



Cynthia A. Rice

09/09/97 01:19:45 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Diana Fortuna/OPD/EOP, Emily Bromberg/WHO/EOP

cc:

Subject: HHS letters to states re: child support enforcement

I will fax you each copies of the two letters:

1) One Shalala wants to send to governors of states which do not yet have a certified computer system saying statewide systems are crucial and by law HHS must withhold all federal funds to states that do not meet have them in place by October 1.

2) One from Monahan to the California child support enforcement director saying we do not intend to modify our current regulations, practice or policy to allow California to have a child support computer system that is not statewide, unless, as currently allowed, the alternative would function as well as a statewide system and meet all the current statutory requirements.

Please let me know if you have any comments.

Told Monahan OK
9/11/97

THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, DC 20201**DRAFT**

Would go to
all states not
~~yet~~ yet
certified

The Honorable [name]
Governor of [State]
[City], [State] [Zip Code]

Dear Governor [Name]:

I am writing you about a critical issue to the well-being of American children - using modern technology to strengthen the Nation's child support enforcement program so that children receive the financial and emotional support that they need and deserve.

Statewide, automated child support enforcement systems are crucial to the success of the child support program. Congress recognized the importance of automated systems in 1988 when it passed the Family Support Act (FSA), which required States to develop and implement information systems which would serve the child support program. According to the law, all States must meet the systems-related requirements of the Family Support Act no later than October 1, 1997. If a State does not meet these requirements, it will not be able to maintain an approved Child Support State plan. Without an approved plan, a State will not be able to receive Federal funding for its child support program.

Yet, as of today, only sixteen States have been certified as meeting the automation requirements of the Family Support Act. The remaining States, including your State, are at various stages of completing their systems. Many State officials have expressed confidence that their systems will meet all necessary requirements. However, I am aware that a number of States may not have statewide, operational CSE automated systems by this October. I cannot stress enough the importance of meeting these automation requirements.

Staff from the HHS/Administration for Children and Families (ACF) will be visiting your State to determine the status of your Child Support Enforcement system implementation efforts. My staff will provide their detailed assessment of your State's efforts to your child support enforcement staff. They will also report the results of their findings to me and I will share those findings with you.

The importance of operating an automated, statewide child support enforcement system cannot be overstated. I know you share my commitment and therefore ask you to encourage your staff to move quickly toward the goal of successful system implementation.

Page 2 - The Honorable [Name]

The Administration for Children and Families will continue to assist States that are having difficulty meeting the October 1st deadline by offering individualized ~~action~~ ^{assistance} plans, as appropriate. Please be assured that my Department will continue its efforts to work closely with States to meet the automation requirements of the Family Support Act of 1988 and to lay the foundation for implementing the system enhancements set forth in PRWORA.

I appreciate your continued commitment to ensuring that all States meet our Child Support Enforcement goals for our children. If you would like to discuss any of these requirements, DHHS stands ready to work with you.

Sincerely,

Donna E. Shalala



ADMINISTRATION FOR CHILDREN AND FAMILIES

Office of the Assistant Secretary, Suite 600

370 L'Enfant Promenade, S.W.

Washington, D.C. 20447

Ms. Leslie Frye, Chief
Office of Child Support
Department of Social Services
744 P Street, Mail Stop 17-29
Sacramento, CA 94244-2450

Dear Ms. Frye:

Thank you for sharing various options for dealing with those States with automated child support systems which will not meet the statutory deadline and the certification requirements set forth in the Automated Systems for Child Support Enforcement: A Guide for States. Your suggestions have helped to inform our discussion of this issue.

I also appreciate receiving a copy of the SACCS Alternative Report-Draft 6 dated July 28, 1997. I understand that the State has made no decision regarding an approach to meet the business needs of California's child support enforcement program, as well as to meet Federal statutory and regulatory requirements.

We are aware that the State is planning a meeting in mid-September with county officials regarding the California automated Child Support Enforcement (CSE) system. It is our understanding that a number of different automated systems will be demonstrated at that meeting.

