



Ohio Revised Code

Section 3111.80 Hearing to determine child support and provision for health care.

Effective: February 11, 2019

Legislation: Senate Bill 70

(A) An administrative officer shall schedule an administrative hearing to determine, in accordance with Chapters 3119. and 3121. of the Revised Code, the amount of child support any parent is required to pay, the method of payment of child support, and the method of providing for the child's health care if an application for services administered under Title IV-D of the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as amended, or other IV-D referral, has been completed and filed and one of the following applies:

(1) An administrative officer has issued an administrative order determining the existence of a parent and child relationship under section 3111.46 of the Revised Code ;

(2) A presumption of paternity exists under section 3111.03 of the Revised Code ;

(3) A duty of support otherwise exists under section 3103.031 or Chapter 3115. of the Revised Code.

The administrative hearing shall be conducted by an administrative officer assigned by the child support enforcement agency.

(B) The administrative officer shall send each of the child's parents notice of the date, time, place, and purpose of the administrative hearing. With respect to an administrative hearing scheduled pursuant to an administrative order determining, pursuant to section 3111.46 of the Revised Code, the existence of a parent and child relationship, the officer shall attach the notice of the administrative hearing to the order and send it in accordance with that section. The notice shall include the request described in section 3111.801 of the Revised Code and state that if either parent fails to comply with a request for information in accordance with that section, the agency is permitted to make reasonable assumptions regarding the information that either parent failed to provide, and the agency shall proceed with the determination of support in the same manner as if all requested information had been provided. The Rules of Civil Procedure shall apply regarding the



sending of the notice and any summons related to the hearing, except to the extent the rules, by their nature, are clearly inapplicable and except that references in the rules to the court or the clerk of the court shall be construed as being references to the agency or the administrative officer.

(C) The hearing shall be held not later than sixty days after the Title IV-D application is submitted to or the Title IV-D referral is received by the agency or after the issuance of an order determining the existence of a parent and child relationship. The hearing shall be held not earlier than thirty days after the officer gives each parent notice of the hearing.

(D) If either parent fails to comply with a request for information in accordance with section 3111.801 of the Revised Code, the agency may do either of the following:

- (1) Proceed in accordance with division (A)(1) of section 3119.72 of the Revised Code;
- (2) Make reasonable assumptions regarding the information the parent failed to provide and proceed with the determination of support in the same manner as if all requested information had been provided.