



WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES
1900 Washington Street, East
Charleston, WV 25305 Telephone: (304) 348-2400

Arch A. Moore, Jr.
Governor

Sharon B. Lord, Ph.D
Commissioner

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OFFICE OF THE SECRETARY
SECRETARIAT OF STATE

NOTICE OF AGENCY ADOPTION

RULE TITLE: PROVIDING INFORMATION TO CREDIT REPORTING AGENCIES
RULE TYPE: LEGISLATIVE

series 19

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 D. Lord
SHARON BURMEISTER LORD
COMMISSIONER

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

**SERIES 14
PROVIDING INFORMATION TO CREDIT
REPORTING AGENCIES**

§78-14-1. General.

1.1. Scope. -- This legislative rule establishes procedures whereby the Department of Human Service 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. -- W. Va. Code §48A-2-19, 42 U.S.C. §666(a)(7), 45 C.F.R. §303.105

1.3. Filing Date. -- July 1, 1986

1.4. Effective Date. -- July 1, 1986

§78-14-2. 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 ten days (10) days 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 one thousand dollars (\$1,000), the credit information shall not be released.

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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Title 78

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

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-- *July 1, 1986*

1.4 Effective date-- *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.