As you consider your options, I thought that the following information would be helpful. ACF does not intend to modify our regulations, practice and policy defining a single statewide system or make substantial changes in our system certification requirements for the Family Support Act of 1988 at this time. Therefore, any consideration of the consortium approach must be within the context of current statute and regulations, which expressly require each State to operate a single, statewide automated CSE system.

Statewide, automated systems are crucial to the success of the child support program. Computerized systems are the only means to provide both prompt and reliable processing of information. With a current national caseload of 20 million, we must move forward aggressively with new technologies if we are to be able to keep up with the massive volume of information and transactions in every State. Moreover, this provision also helps to ensure that a State's CSE system will provide "seamless" interoperability among sub-state CSE agencies -- a consideration of major importance in a State, such as California, where the CSE program is predominantly county-based.

Congress recognized the importance of automated systems in 1988 when it passed the Family Support Act (FSA), which required States to develop and implement information systems which would serve the child support program. According to the law, all States must meet the systems-related requirements of the Family Support Act no later than October 1, 1997. If a State does not meet these requirements, it will not be able to maintain an approved Child Support State plan. Without an approved plan, a State will not be able to receive Federal funding for its child support program.

As you may know, our regulations permit ACF to grant a waiver for an "alternative systems configuration" that meets certain requirements. A consortium approach, such as the approach that is being considered in California, would, if submitted to us, be reviewed under this provision. However, the regulations do not permit us to fund the full cost of an alternative system configuration. Rather, we may provide funding at the enhanced¹ and regular rate (as applicable) only for:

- development of the base system;
- hardware, operational system software, and electronic linkages with the separate components of an alternative system configuration; and
- minor alterations for the separate automated or manual processes that are part of an alternative system configuration and for operating costs including hardware; operational software and applications software of a computerized support enforcement system.

Federal funding is not available for other costs, e.g., the development of new systems or making major changes or enhancements to separate automated or manual processes for other than the base system.

For us to approve a waiver to enable California to pursue an alternative system configuration, the State would need to demonstrate that the system:

- 1) could be implemented more quickly than a single, statewide system;
- 2) would provide for at least the same level of functionality as a single, statewide system, and would enable the State to meet all applicable statutory criteria; and

¹ At this point in time, funding at the 80% or enhanced rate is available to the State, subject to applicable limitations. Funding at the 90% FFP rate is not available after September 30, 1997.

- 3) would not require Federal funds in excess of an amount equal to the cost of developing and implementing a single, statewide system.

If the State wishes to pursue a request for a waiver and approval of an Advance Planning Document for an alternative system configuration, the regulations at 45 CFR Part 95, subpart F list the requirements for such a submission. In order for us to assess whether we could approve such a request, we would also need to have, for comparative purposes, an assessment of the costs, timeframes, etc., of developing and implementing a single, statewide CSE system. We would also want an analysis of how the State would overcome the significant difficulties that have delayed implementation of the Statewide Automated Welfare System (SAWS) under title IV-A -- an effort that seems to be analogous to the consortia approach that you are considering. Any delays similar to those encountered in the SAWS consortium approach would result in the State's inability to meet additional CSE system deadlines that were added by the welfare legislation in August 1996.

I look forward to continued discussions on how we can work together as partners to achieve our common goal of improving child support enforcement in California. If you have any questions regarding this issue please contact me at (202) 401-5180.

Sincerely,

John Monahan
Administration for
Children and Families

A similar letter has been sent to Mr. Dean Flippo

cc: John Thomas Flynn
Sharon Fujii
David Gray Ross
Norm Thompson
Titles and additional cc's to follow



Cynthia A. Rice

09/18/97 04:48:55 PM

Record Type: Record

To: Emily Bromberg/WHO/EOP

cc: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Diana Fortuna/OPD/EOP

Subject: Shalala letters to governors re: child support computers

You may recall that about two weeks ago we reviewed drafts of a letter from Secretary Shalala to the governors regarding child support computer systems. There are two versions of the letters -- one congratulating those who have already met the October 1st deadline for certified statewide computer systems and one to states not already certified saying they will lose federal funds for their child support systems.

