accordance with the standards set forth by the federal incentive funding system outlined in the federal Child Support Performance and Incentive Act of 1998.
- b) Take all steps necessary to ensure the accuracy of all data, including data entered into CSE; follow policy and system documentation to ensure data is entered correctly, and maintain compliance with federal and state data reliability standards. The implementation of required corrective actions is included in these steps.
- c) To ensure the maintenance of complete and reliable data is in accordance with the standards set forth by the federal incentive funding system, conduct quarterly data reliability reviews and participate in other data reliability efforts consistent with Department directives
- d) Participate in all annual federal data reliability audit activities as needed, including, but not limited to, the following:
 - i) Validation of data in cases that are part of the sample selected by the federal auditors;
 - ii) Submission of any related questions to the Department;
 - iii) Attending conference calls to discuss questions;
 - iv) Assemble and provide any hardcopy case documentation required, and image such documents to ensure availability of documents in CSE;
 - v) Working with the Department to address and resolve issues with problem cases; and
 - vi) Working with the Department to address and resolve any case variances as identified by the federal auditors.

2) Other Audits

- a) Allow federal and state auditors to conduct required audits to assess completeness, accuracy, reliability, and security of data used in calculating the performance indicators. This includes, but is not limited to, the following:
 - i) Allow auditors, including, but not limited to, the Department of Finance, Bureau of State Audits, and contract auditors as prescribed by the Department, access to all requested information in order to conduct audits/review including, but not limited to, data reliability audits, administrative and expenditure claims audits, and Internal Revenue Service Safeguard reviews.

- ii) Provide necessary case records to independent auditors. To comply with the Single Audit Act Amendments of 1996 and revised Office of Management and Budget (OMB) Circular A-133, "Audits of States, Local Governments, and Non-Profit Organization" access to necessary case and financial records as per Title 45 CFR §92.26.

E. Outreach

- 1) Conduct outreach programs to inform the public of the availability of Title IV-D services to the general public.
- 2) Make Title IV-D outreach materials available to the public.
- 3) LCSA will coordinate with the Department's Public Information Office regarding any media contact.

F. Program Performance

1) Performance Management Plan

Implement a performance management plan, under the direction of the Department, which shall include all of the following:

- a) Tactics aligned with DCSS' Strategic Plan and annual goals.
- b) Focused efforts to enhance the delivery of enhanced program services and improved performance.
- c) Provide quarterly updates to the Department on the progress of the plan.

2) Corrective Action

Develop and implement a corrective action plan, as required by the Department and/or the federal government, for any area of noncompliance identified by a federal or state audit, or state program or local review or assessment, or resulting from any conditions of program deficiencies as may be required by the Department pursuant to FC §17602.

G. Fiscal Administration

In accordance with federal and state laws, regulations, policies, and directives, the LCSA shall carry out the fiscal activities described herein. The LCSA will submit complete, accurate, and timely financial and statistical information and data as required by federal and state laws and regulations, policies, and directives.

1) Accounting and Recordkeeping

- a) Implement and maintain accounting standards and systems consistent with uniform accounting procedures prescribed by federal and state requirements. These standards conform to generally accepted accounting principles (GAAP) established by the American Institute of Certified Public Accountants.
- b) Maintain sufficient accounting and fiscal recordkeeping systems to ensure claims for available funds are submitted in accordance with applicable federal and state requirements. OMB Circular A-87, Appendix A provides principles for determining allowable costs.
- c) Maintain all financial records, supporting documents, statistical documents, and other records pertinent to an administrative expense claim for a period of

four years and four months commencing on the last day of the quarter in which the costs were claimed, unless the claim is subject to an open federal, state, or local audit, civil litigation or a court order that extends the retention period. If a claim is subject to an open federal, state, or local audit, civil litigation or court order requiring extended retention, the LCSA shall maintain the records supporting the claim until the audit is complete, the court case is closed, or a court-ordered extension of the retention period expires.

- d) Implement policies and procedures to ensure timely tracking and monitoring of expenditures compared to budgeted/allocated amounts.
- e) Maintain a copy of the State Controller's Office (SCO) approved countywide cost allocation plan as required by OMB Circular A-87 which identifies and describes the methods and procedures established for properly charging costs of administration, services, and training activities; estimated costs; the bases used for allocating various pools of costs to programs and activities; and other such information necessary to document the county's cost allocation methods and procedures. The countywide cost allocation plan and claims for federal funds shall conform to Department regulations, procedures, and directives.
- f) Maintain cash basis claiming. Cash-claiming requirements for reporting costs are as follows:
 - i) A continuous cash flow basis for reporting costs on the Administrative Expense Claim (AEC CS 356).
 - ii) Compliance with GAAP and the SCOs accounting standards and procedures for California counties.

