

**441—95.6(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).

**95.6(1) Contact.** 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 in writing.

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

**95.6(2) Written decision.** Within 30 days of the contact, the department will issue a written decision on all contested support distributions based on the date of collection.

**95.6(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 will make a written request to child support services indicating an intent to appeal.

*b.* The time limit for initiating an administrative appeal is governed by 441—subrule 7.4(3). The time limit provided in 441—subrule 7.4(3) will start with the date that a written decision as required by subrule 95.6(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.

**95.6(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.

**95.6(5) Appeal process.** Except as specifically provided in this rule, administrative appeals are governed by 441—Chapter 7.

**95.6(6) Appeal issue.** The issue in appeals held pursuant to these procedures will be limited to the obligee's entitlement to a support payment that has been collected by the department.

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