The certified states getting the congratulatory letters are: Montana, Delaware, Georgia, Virginia, Washington, West Virginia, Arizona, Utah, Connecticut, Wyoming, Mississippi, Louisiana, New Hampshire, Idaho, Colorado, and Oklahoma.

Emily -- I'm having copies of the final signed versions delivered to you now.

Governor letters on CSE systems

Congratulatory letter 16 States

State	Review conducted	Report issued date
1. Montana	June 13-17, 1994	9/2/94 - Cond.
2. Delaware	June 26-30, 1995	2/9/96 - Cond.
3. Georgia	Aug 28-Sept 1, 1995	2/9/96 - Cond.
4. Virginia	Sept 19-22, 1995	2/9/96
5. Washington	Sept 25-29, 1995	2/9/96
6. West Virginia	Sept 25,95 & 4/22/96	7/3/96 - Cond.
7. Arizona	April 22-26, 1996	8/2/96 - Cond.
8. Utah	Sept 19-22, 1995	8/22/96 - Cond.
9. Connecticut	May 20-24, 1996	8/22/96 - Cond.
10. Wyoming	June 24-28, 1996	8/22/96
11. Mississippi	Sept 9-12, 1996	12/16/96 - Cond.
12. Louisiana	August 12-16, 1996	1/21/97 - Cond.
13. New Hampshire	June 3-7, 1996	6/30/97
14. Idaho	April 8-10, 1997	7/11/97- Cond.
15. Colorado	June 16-20, 1997	7/11/97
16. Oklahoma	June 2-6, 1997	8/22/97-Cond

Two-page Concern letters sent to following States.

These States are very likely to be certified in next 4-6 weeks. We are just waiting for additional documentation or writing up the report.

Wisconsin	April 28-May 2, 1997	Cert in next 1-2 weeks
Guam	July 14-18, 1997	Awaiting documentation
Rhode Island	April 28-May 2, 1997	Reviewing financials
New York	August 4-8, 1997	Need short follow-up
New Jersey	March 11-15, 1996	Need documentation
Puerto Rico	Sept 8-12	Review just last week
Alabama	Sept 8-12	Review just last week

These States have notified ACF that they are now statewide and will be requesting a review within the month.

TX- successfully statewide implementation is Labor Day weekend

IA- tent scheduled for Nov. 17th

NC- called to tell us they are statewide

AR- called to tell us they are statewide

VT indicated that they will request in late Sept

KS - Scheduled to go statewide Sept 30, 1997

FL - last software revision Oct 17th, review in Dec

KY - statewide but still working on interface with Jefferson Co.

VI

MO

NM

AK

TN

ME

MN

IN

NE
MA
SC
ND
SD
OR
MD
NV
HI

PA- pilot July 1st, Level I review in Sept 22, 97

IL- we are conducting Functional week of Sept 22, 1997

CA-

MI

OH- Says they will be statewide by 10/1/97 but not all cases converted

DC- likely to have system finished by Dec, but not all cases converted.



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

SEP 17 1997

The Honorable Tony Knowles
Governor of Alaska
Juneau, Alaska 99811-0001

Dear Governor Knowles:

I am writing you about a critical issue to the well-being of American children - using modern technology to strengthen the Nation's child support enforcement program so that children receive the financial and emotional support that they need and deserve.

Statewide, automated child support enforcement systems are crucial to the success of the child support program. Congress recognized the importance of automated systems in 1988 when it passed the Family Support Act (FSA), which required States to develop and implement information systems which would serve the child support program. According to the law, all States must meet the systems-related requirements of the Family Support Act no later than October 1, 1997. If a State does not meet these requirements, it will not be able to maintain an approved Child Support State Plan. Without an approved plan, a State will not be able to receive Federal funding for its child support program.

Yet, as of today, only sixteen States have been certified as meeting the automation requirements of the Family Support Act. The remaining States, including your State, are at various stages of completing their systems. Many State officials have expressed confidence that their systems will meet all necessary requirements. However, I am aware that a number of States may not have statewide, operational Child Support Enforcement automated systems by this October. We must do all that we can to meet these automation requirements.

