



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

November 18, 2011

GENERAL LETTER NO. 11-G-AP-5

ISSUED BY: Bureau of Collections, Child Support Recovery, Division of Field Operations

SUBJECT: Employees' Manual, Title 11, Chapter G, *LICENSE SANCTION APPENDIX*, Title page, revised; pages 5 and 6, revised; and the following forms:

470-3274 *Certificate of Noncompliance*, revised
470-3275 *Notice of Withdrawal of Certificate of Noncompliance*, revised
470-3278 *Official Notice of Potential License Sanction*, revised

Summary

Chapter 11-G-Appendix is revised to:

- ◆ Add reference to license sanction conferences being held within ten days of the request for a conference if a payor and CSRU agree.
- ◆ Incorporate policy changes, rule changes, and ICAR enhancements to update the following forms:
 - 470-3274, *Certificate of Noncompliance*
 - 470-3275, *Notice of Withdrawal of Certificate of Noncompliance*
 - 470-3278, *Official Notice of Potential License Sanction*

Effective Date

Immediately.

Material Superseded

This material replaces the following pages from Employees' Manual, Title 11, Chapter G, Appendix:

<u>Page</u>	<u>Date</u>
Title page	July 27, 2007
470-3274	7/07
470-3275	10/05
5	June 4, 2010
6	July 27, 2007
470-3278	7/07

Additional Information

Refer questions about this general letter to your regional collections administrator.

Revised November 18, 2011

Employees' Manual
Title 11
Chapter G Appendix

LICENSE SANCTION APPENDIX





Iowa Department of Human Services

CERTIFICATE OF NONCOMPLIANCE

Date Notice Prepared: _____
Case Number: _____
Worker ID: _____
Child Support Recovery Unit

Tel. _____

Payor's Name: _____
To _____

This certifies that the above-named payor is not in compliance with a support order being enforced by the Child Support Recovery Unit (Unit).

According to Iowa Code section 252J.7, as a licensing agency, you are required to:

- Begin steps to suspend, revoke, or refuse to issue or renew the licenses and/or motor vehicle registrations of the above-named payor.
- Provide notice to the payor of your intent to suspend, revoke, or refuse to issue or renew licenses and/or motor vehicle registrations of the above-named payor. Your notice must include the date your action becomes effective. Your action shall be effective no sooner than 30 days from the date you provide this notice to the payor.

If you have any questions, contact the Unit listed above. A copy of this certificate has been sent to the payor.

Payor's Rights and Responsibilities

To the payor:
The licensing agency will begin sanctioning your licenses and/or motor vehicle registrations. This process cannot be stopped until you pay all past-due support, provide your employer information, or qualify for an exemption. If you do not have an existing License Sanction Payment Agreement you may be allowed to enter into a payment agreement.

You must pay any fees or fines due to the suspension or revocation of your licenses and/or motor vehicle registrations.

To challenge the license sanction, you may ask for a conference with the Unit or apply for a district court hearing in the county where your support order is filed.

To ask for a conference, complete the License Sanction Request for Conference section on page 3 and send it to the Unit's address listed at the bottom of page 3. The Unit will send a notice with the date, time, place of the conference, and what documents you need to provide for the conference. **NOTE:** If you have already had a license sanction conference and have an existing License Sanction Payment Agreement, you will not be given another license sanction conference. You must make up all missed payments from your License Sanction Payment Agreement, pay all past-due support, or apply for a district court hearing.

To apply for a district court hearing, you must file a written application for a court hearing **within 30 days** from the date on the licensing agency's notice. File the written application with the clerk of court in the county where your support order is filed and send a copy to the Unit's address listed on the top of page 1. **NOTE:** A review by the court is limited to a mistake of fact. Visitation, custody, or other issues not related to child support are not grounds for a hearing to challenge a license sanction.

If you have questions, visit or call the Unit listed at the top of page 1 or consult a private attorney at your own expense.

Certificate Of Mailing

The undersigned certifies that the Certificate of Noncompliance was sent to the named licensing agency on _____ and a copy of this document was sent to the named payor at the last address known by the Unit, by placing a copy in the U.S. mail, postage prepaid on _____.

