

STATE OF MICHIGAN

GRETCHEN WHITMER GOVERNOR DEPARTMENT OF HEALTH AND HUMAN SERVICES LANSING

ELIZABETH HERTEL DIRECTOR

UPDATE(S):

Manual

 $\boxtimes$  Form(s)

### IV-D MEMORANDUM 2023-002

- **TO:** All IV-D Staff<sup>\*</sup>
- FROM: Erin P. Frisch, Director Office of Child Support (OCS)
- DATE: January 9, 2023
- **SUBJECT:** Translation Information Added to Contact Letters and Updates to *Understanding Child Support: A Handbook for Parents* (OCSPAMP and DHS-Pub-748)

#### ACTION DUE: None

POLICY EFFECTIVE DATE: Upon receipt

### **PURPOSE:**

This IV-D Memorandum announces revisions to the following OCS contact letters:

- First Customer Contact Letter (OCS0015);
- Final Customer Contact Letter (OCS0025);
- Customer Contact Letter (OCSCONT);
- Customer Contact Letter 1 (OCSCONT1);
- Customer Contact Letter 2 (OCSCONT2);
- Notice of Continued Eligibility (OCS4636);
- Noncooperation Notice (OCS1252) (both the Prosecuting Attorney [PA] and OCS versions);
- *Noncooperation Notice* (OCS1252A) (MiCSES-generated<sup>1</sup>); and
- *Cooperation Notice* (OCS1253) (both the PA and OCS versions).

OCS has added information to each of the letters above for participants who speak no English or limited English. This information includes:

• A phone number that participants can call to talk to an interpreter; and

<sup>&</sup>lt;sup>1</sup> MiCSES is the Michigan Child Support Enforcement System.

• A link to a website where participants can find sample versions of the letter translated into Spanish and Arabic.

OCS has added a sample version of each contact letter translated into Spanish and Arabic to the <u>Policy</u>, <u>Forms and Publications</u> page of the MDHHS-OCS<sup>2</sup> public website.

This IV-D Memorandum also announces revisions to the publication *Understanding Child Support: A Handbook for Parents*. It is available as the:

- OCSPAMP, which is generated by MiCSES; and
- DHS-Pub-748, a handbook that is available in a printed and electronic format.

The changes to the OCSPAMP/DHS-Pub-748 include the addition of translation information and policy regarding client participation payments, the MiChildSupport Calculator, and the abatement of support due to incarceration.

The letters and OCSPAMP will be available in MiCSES on January 13, 2023, with the Child Support 23.0.1 Release. Also, translations of the OCSPAMP in Spanish and Arabic have been posted to the MDHHS-OCS public website along with the Spanish and Arabic translations of the contact letters listed above.

The updated DHS-Pub-748 (printed and electronic version) will be available at a later date due to the additional time needed for development and printing. The DHS-Pub-748 will also be translated into Spanish and Arabic. OCS will announce the availability of the revised DHS-Pub-748 in a future communication.

Similar updates to the following letters and publications are planned for future releases:

- Case closure letters (eight total);
- A Quick Look at Child Support for Parents (MDHHS-Pub-1207);
- Fatherhood: Give Your Child the DADvantage (DHS-Pub-806);
- DNA Paternity Testing (DHS-Pub-865); and
- What Every Parent Should Know About Establishing Paternity (DHS-Pub-780).

# DISCUSSION:

# A. Background

1. Contact Letters and the OCSPAMP/DHS-Pub-748

OCS sends contact letters to provide information to participants or to ask them to provide information by going online or calling OCS. These letters include:

<sup>&</sup>lt;sup>2</sup> MDHHS is the Michigan Department of Health and Human Services.