2) Separation of Cash Handling and Accounting

Per 45 CFR 302.20, adopt and enforce procedures of administration designed to ensure persons responsible for handling cash receipts of support do not participate in accounting or operating functions which would enable concealment of the misuse of support receipts within the accounting records. Such procedures shall follow generally recognized accounting standards, state and county fiscal manuals, generally accepted government auditing standards and generally accepted accounting principles.

3) Payment Application Data Security Controls

LCSAs which accept electronic payments must comply with the Payment Card Industry (PCI) compliance standards. Electronic payments are defined as any Visa or MasterCard credit or debit cards or a payment made with a bank routing number and account number. PCI compliance standards are operational and technical requirements set by the PCI Security Standards Council to protect account holder data. Refer to policy related to this payment activity and information in the Security Manual.

4) Budgeting and Annual Allocation Process

- a) Have mechanisms in place to effectively plan for and develop an annual budget; execute the annual budget in accordance with program priorities, appropriate and allowable costs, and reporting requirements; track, monitor,

and adjust, as necessary, expenditures throughout the year to operate with amounts allocated by the Department.

- b) Build and submit an annual budget, via the CS921 Budget Display and the EDP M&O Budget Request which reflects how the LCSA will spend its child support program Administrative and EDP allocations for the upcoming state fiscal year.
- c) Provide a copy of the LCSA proposed operating budget including prior year's actual expenditures, and final budget, if different, as required by FC §17306(b)(9) for Department review.
- d) Refine the proposed budget plan as necessary to operate within the amounts included with the Department's final allocation letter.
- e) Ensure an implementation plan is included in the final annual budget for any special funding received to accomplish specific tasks.
- f) Identify and submit to the Department, in a timely manner, new funding needs for the upcoming budget year through the CS921 Budget Display process and/or immediately upon identification of additional needs by written submission to the Department's budget office.
- g) Submit, upon request from the Department, expenditure projections necessary to assess spending trends and patterns statewide.
- h) Submit upon request, in a timely manner, fiscal information necessary to accurately develop the annual Governor's Budget for the child support program.
- i) Ensure data is accurate and enter data in the CS356 Administrative Expense Claim system by the 15th of January, April, July, and October, or, the next business day should the 15th fall on a weekend or holiday, unless otherwise directed by the Department.
- j) Comply with federal and state requirements including OMB Circular A-87 requirements to obtain federal prior written approval for expenditures from the Department for an electronic data processing contract, purchase order, or lease agreement associated with program costs in excess of \$1,000,000.
- k) Obtain prior written approval from the Department for equipment and capital expenditures as defined in Title 2 CFR, Part 225, Appendix B (OMB Circular A-87) and CSS letter 05-05.

5) Data Reporting

- a) Ensure data input is accurate to reflect actions in the case and to ensure statewide consistency. Information entered into CSE shall be directed by the Department in a timely manner as follows:
 - i) Enter into CSE CS 1257 the number of full-time equivalent staff (FTE's) including part-time and contracted staff each month.
 - ii) Any other information or report required by the Department.

6) Bonding

Pursuant to 45 CFR §302.19 the LCSA shall secure bonding of employees.

- a) Provide a surety bond against losses resulting from employee dishonesty for every employee who receives, disburses, handles, or otherwise has access to

- any child support funds or support collections under the child support enforcement program required by Title IV-D of the Social Security Act.
- b) Establish surety bonds in amounts sufficient to protect the county against loss resulting or following from employee dishonesty.
 - c) Ensure compliance with these bonding requirements by any other public or private agency in which a plan of cooperation or purchase of service agreement is established involving any cash handling and/or accounting function.
 - d) Bonding requirements may be satisfied by a county's approved self-bonding or self-insurance program adequate to cover any loss of child support funds following employee dishonesty.
 - e) In no case shall a self-bonding or self-insurance program reduce or limit the liability of the county or the LCSA for losses of child support collections.
 - f) Any self-bonding or self-insurance program shall require an appropriate county official to certify as follows: "This County is self-bonded or self-insured for an amount adequate to cover any loss of child support funds following employee dishonesty."
 - i) Government Code (GC) §6599 provides direction on self-insurance. GC §6599.31 specifically requires the LCSA to be audited annually by a certified public accountant.
 - ii) Each annual audit, or a separate annual actuarial analysis, shall determine whether the authority has sufficient assets and reserves necessary to maintain actuarial soundness.

