

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

Form #3

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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-2-19, 42USC §666(a)(7), 45CFR §303.105

AMENDMENT TO AN EXISTING RULE: YES  NO

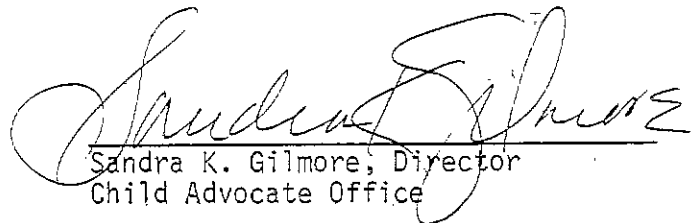
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 14

TITLE OF RULE BEING AMENDED: Providing Information to Credit  
Reporting Agencies

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-2-19  
SERIES 14

Title: Providing Information to Credit Reporting Agencies

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WEST VIRGINIA LEGISLATIVE RULE  
DEPARTMENT OF HUMAN SERVICES  
CHAPTER 48A-2-19  
SERIES 14

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OFFICE OF THE CLERK  
SECRETARY OF STATE

Title: Providing Information to Credit Reporting Agencies

Section 1. General

- 1.1 Scope--This legislative rule establishes procedures whereby the Department of Human Services Child Advocate Office regarding the amount of overdue support owed by an obligor residing in this state to any consumer reporting agency upon its request.
- 1.2 Authority and Related Code Citation--West Virginia Code §48A-2-19, 42 U.S.C. §666(a)(7), 45 C.F.R. §303.105.
- 1.3 Filing Date--
- 1.4 Effective Date--
- 1.5 Repeal of Former Rule--This legislative rule repeals the following West Virginia Legislative Rule: "Department of Human Services, Series 14, Providing Information to Credit Reporting Agencies," filed July 1, 1986.

Section 2. Providing Information to Credit Reporting Agencies

- 2.1 Past due support owed by an obligor residing in this State will be made available to any consumer reporting agency upon the request of the agency if the amount of overdue support is one thousand dollars (\$1,000) or more. However, this information will be made available only after proper notice of the proposed action has been sent to the obligor, and the obligor has been given 10 days to contest the accuracy of the information. In such cases, Form CA0-30 must be sent to the obligor prior to releasing the information. After the 10 day time period, if the obligor has not contested, the Central CAO will forward the information to the Consumer Reporting Agency.
- 2.2 In cases in which the amount of past due support is less than \$1,000, the credit information shall not be released.