- OCS0015 and OCS0025: MiCSES automatically generates these letters and sends them to participants who must provide information to pursue child support as a condition of receiving public assistance;<sup>3</sup>
- OCSCONT, OCSCONT1, and OCSCONT2: Support specialists manually generate and send these letters to participants to request information needed to proceed with a IV-D case and avoid losing public assistance;
- OCS4636: MiCSES automatically sends this letter to participants who currently receive IV-D services but have recently stopped receiving public assistance;<sup>4</sup>
- OCS1252: IV-D workers manually generate and send this letter when a custodial party (CP) has not cooperated with child support services. MiCSES populates this letter with the noncooperation reason selected by the IV-D worker on the *Case Member Details* (CASE) screen.<sup>5</sup> There are two versions of this letter in MiCSES one that is generated by OCS staff, and one that is generated by PA staff;<sup>6</sup>
- OCS1252A: MiCSES automatically sends this letter when a CP has not responded to the first two contact letters (OCS0015 and OCS0025) or has failed to provide enough information; and
- OCS1253: IV-D workers manually generate and send this letter when a case has returned to cooperation status. It contains an editable field for the IV-D worker to enter the cooperation effective date. There are two versions of this letter in MiCSES – one that is generated by OCS staff, and one that is generated by PA staff.

OCS developed the *Understanding Child Support: A Handbook for Parents* (OCSPAMP/DHS-Pub-748)<sup>7</sup> to meet the federal requirement to provide IV-D child support applicants with their rights and responsibilities. It explains the IV-D program's available services and support distribution policies.

<sup>&</sup>lt;sup>3</sup> Ref: <u>Section 2.05, "Referrals and Applications," of the *Michigan IV-D Child Support Manual* for more information about the OCS0015, OCS0025, OCSCONT, OCSCONT1, and OCSCONT2.</u>

<sup>&</sup>lt;sup>4</sup> The wording on the OCS4636 will vary depending on whether the participant's case has state-owed arrears. Therefore, there are two versions of the letter: the OCS4636 for a case with state-owed arrears, and the OCS4636 for a case without state-owed arrears. Both versions are attached to this IV-D Memorandum. Ref: <u>Section 3.03</u>, <u>"Case Updates and Member Demographics," of the Michigan IV-D Child</u> <u>Support Manual</u> for more information about the OCS4636.

<sup>&</sup>lt;sup>5</sup> Ref: <u>MiCSES Screen Description: CASE – Case Member Details</u>.

<sup>&</sup>lt;sup>6</sup> Ref: <u>Section 2.15, "Cooperation/Noncooperation/Good Cause,</u>" of the <u>Michigan IV-D Child Support</u> <u>Manual</u> for more information about the OCS1252, OCS1252A, and OCS1253.

<sup>&</sup>lt;sup>7</sup> The OCSPAMP/DHS-Pub-748 will also be referred to as "the handbook" in this IV-D Memorandum.

2. Inclusivity and Accessibility for Limited English Proficient Speakers

Any program or activity that receives federal financial assistance must comply with federal civil rights laws and policies prohibiting discrimination based on race, color, or national origin; this includes limited English proficiency.<sup>8</sup> These programs or activities must provide written and oral language assistance to individuals who are limited English proficient, and this assistance must be free of cost.<sup>9</sup> In addition, every court is required to have a Language Access Plan to help court staff interact with those who are not proficient in English. The plan must "provide meaningful access to limited English proficient persons who have contacts with the court and its administrative staff."<sup>10</sup>

Limited English proficient participants in the child support program have a higher risk of misunderstanding the information provided to them about the services and requirements of the program. This increases their risk of being placed into noncooperation status. The child support program can eliminate barriers to equitable services by communicating information in languages that families understand. With the Child Support 23.0.1 Release, OCS is making two significant changes to help parents and families with limited abilities to read, write, and/or speak English:

- Providing information about translation services in the contact letters and handbook; and
- Providing Spanish and Arabic versions of its contact letters and handbook online.

