



WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES

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NOTICE OF AGENCY ADOPTION

1986 JUL - 1 PM 2:44
OFFICE OF ASSISTANT ATTORNEY GENERAL
SECRETARY OF STATE
FILED

RULE TITLE: TERMINATION OF INCOME WITHHOLDING *Series 11*

RULE TYPE: LEGISLATIVE

The attached rule constitutes the official rule adopted by the DEPARTMENT OF HUMAN SERVICES on June 27, 1986, and filed with the Secretary of State.

This legislative rule is filed with the Secretary of State pursuant to West Virginia Code §29A-1-3(c) as a receipt of public assistance exemption to the provisions of West Virginia Code §29-A.

Sharon B. Lord
SHARON BURMEISTER LORD
COMMISSIONER

**TITLE 78
LEGISLATIVE RULES
DEPARTMENT OF HUMAN SERVICES**

**SERIES 11
TERMINATION OF INCOME WITHHOLDING**

§78-11-1. 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 - W. Va. Code §48A-5-3(s), 42 U.S.C. §666(b)(10), 45 C.F.R. §303.100(a)(9)

1.3. Filing Date -- July 1, 1986

1.4. Effective Date -- July 1, 1986

§78-11-2. Termination Of Income Withholding

2.1. The Child Advocate Office shall not terminate withholding until:

a. The child has reached the age of eighteen (18) or is otherwise emancipated, and all arrearages have been paid.

b. The obligor has legal custody of the child, and all arrearages have been paid.

c. 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.

FILED

1986 JUL -1 PM 2:44

OFFICE OF THE CLERK
SECRETARY OF STATE

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

Title: Termination of Income Withholding

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Title 78

~~WEST VIRGINIA LEGISLATIVE RULE~~
~~DEPARTMENT OF HUMAN SERVICES~~
~~CHAPTER 48A-5-3(s)~~
SERIES II

FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE July 1, 1986
ADMINISTRATIVE LAW DIVISION

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(s), 42 U.S.C. §666(b)(10), 45 C.F.R. §303.100(a)(9).

1.3 Filing Date-- July 1, 1986

1.4 Effective Date-- July 1, 1986

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.