Policy Regarding Discrimination, Harassment, Affirmative Action, and Equal Employment Opportunity

It is the policy of the Iowa Department of Human Services (DHS) to provide equal treatment in employment and provision of services to applicants, employees, and clients without regard to race, color, national origin, sex, sexual orientation, gender identity, religion, age, disability, political belief, or veteran status.

If you feel DHS has discriminated against or harrassed you, send a letter detailing your complaint to:

Iowa Department of Human Services, Office of Human Resources, Hoover Building – 1st Floor, 1305 E. Walnut Street, Des Moines, IA 50319-0114; fax 515-281-4243; or via e-mail: stopit@dhs.state.ia.us.

License Sanction Request for Conference
(this is not used for requesting a district court hearing)

Worker ID: _____

Case Number: _____ Name: _____

I want a conference to discuss the sanctioning of my license(s). I want the conference to be held: (check one)

_____ **By telephone.** You can reach me at this number: (_____) _____

_____ **In person.**

Days and times I am **not** available for a conference: _____

My employer's name, address, and phone number: _____

The Unit will send an *Acknowledgement of Request for Conference* stating the date, time and place of the conference. The conference day and time depend on the Unit's office hours and the worker's availability. The Unit's office hours are 8:00 AM to 4:30 PM, Monday through Friday.

NOTE: If you have already had a license sanction conference and have an existing License Sanction Payment Agreement, you will not be given another license sanction conference. You must make up all missed payments from your License Sanction Payment Agreement, pay all past-due support, or apply for a district court hearing.

Sign here to request a license sanction conference: _____

Signature

Date

Waiver of Rights: (Optional)

Iowa Code 252J.4 requires the Unit to wait ten days before holding the conference. By signing below, I agree to give up this ten-day waiting period and agree to an earlier date, which may be the same date that I request a conference.

Signature (Optional)

Date

Send this form to: Child Support Recovery Unit



Iowa Department of Human Services

NOTICE OF WITHDRAWAL OF CERTIFICATE OF NONCOMPLIANCE

Date Notice Prepared: _____

Case Number: _____

Worker ID: _____

Child Support Recovery Unit

Tel. _____

Payor's Name: _____

To _____

This notice tells you that the Certificate of Noncompliance issued by the Child Support Recovery Unit (Unit) for the above-named payor on the _____ day of _____, _____, is **withdrawn** as of the date on this notice.

- A written agreement for payment has been made.
- The court has ordered a withdrawal of the Certificate of Noncompliance.
- _____.

Terminate all steps to enforce a license sanction against _____ according to Iowa Code section 252J.8(5) and immediately reinstate, renew, or issue licenses and motor vehicle registrations if the obligor is otherwise in compliance with your licensing requirements.

A copy of this form has been sent to _____.

Child Support Recovery Unit

To the payor:

This notice tells the licensing agency that we have withdrawn our sanction and tells the licensing agency to reinstate, renew or issue your licenses and motor vehicle registrations. You may receive additional information from the licensing agency about what you must do to regain your licenses and motor vehicle registrations. It is your responsibility to contact the licensing agency and pay any fees or fines to have your license and motor vehicle registration reinstated, renewed or issued.

470-3276, Acknowledgment of Request for Conference

Purpose	Use form 470-3276, <i>Acknowledgment of Request for Conference</i> , to tell the payor the date, time, and place of the conference. This form also provides information on the issues that may be discussed, the exemptions for license sanction, and the actions to be taken by the Unit as a result of the conference.
Source	To generate this form, enter the date and time of the conference in the CONF SCHEDULED field on the LISAN screen.
Completion	Complete this form when you receive the payor's written request for a conference. Schedule the conference: <ul style="list-style-type: none">◆ No earlier than ten days following the date in the CONF REQUESTED field, unless the payor signs a waiver, and◆ No later than 30 days following that date. (See 11-G, Holding the License Sanction Conference in Less Than Ten Days , for more information.)
Distribution	Mail this with form 470-3277, <i>License Sanction Request for Financial Statement – Payor</i> , and one copy of form 470-0204, <i>Financial Statement</i> , to the payor by first-class mail.
Data	ICAR enters the following information: <ul style="list-style-type: none">◆ Payor's name◆ Payor's address◆ Date generated◆ Case number◆ Worker ID◆ Unit's address◆ Unit's telephone number◆ Whether the conference was requested before or after you sent form 470-3274, <i>Certificate of Noncompliance</i>, to the licensing agency