7) Contracts – Funded by Title IV-D

a) Delegating Title IV-D Functions

Pursuant to FC § 17304(c) the LCSA must obtain written approval from the Department prior to entering into a contract when delegating or contracting out Title IV-D core program functions to other county departments, public agencies, or private vendors. Core program functions include activities that are currently or would otherwise be performed by LCSA staff.

- i) Retain ultimate responsibility and accountability for such services under written cooperative agreements or contracts approved by the LCSA Director and DCSS.
- ii) Ensure all delegated or contracted Title IV-D functions or activities, including, but not limited to, timeframes for case-processing are in compliance with the requirements and provisions of Title IV-D and are performed as prescribed by federal and state laws, regulations, directives, and this POC.
- iii) All agreements shall be in writing specifying an effective date, expiration date of the agreement, and the timeframe and method by which the agreement must be renewed or amended.
- iv) All agreements are required to be electronically submitted via the Cooperative Agreement Tracking System (CATS) data application when implemented. Approval of such agreements will be recorded in CATS and available to the LCSA.

b) Superior Court – Plan of Cooperation

Enter into an annual Plan of Cooperation with the Superior Court. The Plan of Cooperation must be completed on the template prepared and approved by the Department. The plan of cooperation between the LCSA and the Superior Court shall:

- i) Ensure compliance with the requirements and provision of Title IV-D and this POC including, but not limited to, specifying standards for timely document processing and case calendars, as well as establishing a procedure for resolving issues arising in connection with Title IV-D case processing.
- ii) Maintain minimum standards in the local county constraints of the court.
- iii) Be written with an effective date and expiration date of the agreement, including the timeframe by which the Plan of Cooperation must be renewed and submitted to the Department for approval, including the timeframe for submitting any revisions or newly executed agreements.
- iv) Be electronically submitted via the CATS data application once the application is released and implemented.

c) Shared Service Agreements

Shared services agreements with other LCSAs are encouraged to promote local and statewide cost-effectiveness. LCSAs shall:

- i) Obtain prior written approval from the Department before entering into the cooperative agreements to fulfill certain tasks related to Title IV-D services.
- ii) Submit all agreements electronically via the CATS data application once the application is released and implemented.

d) Non-Title IV-D Activities

Pursuant to 45 CFR 302.12, 303.20, and FC §17304, the local child support agency shall be separate and independent from any other county department.

If the LCSA Director contemplates an employee and/or the LCSA Director providing less than 100 percent of their time to IV-D activities, a plan must be submitted to the Department for review and approval prior to performing any Non- Title IV-D activity. Non-Title IV-D activities include but are not limited to overseeing another department or program, local revenue and recovery/reimbursement activities, and enrollment activities for a health insurance market place. The plan shall:

- i) Contain a clear description of the specific duties, functions and responsibilities of each party.
- ii) Specify the financial arrangements including budget estimates, covered expenditures, and a cost allocation plan.
- iii) Specify the kind of records that will be maintained (including but not limited to Personnel Activity Reports, and/or systems for allocating salaries and wages and any revenue received. (refer to 2CFR225, Appendix B)

- iv) Specify the dates on which the arrangement begins and ends, any conditions for revision or renewal, and the circumstances under which the arrangement may be terminated.

If the LCSA Director or any employee of the LCSA is currently performing Non-Title IV-D activities, the LCSA Director shall submit, to the Department Director with a copy to the Regional Administrator within 90 days of the LCSA Director signing this POC, a plan addressing compliance with the items listed above.

8) Electronic Data Processing

- a) Per 45 CFR §95.611(a)(3) the LCSA shall submit to the Department, prior to execution, all proposed EDP contracts for child support exceeding \$1,000,000. Department-approved proposed contracts will be forwarded to the Administration for Children and Families for federal approval. All contract amendments exceeding the \$1,000,000 threshold and/or extending the period of performance for more than 60 days must also be submitted to the Department for prior federal and state approval per 45 CFR 95.611(a)(6)(b)(iv).
- b) To receive EDP funding, the LCSA must comply with the Department requirements and policies as directed by the Department and, in a timely manner, comply with changes and the Department automation requirements.

H. Information Security and Privacy Protection

Establish, implement, and enforce information security protocols consistent with the DCSS Information Security Manual (ISM), IRS Publication 1075 and other relevant information security authority such as state and federal law or recognized national standards.