Increasing equitable access for parents and families with language barriers will advance the Michigan Child Support Program's Strategic Plan goal to improve the participant experience. It will also enhance the efficiency of the program; participants will better understand the information provided and will make informed decisions on requested actions as a result.

a. Providing Information About Translation Services

OCS, PA, and Friend of the Court (FOC) offices currently use third-party translation companies to offer interpretation services at no cost to callers. This is accomplished by a conference call with the interpreter, the participant, and the IV-D worker. However, program participants may be unaware of this useful service. OCS has updated the contact letters and handbook to inform

<sup>&</sup>lt;sup>8</sup> Title VI of the Civil Rights Act of 1964

<sup>&</sup>lt;sup>9</sup> Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 16, 2000), and federal Office of Child Support Enforcement (OCSE) Information Memorandum (IM)-00-10, Guidance on the Prohibition of National Origin Discrimination

<sup>&</sup>lt;sup>10</sup> <u>Administrative Order No. 2013-8</u> — *Trial Court Requirements for Providing Meaningful Access to the Court for Limited English Proficient Persons*, Michigan Supreme Court

participants of this free service by including the following instructions in English, Spanish, and Arabic:

"You can get help and information in your language at no cost. To talk to an interpreter, call us at 866-540-0008. You can find Spanish and Arabic versions of this letter at <u>www.michigan.gov/childsupportpubs</u>."<sup>11</sup>

Note: The PA-generated versions of the OCS1252 and OCS1253 do not include the OCS Interactive Voice Response (IVR) number (866-540-0008); instead, they refer participants to the phone number further above in the letter.

Interpreter services continue to be provided for other languages in addition to Spanish and Arabic.

b. Providing Spanish and Arabic Versions Online

MDHHS has identified English, Spanish, and Arabic as the three languages most used by families who receive its services in Michigan. These are the standard languages that MDHHS uses in its form development. Additionally, the Michigan Department of State Language Access Taskforce report, *Municipality Languages Spoken*, finds English, Spanish and Arabic to be the primary, secondary and tertiary languages spoken across 144 municipalities in Michigan.

Using this information, OCS explored ways to translate its contact letters and handbook into Spanish and Arabic. MiCSES does not have the ability to translate forms and letters into other languages nor the ability to generate certain characters in other languages. Therefore, OCS worked with MDHHS staff and translation services to create Spanish and Arabic versions of the contact letters<sup>12</sup> and handbook for parents to read online. These materials are posted on the MDHHS-OCS public website

<u>www.michigan.gov/childsupportpubs</u>. In addition, OCS added instructions to the MiCSES-generated contact letters and handbook directing participants to the above website for the translated versions. These instructions are shown in English, Spanish, and Arabic.<sup>13</sup>

## B. Changes to the Contact Letters

1. Translation Services Information

<sup>&</sup>lt;sup>11</sup> The handbook includes the same instructions but has the word "handbook" instead of "letter."

<sup>&</sup>lt;sup>12</sup> The translated contact letters are samples and do not contain case numbers or personal identifying information.

<sup>&</sup>lt;sup>13</sup> OCS was able to add this information to the MiCSES-generated contact letters and the OCSPAMP as an image since MiCSES is not able to produce certain characters in other languages.

The following box with information on translation services has been added to the end of the MiCSES-generated contact letters:

You can get help and information in your language at no cost. To talk to an interpreter, call us at 866-540-0008. You can find Spanish and Arabic versions of this letter at <a href="http://www.michigan.gov/childsupportpubs">www.michigan.gov/childsupportpubs</a>.

Puede obtener ayuda e información en su idioma sin costo alguno. Para hablar con un intérprete, llámenos al 866-540-0008. Puede encontrar versiones en español y árabe de esta carta en <u>www.michigan.gov/childsupportpubs</u>.

يمكنك الحصول على المساعدة والمعلومات بلغتك دون أي تكلفة. للتحدث إلى مترجم، ، اتصل بنا على 866-540-0008. يمكنك العثور على النسختين الإسبانية والعربية من هذه الرسالة على الرابط www.michigan.gov/childsupportpubs.

