

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 217.6 and 252B.9A(7), the Department of Human Services amends Chapter 9, “Public Records and Fair Information Practices,” and Chapter 97, “Collection Services Center,” Iowa Administrative Code.

These amendments update rules to conform to Iowa statutory changes and federal regulations regarding the confidentiality of support payment records maintained by the Child Support Recovery Unit (CSRU) and the Collection Services Center (CSC). The statutory changes were adopted in 2012 to conform to federal safeguarding regulations effective December 30, 2010.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 1045C** on October 2, 2013. The Department received no comments during the comment period. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on December 11, 2013.

These amendments do not provide for waivers in specified situations because federal and state law requires the safeguarding of confidential child support information. However, requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 217.6 and 252B.9A(7).

These amendments will become effective March 1, 2014.

The following amendments are adopted.

ITEM 1. Amend rule **441—9.11(22)**, chart of department records, entries for “Collection service center payment records” and “Program records – Child support recovery,” as follows:

Abbreviations are used in the chart as follows:

Code	Meaning
O	The records are open for public inspection.
C	The records are confidential and are not open to public inspection.
O/C	The record is partly open and partly confidential.
PI	Personally identifiable information
NA	Not applicable

DESCRIPTION OF RECORD	TYPE OF RECORD	LEGAL AUTHORITY FOR CONFIDENTIALITY	PERSONALLY IDENTIFIABLE INFORMATION	LEGAL AUTHORITY FOR PI INFORMATION
Collection service center payment records	O <u>C</u>	Iowa Code 252B.9(2); 42 U.S.C. §654a(d); 45 CFR §307.13	Yes	Iowa Code 252B.9, 252B.13A, 252B.16
Program records • Child support recovery	O/ <u>C</u> <u>C</u>	Iowa Code 252B.9 and 252G.5; 42 U.S.C. §654(26), 42 U.S.C. §654a(d); 45 CFR §303.21 and 307.13	Yes	Iowa Code 252A, 252B, 252C, 252D, 252E, 252F, 252G, 252H, 252I, 252J, 252K, and 144.13, 144.26, 232.147, 234.39, 595.4, 598.22B, and 600.16A

ITEM 2. Amend subrule 97.3(3) as follows:

97.3(3) *Certified payment records.* The unit shall provide certified copies of the official support payment records as defined in paragraph 97.3(1) “a” ~~to the public, upon request, as a public record in accordance with Iowa Code section 252B.9.~~

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/8/14.