- 1) Implement policies and procedures consistent with the ISM to ensure child support customer information is secure and protected from intentional and unintentional misuse or exposure. Controls include but are not limited to:
 - a) Limit access, use or disclosure of confidential child support information to purposes described in Title 42 USC §§653a (f), (g) and (h); Title 45 CFR §§302.35, 307.10, 307.11, 307.13, and FC §17212.
 - b) Include the Department's Information Confidentiality and Protection Clause in any Memorandum of Understanding or contract-defining access, user disclosure, and disposal of confidential child support information by third party organizations.
 - c) Ensure personally identifying information such as name, social security number, physical description, home address, home telephone number, education, financial matter and medical or employment history identifying any child support customer not be subject to public disclosure to any committee or legislative body, news media, or advocate group.
 - d) Comply with the confidentiality provisions of FC §17212 (Ensuring the Confidentiality of Support Enforcement Records), and Title 22 CCR Subchapter 1, Article 5, §§111430-111440.

- e) Comply with provisions of IRS Publication 1075 to restrict disclosure of federal tax information.
- 2) Maintain Business Continuity Management Plans (BCMPs) to ensure appropriate level of service continuity. BCMPs shall be tested annually and results submitted to the Department pursuant to CSS Letter 05-34 Submission and Maintenance of Business Continuity.
- 3) Annually submit the Safeguard Security Activity Reports (SSR) to the Department by January 15th. The SSR should indicate any material changes in control activities from the previous year's submission.
- 4) All LCSA staff is required to complete the DCSS Information Security Awareness Training (ISAT) module via Child Support University (CSU) annually.
 - a) The LCSA will ensure all contractors/vendors satisfy the minimum requirement of completing the DCSS ISAT module in a PDF format provided by the Department's ISO.
 - b) The LCSA is responsible for keeping an annual record of the contractor/vendors confidentiality statement, or upon new hire.
- 5) Ensure access to information from the following sources, including, but not limited to, IRS, OCSE, SSA, DMV, MEDS, Title IV-A and EDD, is consistent with the terms and conditions of agreements made with the agencies providing information.
- 6) Comply with information security incident management in accordance with the requirements listed in the Incident Response Policy and cooperate with the Department to effectively respond and mitigate all incidents.
- 7) Ensure any potential security event or suspicious activity is immediately reported to the Department's Information Security Officer in accordance with the Department's ISM.

I. Federal Grants

1) Section 1115 Demonstration Grants

Section 1115(a) of the Social Security Act provides OCSE with authority to fund demonstration grants. Only State Title IV-D agencies, or the state umbrella agency of which they are a part of, can receive 1115 Demonstration Grants.

- a) LCSA may submit a conceptual proposal to the Department.
- b) If conceptual proposal is approved by the Department, a grant sponsor will be assigned to assist in completion of the grant application.
- c) If awarded by OCSE, ensure milestones and projects are on track through completion of the grant.
- d) Prepare all quarterly and end-of-project performance and financial grant reports and submit them to the Department for review, approval, and submission to OCSE.

2) Special Improvement Project Grants

Section 452(j) of the Social Security Act provides federal funds for research and demonstration programs and special projects of regional or national significance relating to the operation of state child support programs. Eligible applicants

include state and local public agencies, non-profit agencies, and tribal organizations.

- a) LCSA may submit a conceptual proposal to the Department.
- b) If approved by the Department, the LCSA will receive a letter of support which shall be included in the final submitted proposal package.
- c) Submit required grant application documents directly to OCSE.
- d) If SIP grant awarded, LCSA shall keep the Department informed of the progress and milestones of the grant.
- e) Prepare and submit all quarterly and end-of-grant performance and financial grant reports to OCSE and the Department.

J. Civil Rights

The LCSAs shall adhere to and administer and operate the Title IV-D program in accordance with the provisions of the Title VI and Title VII of the Civil Rights Act of 1964, as amended; the California Fair Employment and Housing Act; the Americans with Disabilities Act of 1990 and 2008 Amendment; the Rehabilitation Act of 1973, § 504 and § 508; the California Department of General Services, Office of the State Architect, Title 24 CCR and Title 28 CFR Part 35, and appendix A of Title 28 CFR Part 36; the Dymally-Alatorre Bilingual Services Act and all other applicable federal and state laws, regulations, policies and directives prohibiting discrimination on the basis of age, sex, race, color, religion, ancestry, national origin, disability, medical condition, denial of family and medical care leave, genetic information, marital status, military and veteran status, or sexual orientation.

