

OCSE PIQ-81-13

Date: August 4, 1981

Marshall Mandell

Acting Deputy Director

Office of Child Support Enforcement

Subject: Eligibility for FFP – Inclusion of Deputy Sheriff in the Unit Cost Rate Computation in South Carolina

Charles B. Post

Regional Representative

Region IV

Office of Child Support Enforcement

This is in response to your memorandum of July 9, 1981 regarding FFP for services provided by a Deputy Sheriff assigned to a Clerk of Court to serve process and papers make arrests, and locate absent parents.

As provided in 45 CFR 304.21(b)(1), FFP is not available for the cost of service of process unless the court or law enforcement agency would normally be required to pay such costs. FFP is available, however, to cover costs for arrests, made by a Deputy Sheriff, as defined in OCSE-AT-79-3. These costs are covered only if the Clerk of Court enters into a purchase of service agreement with the Sheriff's Department as provided in 45 CFR 304.22. Under OCSE-AT-79-3, purchase of service agreements to obtain arrest services are not subject to prior approval by the Regional Representative if the individuals who perform these activities devote 100 percent of their time to IV-D arrest activities. However, purchase of service agreements must have prior approval by the Regional Representative when the Deputy Sheriff assigned to the Clerk of Court does not spend 100 percent of his time on IV-D arrest activities. Approval of this agreement is granted by the Regional Representative for one year's operation. Continued operation under the agreement in later years is also subject to prior approval. In granting prior approval of the purchase of service agreement, the AT further requires the Regional Representative to evaluate any unit cost charge for allowable expenditures incurred under the purchase of service agreement. Provided the Deputy Sheriff does not spend 100 percent of his time on IV-D arrest activities, records must be maintained to show the allocation of time between IV-D and non-IV-D activities.

With respect to locating absent parents, 45 CFR 304.21 would allow for FFP to be available in the costs related to Deputy Sheriff functions necessary to locate an absent parent.

In order to facilitate our responding to your policy questions in the future, I ask that you adhere to the format prescribed in a memorandum to Regional Representative from Louis D. Hays dated November 4, 1980.

Marshall S. Mandell

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