Staff from the HHS/Administration for Children and Families (ACF) will be visiting your State to determine the status of your Child Support Enforcement system implementation efforts. Staff will provide their detailed assessment of your State's efforts to your child support enforcement staff. They will also report the results of their findings to me and I will share those findings with you.

The importance of operating an automated, statewide child support enforcement system cannot be overstated. I know you share my commitment and, therefore, ask you to encourage your staff to move quickly toward the goal of successful system implementation.

Page 2 - The Honorable Tony Knowles

The Administration for Children and Families will continue to assist States that are having difficulty meeting the October 1st deadline by offering individualized action plans, as appropriate.

Please be assured that my Department will continue its efforts to work closely with States to meet the automation requirements of the Family Support Act of 1988 and to lay the foundation for implementing the system enhancements set forth in Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

I appreciate your continued commitment to ensuring that all States meet our Child Support Enforcement goals for our children. If you would like to discuss any of these requirements, HHS stands ready to work with you.

Sincerely,



Donna E. Shalala



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

SEP 17 1997

The Honorable Jim Geringer
Governor of Wyoming
Cheyenne, Wyoming 82002-0001

Dear Governor Geringer:

Congratulations on the successful implementation of Wyoming's child support enforcement automated system. Wyoming is one of sixteen States with a child support system which has already been certified as meeting the requirements in advance of the October 1, 1997 statutory deadline. Your success in this effort is a tribute to the dedication and professionalism of your staff.

As you know, automated child support enforcement systems are crucial to the efficient collection and distribution of support on behalf of children. With a current national caseload of 20 million, we must move forward aggressively with new technologies if we are to keep up with the massive volume of information and transactions in every State.

Child support enforcement involves and affects many participants: State and local child support enforcement agencies and information system offices, judges, clerks of court, sheriffs, the private sector, and parents and children. Wyoming's leadership in bringing together these diverse interests while working in partnership with the Federal government will benefit all citizens of Wyoming.

I thank you and commend all those who worked so diligently to make the project a success.

Sincerely,

Donna E. Shalala



FACSIMILE TRANSMISSION

ADMINISTRATION FOR CHILDREN AND FAMILIES
OFFICE OF THE ASSISTANT SECRETARY
370 L'ENFANT PROMENADE, S.W.
WASHINGTON, D.C. 20447

DATE: 9/5/97

Name: Cynthia Rice

Telephone: 456-2846

Fax: 456-7431

Number of Pages (excluding cover): 2

FROM: SHANNON RUDISILL
Office of the Assistant Secretary

Telephone: (202) 401-⁶⁹⁴⁴~~9238~~

Fax: (202) 401-4678

MESSAGE:

Cynthia,

Per your discussion with John, we are sending this
for your information. John asked me to ask you
not to share it.

Thanks,
Shannon

The Honorable [name]
Governor of [State]
[City], [State] [Zip Code]

Dear Governor [Name]:

~~Over the past several years, I have reported to the Nation's Governors on issues to assure the healthy development of children and families. Today, I am writing to you about another critical matter - using modern technology to strengthen the Nation's child support enforcement program so that children receive the financial and emotional support that they need and deserve.~~

Statewide, automated child support enforcement systems are crucial to the success of the child support program. Congress recognized the importance of automated systems in 1988 when it passed the Family Support Act (FSA), which required States to develop and implement information systems which would serve the child support program. According to the law, all States must meet the systems-related requirements of the Family Support Act no later than October 1, 1997. If a State does not meet these requirements, it will not be able to maintain an approved Child Support State plan. Without an approved plan, a State will not be able to receive Federal funding for its child support program.

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Issue to the well-being
of American children

Page 2 - The Honorable [Name]

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I continue to appreciate your commitment to ensuring that all States meet our Child Support Enforcement goals for our children. If you would like to discuss any of these requirements, DHHS stands ready to work with you.

Sincerely,

Donna E. Shalala