

**441—95.13(17A) Appeals.** Nonreceipt of support collected by the department that is to be paid to the obligee may be appealed pursuant to the procedures provided in this rule if the obligee claims that the payment was credited to the incorrect month in accordance with subrules 95.3(1), 95.3(2), and 95.3(3).

**95.13(1) *Contact with department.*** Obligees who believe they have not received all or part of a support payment to which they are entitled in accordance with subrules 95.3(1), 95.3(2), and 95.3(3) must first contact a customer service representative and indicate that they have not received the payment.

*a.* An obligee may contact a customer service representative by telephone or by writing to the Collection Services Center, P.O. Box 9243, Des Moines, Iowa 50306.

*b.* The department will acknowledge this contact in writing, indicating the months at issue.

**95.13(2) *Written decision.*** Within 30 days of the contact, the department shall issue a written decision on all contested support distributions based on the date of collection.

**95.13(3) *Initiation of appeal.*** If the department denies some or all support payments that are claimed based on the date of collection, the obligee may initiate an administrative appeal.

*a.* To initiate an administrative appeal, the obligee shall make a written request to the child support recovery unit indicating an intent to appeal.

*b.* The time limit for initiating an administrative appeal shall be governed by 441—subrule 7.4(3). The time limit provided in 441—subrule 7.4(3) shall start with the date that a written decision as required by subrule 95.13(2) is issued.

*c.* If no written decision has been issued after 30 days, the obligee may appeal the failure to issue a written decision. The appeal may be initiated at any time after 30 days and before a written decision is issued.

**95.13(4) *Limitation of appeals.*** Appeals will be limited to claims based on child support received by the department during the nine-month period before the month in which the appeal is initiated.

**95.13(5) *Appeal process.*** Except as specifically provided in this rule, administrative appeals shall be governed by 441—Chapter 7.

**95.13(6) *Appeal issue.*** The issue in appeals held pursuant to these procedures shall be limited to the obligee's entitlement to a support payment that has been collected by the department.

This rule is intended to implement Iowa Code sections 17A.12 to 17A.20.

[ARC 5417C, IAB 2/10/21, effective 4/1/21; ARC 6778C, IAB 12/28/22, effective 2/1/23]