- Note: The first paragraph in the box differs on the OCS1252 and OCS1253 depending on which office generated the letter. OCS-generated letters include the OCS IVR number, while PA-generated letters refer participants to the phone number further above in the letter.
- 2. Salutation

OCS removed the titles "Mr." and "Ms." from the letters to be inclusive of all participants regardless of their gender.

3. Other Updates

The MDHHS nondiscrimination statement on the letters has been updated with the most recent language used by MDHHS.

## C. Changes to the OCSPAMP/DHS-Pub-748

1. Translation Services Information

The box with information on language services (shown in Section B[1] above) has been added to the end of the handbook. The box in the handbook differs slightly from the box in the contact letters because it uses the term "handbook" instead of "letter."

2. Changes to the Client Participation Payment

The recent policy changes to the client participation payment have been added to the handbook.<sup>14</sup>

<sup>&</sup>lt;sup>14</sup> Ref: <u>IV-D Memorandum 2022-017</u>, *Increase to the Client Participation Payment (CPP) Beginning in* <u>January 2023</u>, which was published on December 5, 2022.

3. Information on the MiChildSupport Calculator

OCS has added a section on the MiChildSupport Calculator to the handbook.<sup>15</sup> This section states that the Calculator is a free online tool that families may use to estimate child support payments. The Calculator includes frequently asked questions (FAQs) to help families create calculations.

OCS has also updated the address to the State Court Administrative Office website where families can access the *Michigan Child Support Formula Manual*.

4. Information on Incarcerated Payers

A new section has been added informing families that payments will be abated when a payer of child support is in jail or prison for 180 consecutive days or more and does not have the ability to pay support.<sup>16</sup>

- 5. Other Updates
  - a. The website where families can access the handbook has been updated;
  - b. The MDHHS nondiscrimination statement has been updated; and
  - c. The section on medical support<sup>17</sup> has been updated to include that:
    - Health care coverage must be reasonable in cost; and
    - Health care providers must be close enough to be available to the child.

#### **NECESSARY ACTION:**

Retain this IV-D Memorandum until further notice. Discard the previous version of the OCSPAMP (Rev. 12/18, published with IV-D Memorandum 2018-015).

#### **REVIEW PARTICIPANTS:**

Case Management Work Improvement Team Establishment Work Improvement Team OCS Diversity, Equity, and Inclusion Team OCS Advisory Council Program Leadership Group

<sup>&</sup>lt;sup>15</sup> Ref: <u>Section 1.35, "MiChildSupport Portal," of the *Michigan IV-D Child Support Manual* for more information on the public Calculator.</u>

<sup>&</sup>lt;sup>16</sup> Ref: <u>Section 3.44</u>, "Abatement," of the *Michigan IV-D Child Support Manual*.

<sup>&</sup>lt;sup>17</sup> Ref: Section 6.06, "Medical Support," of the Michigan IV-D Child Support Manual.

## **CONTACT PERSON:**

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# CC:

None

## ATTACHMENTS:

OCS0015:	First Customer Contact Letter
OCS0025:	Final Customer Contact Letter
OCS1252 (two versions):	Noncooperation Notice (OCS-generated)
	Noncooperation Notice (PA-generated)
OCS1252A:	Noncooperation Notice (MiCSES-generated)
OCS1253 (two versions):	Cooperation Notice (OCS-generated)
	Cooperation Notice (PA-generated)
OCS4636 (two versions):	Notice of Continuing Eligibility (case with state- owed arrears)
	Notice of Continuing Eligibility (case without state-owed arrears)
OCSCONT:	Customer Contact Letter
OCSCONT1:	Customer Contact Letter 1
OCSCONT2:	Customer Contact Letter 2
OCSPAMP:	Understanding Child Support: A Handbook for Parents

# EPF/AMC

<sup>\*</sup> Ref: the <u>Michigan IV-D Child Support Manual Introduction and Table of Contents</u> for a definition of IV-D staff.