



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ROBERT GORDON
DIRECTOR

February 14, 2020

infocollection@acf.hhs.gov

Administration for Children and Families
Office of Planning, Research, and Evaluation
ATTN: ACF Reports Clearance Officer
330 C Street SW
Washington, DC 20201

RE: Proposed Information Collection Activity; Income Withholding Order/Notice for Support (IWO)

Dear ACF Reports Clearance Officer:

Thank you for the opportunity to provide comments to the proposed Income Withholding Order/Notice for Support (IWO) form and instructions. Please find our comments below.

Comments Regarding Substantive Revisions:

- 1) We (Michigan's IV-D program office) would like to know the reason(s) for removing the sentence, "[t]he combined support amount and fee may not exceed the limit indicated in this section" from the Withholding Limits/Remittance Information section.
- 2) We suggest removing the entire first sentence which was added to the **Payments** paragraph under section VI. **Additional Information for Employers/Income Withholders**, "You must send child support payments payable by income withholding..."

This sentence is redundant with the second sentence in the **V. Remittance Information** section, "Send payment within _____ business days of the pay date".

45 CFR 303.100(e)(1)(ii) and (ix) prescribe that the notice must direct the employer to send payment to the SDU within 7 days of the date the employee is paid. However, states may have a timeframe less than 7 days and indicate such in the second sentence of section V. Michigan law, MCL 552.609, requires employers to remit payment to the MISDU within 3 days of the date of withholding and we populate the second sentence in section V. as 3 days. We feel that the new sentence added under section VI. contradicts the existing sentence in section V. Employers and other withholders would not be compliant with state law if they follow the instruction given in section VI and remit after the state-specific timeframe given

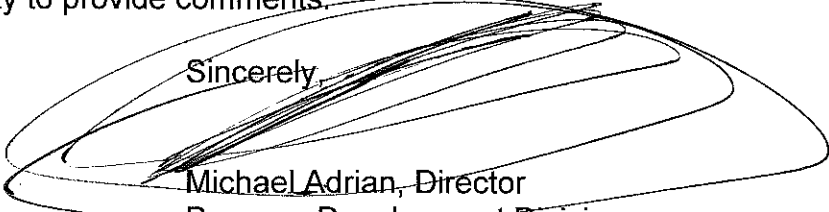
in section V. An employer could easily argue that they are compliant by following the timeframe in section VI.

General Comments Regarding Formatting:

- 3) Formatting of the added section headings should be consistent. As drafted, all headings except section IV. and V. have the parenthetical "(Complete by Sender...)" text in bold.
- 4) In the instructions, under item 1f., for the **NOTE TO EMPLOYER/INCOME WITHHOLDER**, one line of text regarding a copy of the order is outside the newly added outline box. It also appears that this line should be part of the bulleted list.

Thank you again for the opportunity to provide comments.

Sincerely,



Michael Adrian, Director
Program Development Division
Michigan Office of Child Support

MA/CT

Cc: Erin P. Frisch, Director, Office of Child Support