



## Office of Temporary and Disability Assistance

**ANDREW M. CUOMO**  
Governor

**MICHAEL P. HEIN**  
Commissioner

**BARBARA C. GUINN**  
Executive Deputy Commissioner

August 15, 2019

Administration for Children and Families  
Office of Planning, Research, and Evaluation  
330 C Street, SW  
Washington, DC 20201  
Email: [infocollection@acf.hhs.gov](mailto:infocollection@acf.hhs.gov)

Attn: OPRE Reports Clearance Officer

***RE: COMMENTS ON PROPOSED INFORMATION COLLECTION ACTIVITY; 45 CFR 303.7 – PROVISION OF SERVICES IN INTERGOVERNMENTAL IV-D; FEDERALLY APPROVED FORMS (OMB # 0970-0085), June 18, 2019 Federal Register, Vol. 84, No. 117, page 28304***

Dear Sir/Madam:

The New York State Office of Temporary and Disability Assistance (NYS OTDA) appreciates that the Department of Health and Human Services has provided the opportunity to comment on the proposed revisions to standard intergovernmental/Uniform Interstate Family Support Act (UIFSA) forms, OMB No. 0970-0085, which serve as the key communication links between states in interstate proceedings. We welcome the opportunity to submit comments that will result in forms that will be even more effective and successful as tools for the establishment of paternity and the establishment, modification, and enforcement of intergovernmental support obligations.

NYS OTDA, as the designated IV-D agency pursuant to Title 45 Code of Federal Regulations § 302.12, provides the following comments and recommendations with respect to the quality, utility, and clarity of information to be collected and ways to minimize the burden of the collection of information. To the extent that these comments do not address certain forms, NYS OTDA has no comment on the omitted forms.

Generally, NYS OTDA notes significant clarifications have been added to several of the instruction documents. These clarifications will promote understanding, resulting in streamlined case preparation and processing. To this end, NYS OTDA recommends highlighting significant clarifications to instructions in the policy document announcing the release of the revised standard intergovernmental forms.

### **Child Support Agency Confidential Information – Instructions, Page 1, Purpose of the Form:**

NYS OTDA appreciates the language added under *Purpose of the Form* as it significantly clarifies when and how this form must be used (i.e., identification of the intergovernmental forms associated with the *Child Support Agency Confidential Information Form*).

## **Child Support Locate Request – Instructions, Page 1, Purpose of the Form:**

NYS OTDA notes the inclusion of guidance under *Purpose of the Form* regarding the lack of a recommended Hague Convention locate form, the possible use of the “U.S. locate form,” and the removal of language concerning the development of such a form by the federal Office of Child Support Enforcement (OCSE). The instructions reference the OCSE international website as a source of information about working cases under the Hague Convention. However, it is not readily apparent which of the many listed website resources contains information regarding locate requests and whether a Hague Convention Country will accept the U.S. locate form. At a minimum, NYS OTDA recommends the inclusion of a link to the International page of the OCSE website. NYS OTDA also believes it would be helpful to identify the specific locate request resources available on the OCSE website.

## **Declaration in Support of Establishing Parentage – Form, Page 5, Section V. Declaration:**

NYS OTDA supports the addition of a signature line for an Agency Representative in *Section V. Declaration*. However, NYS OTDA requests clarification regarding when a “Tribunal Representative” would utilize this form. It is our understanding this change was made for purposes of consistency with the *General Testimony, Section XI. Declaration*. NYS OTDA respectfully notes, however, that the *Uniform Support Petition, Section V. Declaration*, also differs, allowing for the signature of the Petitioner, IV-D Representative, or the Petitioner’s Private Attorney.

## **Declaration in Support of Establishing Parentage – Instructions, Page 2, Section I. Declaration:**

NYS OTDA appreciates the additional examples and further instructions provided in *Section I. Declaration*. The revisions provide needed clarification and promote correct completion of the form.

## **General Testimony – Instructions, Page 10, Section XI. Declaration:**

With reference to the above comment concerning the *Declaration in Support of Establishing Parentage – Form*, NYS OTDA requests clarification regarding the inclusion of a reference to “tribunal representative” in *Section XI. Declaration*.

## **Letter of Transmittal Requesting Registration – Instructions, Page 2, Action, Note Section:**

NYS OTDA supports the addition of language under the *Note* section bullet, *Nondisclosure Finding/Affidavit attached*, as it provides important clarification regarding disclosure and the need for review for special handling.

## **Personal Information Form for UIFSA § 311 to be Filed with a Tribunal – Instructions, Page 1, Purpose of the Form:**

NYS OTDA appreciates the enhanced instructions provided under *Purpose of the Form*. The additional language concerns the actions to be taken by states whose tribunal records are open to the general public, when the form must be used, and how it must be filed.

**Personal Information Form for UIFSA § 311 to be Filed with a Tribunal – Instructions, Page 1, This Form Contains Sensitive Information – Do Not File this Form in a Public Access File:**

NYS OTDA supports the replacement of “tribunal” with the more descriptive “petition or pleading” under *This Form Contains Sensitive Information – Do Not File this Form in a Public Access File*.

**Child Support Transmittal #1 – Initial Request – Form, Page 1, Section I. Action, Boxes 3C and 4C “Modify then close the Intergovernmental IV-D case”**


NYS OTDA requests consideration of changes to boxes 3C and 4C not addressed in this collection. The introductory paragraph on *Instructions for Child Support Transmittal #1 – Initial Request* “Purpose of the Form”, and the OCSE training for Transmittal #1 webinar notes, both suggest actions requested using the Transmittal #1 relate to a IV-D intergovernmental case, “commonly referred to as a traditional two-state case.” We have encountered confusion among states when processing requests for Box 3C and Box 4C. Headings for both Actions 3 and 4 request “forward payment to the initiating state’s SDU”, proper for the other available choice boxes which create a two-state case, however both “C” boxes are requesting the IV-D case be closed after the order is modified. Since this option is typically used for requesting modification on behalf of the NCP, often there is already an existing two-state case initiated by the CP’s jurisdiction, that should not be impacted by this request to close. Please consider separating Box 3C and Box 4C into an individual item labeled “Take the following action on NCP’s request then close the intergovernmental IV-D case: Box A. Modify the responding tribunal’s order, Box B. Register and Modify the support order of another state”; with additional instructions as needed.

**Child Support Transmittal #1 – Initial Request – Instructions, Page 3, Item 3 - Take the following action(s) on responding tribunal’s order and forward payment to the initiating jurisdiction’s SDU:**

NYS OTDA requests consideration of changes to instructions for Item 3 not addressed in this collection. To clarify, please add “Selecting Action Item 3 encompasses requesting any administrative action needed to have the responding tribunal’s order made payable through the responding state’s SDU (SSA § 466[c][1][E] Change In Payee)”.

Thank you for the opportunity to comment.

Very truly yours,



Eileen M. Stack  
Deputy Commissioner  
Child Support Services

cc: [ocse.dpt@acf.hhs.gov](mailto:ocse.dpt@acf.hhs.gov)