

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #6

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1989 JUN -5 PM 3:43
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: Department of Human Services TITLE NUMBER: 78

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: _____

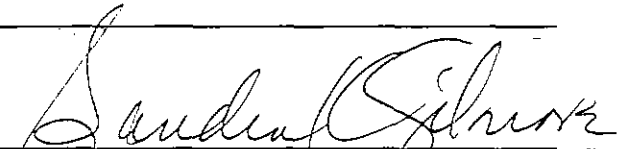
TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) H. B. 2853

SECTION WVC §64-2-39(e), PASSED ON April 8, 1989

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: June 15, 1989


Sandra K. Gilmore, Director
Child Advocate Office

FILED

1988 SEP 23 PM 2:11

SECRETARY OF STATE

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
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1988 SEP 23 PM 2:11
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 CAO-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.

2.3 In cases in which the obligor contests the accuracy of the information, such obligor shall be afforded due process as required by the laws of this state.