K. Non-Compliance

- 1) Comply with the terms and conditions of this POC. Should non-compliance become an issue for any of the following reasons the Department may withhold funds:
 - a) Failure to submit required reports or requested data.
 - b) Major breach of federal or state program requirements or the requirements of this POC.
 - c) Failure to exceed minimum federal standards on a federal performance measure, including federal data reliability requirements.
- 2) Submit a corrective action plan to the Department within a specified period of time. Failure to provide and fully implement an acceptable corrective action plan within the required time period will be grounds for the Department to begin withholding any funds due the LCSA during the monthly payment process until the LCSA is in compliance, has an approved corrective action plan, and is in compliance with that plan.
- 3) The LCSA will be permitted to request reconsideration from the Director of the Department or his/her designee and submit a justification for not meeting a requirement in this agreement. This assumes new or additional information, not previously available to either the LCSA or to the Department, has come to light and could substantially alter the position of the state and, subsequently, the outcome for the LCSA. The justification must be submitted within 30 working

days from the date the Departments' notification letter to the LCSA is postmarked.

SECTION VI: ADDITIONAL PROVISIONS

A. Certification of Contractor(s)

The LCSA certifies, by signing this POC, that neither it nor its principals are presently debarred, suspended, ineligible, proposed for debarment, declared ineligible, or voluntarily excluded from participating in the transaction by any federal department or agency pursuant to Executive Order 12549, Titles 45 CFR Part 76, 7 CFR Part 3017, and 44 CFR Part 17, whenever applicable. And that a contractor providing Title IV-D services must certify by signing an agreement that neither it nor its principals are presently debarred, proposed for debarment, declared ineligible, or voluntarily excluded from participating in the transaction by any federal department or agency. Where the prospective contractor, as the recipient of federal funds, is unable to certify to any of the statements in the certification, such contractor must attach an explanation to their proposal. If the LCSA is unable to certify any of these statements, it must attach an explanation to that effect to the POC at the time of signing.

B. Certification of Lobbying

- 1) The LCSA certifies, by signing this POC, that no federal appropriated funds will be paid by, or on behalf of, the LCSA, to any person for influencing or attempting to influence an officer or employee of any agency; a member of Congress; an officer or employee of Congress; or an employee of a member of Congress in connection with the awarding of any federal contract, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- 2) LCSA shall include language of this certification in the award document for sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements), and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- 3) The LCSA shall allow for inspection, review, and/or audit by authorized federal, state, regional, and county officials all Title IV-D records maintained pursuant to this POC.

C. State and Federal Law Conflicts

To the extent that any provision of this POC or portion thereof is in conflict with any federal laws and/or state laws, and/or implementing federal regulations and/or state

regulations, the laws and/or implementing regulations supersede such provision or portion thereof.

D. Severability

If any provision of this POC or any portion is adjudged to be invalid by a court of competent jurisdiction, or if any provision of this POC or a portion loses its force or effect as a result of legislative action, that judgment or action does not affect the remainder of the provisions of this POC.

SECTION VII: TERM AND APPROVAL

Effective Date: October 1, 2014

Expiration Date: September 30, 2015.

This POC shall be one year in duration, commencing at the start of the federal fiscal year, and shall be subject to renewal or amendment as necessary to reflect new or revised state and federal laws, regulations, and requirements.

This POC shall be signed by the Director of the LCSA and returned to the Department by the commencement of the new effective federal fiscal year. Upon notice from the LCSA Director, a one-time thirty (30) calendar day extension shall be granted by the Department to allow for local processing.

Failure to sign and return this POC may result in the withholding of part or all of the federal and state funds including incentive funds, or other compliance actions authorized by federal or state law, regulation, or policy.

This POC may be amended by a written agreement of both parties if required by changes in policies or directives that may occur during the term of this POC. The Department will communicate with the LCSA regarding any and all obligations under this POC and will, as needed, meet with the LCSA on issues or concerns about program responsibility, operations, or performance.

Failure of the parties to amend or renew the POC to reflect new or revised federal and state laws, regulations, policies, and directives does not relieve the LCSA of the responsibility to act in accordance with those laws, regulations, and requirements.

Dated: _____

Dated: _____

John Replogle, Director
Riverside County Department
of Child Support Services

Alisha Griffin, Director
California Department of Child
Support Services

FORM APPROVED COUNTY COUNSEL

BY:  NEAL R. KIPNIS

DATE