- ◆ Date of the conference
- ◆ Time of the conference

You enter the following information:

- ◆ Type of conference (telephone or in-person)
- ◆ Additional case numbers for license sanction cases you will discuss during the conference



Iowa Department of Human Services

OFFICIAL NOTICE OF POTENTIAL LICENSE SANCTION

Date Notice Prepared: _____

Case Number: _____

Worker ID: _____

Child Support Recovery Unit

Tel. _____

Your licenses may be sanctioned

Our records show you owe 3 months' worth of support or more. Iowa Code Chapter 252J allows the Child Support Recovery Unit (Unit) to sanction your professional, recreational, and driver's licenses and motor vehicle registrations when you are behind in your support payments.

How can you stop this?

To stop this action you must respond within 20 days and:

- ◆ Pay all past-due support, **or**
- ◆ Provide us with your employer information, **or**
- ◆ Request a conference for a payment agreement (request must be in writing), **or**
- ◆ Request an exemption if:
 - You are receiving money from Social Security, Supplemental Security Income (SSI), the Family Investment Program (FIP), or certain types of county assistance;
 - You have a temporary illness or disability that keeps you from working, or someone in your household has an illness or disability that keeps you from working because you are needed in the home to care for that person;
 - You are in jail or prison;
 - You get food assistance **and** are in a job-training program with Iowa Workforce Dev.;
 - You participate in an accredited chemical dependency treatment program which keeps you from working; or
 - You are involved in a contempt of court action about support.

If you do not respond

In 20 days from the date of this notice, we will send a notice (Certificate of Noncompliance) to all licensing agencies listed below. The licensing agencies must suspend, revoke, or refuse to issue or renew your licenses and motor vehicle registrations. **This will also stop you from getting a new license and registering a motor vehicle in the future.** You must pay any fees or fines due to the suspension or revocation of your licenses and motor vehicle registrations.

Contact the Unit

- ◆ To provide your employer information or to claim an exemption.
- ◆ To request a conference, complete the License Sanction Request for Conference section on page 3 and send it to the Unit's address listed at the bottom of page 3. The Unit will send a notice with the date, time, place of the conference, and what documents you need to provide for the conference.
 - If you do not attend the conference, a Certificate of Noncompliance will issue to the licensing agencies.
 - The only issues that can be discussed at the conference are: if the Unit made an error in identifying you as the person ordered to pay support, if you owe 3 months' worth of support or more, if you qualify for a payment agreement, or if you qualify for an exemption.
- ◆ To pay all past-due support, send your payment with your case number (see page 1) to:
Collection Services Center
PO Box 9125
Des Moines, IA 50306-9125

This is a legal notice. If you have an attorney, immediately tell your attorney that you received this notice.

Certificate Of Mailing

The undersigned certifies that this notice was sent to the named payor at the last address known by the Unit, by placing a copy in the U.S. mail, postage prepaid; or by providing this notice to a process server or sheriff on _____.

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1305 E. Walnut Street, Des Moines, IA 50319-0114; fax 515-281-4243; or via e-mail:
stopit@dhs.state.ia.us.

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Worker ID: _____

Case Number: _____ Name: _____

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_____ **By telephone.** You can reach me at this number: (____)_____

_____ **In person.**

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My employer's name, address, and phone number: _____

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Sign here to request a license sanction conference: _____

Signature

Date

Waiver of Rights: (Optional)

Iowa Code 252J.4 requires the Unit to wait ten days before holding the conference. By signing below, I agree to give up this ten-day waiting period and agree to an earlier date, which may be the same date that I request the conference.

Signature (Optional)

Date

Send this form to: Child Support Recovery Unit

