



Office of Temporary and Disability Assistance

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Administrative Directive

Section 1

Transmittal:	17-ADM-07
To:	Social Services District Commissioners
Issuing Division/Office:	Child Support Services
Date:	September 13, 2017
Subject:	Adoption of New York State Regulatory Amendments Impacting the Child Support Program (18 NYCRR 347.3)
Suggested Distribution:	Child Support Enforcement Coordinators Support Collection Unit Supervisors IV-D Attorneys DSS Attorneys
Contact Person(s):	Child Support Services – County Representative: Albany (518-473-0574) or New York City (212-961-8269) Office of Legal Affairs: 518-474-9502
Attachments:	Attachment 1 – Request to Change Name Pursuant to 18 NYCRR § 347.3
Attachment Available Online:	<input checked="" type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18 NYCRR § 347.3	SSL §111-c(1); 45 CFR § 302.12		

Section 2

I. Summary

This Administrative Directive (ADM) advises social services districts (districts) that they will be provided greater flexibility in selecting a name for the local entity responsible for child support activities within their district, pursuant to the recently adopted changes to Title 18 New York Codes, Rules and Regulations (NYCRR) § 347.3. In addition, this ADM introduces a new form, LDSS-5108, *Request to Change Name Pursuant to 18 NYCRR § 347.3* (**Attachment 1**).

II. Purpose

This ADM informs districts of the recently approved changes to 18 NYCRR § 347.3, which became effective September 6, 2017. The regulatory amendments permit districts to propose an alternate name for the unit within their district that is responsible for child support activities, subject to approval by Child Support Services within the Office of Temporary and Disability Assistance. In addition, 18 NYCRR §347.3 was amended to reflect current terminology and correct a regulatory citation. The ADM also informs districts of the new LDSS-5108 and the procedures for its use.

III. Background

18 NYCRR § 347.3 requires each district to establish a single organizational unit responsible for that district's activities in locating noncustodial parents and putative fathers, establishing paternity, and establishing, enforcing and collecting support obligations. Prior to the recent regulatory amendments, 18 NYCRR § 347.3 required the district to designate the local entity responsible for child support activities as the "Child Support Enforcement Unit" or the "Office of Child Support Enforcement." As before the adoption of this amended regulation, districts and their child support units will be required to meet all obligations pursuant to 18 NYCRR Parts 346 and 347. However, with the adoption of this amendment, districts have greater flexibility in selecting a name for the unit within their district that is responsible for child support activities.

The regulatory amendments were proposed in response to a request by a district for flexibility in designating the local entity responsible for child support activities. The district sought to reflect the broader mission of the child support program and foster a more positive perception of the program by eliminating the term "enforcement" from the name of its local unit. Nationally, the child support program has evolved from a program focused on the enforcement of orders of support to a program that puts children first by helping both parents to provide for their child's economic and social well-being. The federal Administration for Children and Families has advocated for a more family centered approach, resulting in improved economic stability and better compliance with the child support program.

Note: In addition to the local entity responsible for the supervision of child support activities within the district, the district is also required to establish a support collection unit pursuant to 18 NYCRR § 346.1.

IV. Program Implications

A district opting to designate a name other than "Child Support Enforcement Unit" or "Office of Child Support Enforcement" for the local entity responsible for the supervision of the child support program within the district must use the LDSS-5108 form to request approval from Child Support Services for such designation.

V. Required Action

Effective immediately, districts desiring to designate a name other than “Child Support Enforcement Unit” or “Office of Child Support Enforcement” to the unit within the district responsible for child support activities must complete, sign, and submit the LDSS-5108. The completed form must be mailed to Child Support Services at the address provided on the form.

To complete the LDSS-5108 form, the district must perform the following actions:

- On the third line of the first paragraph of the LDSS-5108, enter the name of the district;
- In the box to the right of “FROM,” enter the current name of the local entity responsible for child support activities within the district;
- In the box to the right of “TO,” enter the proposed name for the local entity responsible for child support activities within the district;
- In the box to the right of “Proposed Effective Date,” select one (1) of the two (2) check boxes to request:
 - Immediate use of the proposed name upon approval; or
 - Use of the proposed name as of a specific date. If the district opts to request use as of a specific date, the proposed effective date must be entered next to that check box;
- In the signature area of the LDSS-5108, enter the name of the district; and
- Have the form signed by the SSD Commissioner.

The district will receive a written response to the request within ten (10) business days of receipt of the LDSS-5108.

Districts desiring to retain a unit name permitted by 18 NYCRR § 347.3 need not take any action.

VI. Systems Implications

There are no systems implications.

VII. Effective Date

This ADM is effective immediately. The LDSS-5108 is available on the *Forms* page of ERS, alphabetized by its title.

Issued By

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