

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

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OFFICE OF WEST VIRGINIA
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**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Department of Human Services TITLE NUMBER: 78

CITE AUTHORITY WVC §48A-5-3(r); 42 USC §666(b)(10); 45 CFR §303.100(a)(9)

AMENDMENT TO AN EXISTING RULE: YES NO


IF YES, SERIES NUMBER OF RULE BEING AMENDED: 11

TITLE OF RULE BEING AMENDED: Termination of Income Withholding

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.


Sandra K. Gilmore, Director
Child Advocate Office

WEST VIRGINIA LEGISLATIVE RULE
DEPARTMENT OF HUMAN SERVICES
CHAPTER 48A-5-3(r)
SERIES 11

Title: Termination of Income Withholding

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WEST VIRGINIA LEGISLATIVE RULE

DEPARTMENT OF HUMAN SERVICES

CHAPTER 48A-5-3(r)

SERIES

FILED
1988 MAY 27 PM 2:17
OFFICE OF THE CLERK
SECRETARY OF STATE

Title: Termination of Income Withholding

Section 1. General

- 1.1 Scope--This legislative rule establishes procedures whereby the Department of Human Services Child Advocate Office will terminate income withholding for support obligors.
- 1.2 Authority and Related Code Citation--West Virginia Code §48A-5-3(r), 42 U.S.C. §666(b)(10), 45 C.F.R. §303.100(a)(9).
- 1.3 Filing Date--
- 1.4 Effective Date--

Section 2. Termination of Income Withholding

- 2.1 The Child Advocate Office shall not terminate withholding until:
 1. The child has reached the age of 18 or is otherwise emancipated, and all arrearages have been paid.
 2. The obligor has legal custody of the child, and all arrearages have been paid.
 3. The child has been adopted, and all arrearages have been paid.
- 2.2 The Child Advocate Office shall adequately document the reason for the termination of the withholding.
- 2.3 Upon receipt of proper documentation, the Child Advocate Office shall mail a notice of withholding termination to the employer and a copy to the obligor.