



Ohio Administrative Code

Rule 5101:12-60-70 Waiver and compromise of permanently assigned arrears.

Effective: January 1, 2017

(A) This rule and its supplemental rules describe the process for a reduction of permanently assigned arrears as a result of an obligor satisfying all the terms and conditions of a waiver, installment plan compromise, lump sum compromise or a family support program.

(B) Procedures submitted by a child support enforcement agency (CSEA) for a waiver and compromise program and approved by the office of child support (OCS) prior to the effective date of this rule and its supplemental rules remain valid except to the extent that any provision of the CSEA procedure is inconsistent with the requirements contained in this rule and its supplemental rules.

(C) The following definitions apply to this rule and its supplemental rules:

(1) "Conditionally assigned arrears" has the same meaning as in rule 5101:12-80-10 of the Administrative Code.

(2) "Current obligation" has the same meaning as in rule 5101:12-80-10 of the Administrative Code.

(3) "Family support program" means a community-based program, approved or administered by the CSEA, in which an obligor may participate to promote financial and/or family stability.

(4) "Family support program agreement" means a written agreement between an obligor and a CSEA in which the obligor participates in a family support program in exchange for the CSEA reducing permanently assigned arrears by an amount certain.

(5) "Installment plan compromise" means a written agreement between an obligor and a CSEA to reduce permanently assigned arrears by an amount certain in exchange for the obligor to pay a monthly support amount for a specific time period. In exchange for the obligor's compliance, the CSEA reduces permanently assigned arrears by specific amounts at specific time periods.



(6) "Lifetime maximum amount" means the total amount the CSEA is authorized to approve locally to be reduced from permanently assigned arrears on a support enforcement tracking system (SETS) case.

(7) "Lump sum compromise" means a written agreement between an obligor and a CSEA to reduce permanently assigned arrears by an amount certain in exchange for a lump sum payment of a specified amount. In exchange for the obligor's compliance, the CSEA reduces permanently assigned arrears by a specified amount.

(8) "Permanently assigned arrears" means:

(a) Child support, spousal support, past care, or medical support arrears that are permanently assigned to the Ohio department of job and family services (ODJFS) or the Ohio department of medicaid (ODM) pursuant to an Ohio works first (OWF) assignment or permanently assigned to ODJFS, ODM or another state pursuant to an aid to families with dependent children, temporary assistance for needy families, medicaid, or Title IV-E foster care maintenance assignment.

(b) Reimbursement owed to ODJFS or ODM for medical expenses or genetic testing cost.

(9) "Unreimbursed assistance" has the same meaning as in rule 5101:12-80-09 of the Administrative Code.

(10) "Waiver" means a written agreement between an obligor and a CSEA to reduce permanently assigned arrears to an amount certain, including when the amount certain is zero dollars, without requiring a payment in exchange by the obligor.