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Title 22@ Social Security

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Division 13@ Department of Child Support Services

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Chapter 10@ Complaint Resolution

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Article 2@ Local Complaint Resolution Process

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Section 120105@ Notice of Complaint Resolution/Complaint Extension

120105 Notice of Complaint Resolution/Complaint Extension

(a)

The local child support agency shall mail a "Notice of Complaint Resolution," LCR006, dated (10/01), incorporated by reference herein, and a "Request for State Hearing," SH001, dated (06/09), to the complainant no later than 30 days after the complaint receipt date. The LCR006, shall be signed by the director of the local child support agency, or their designee, and shall include a brief description or explanation of all of the following: (1) The complaint and the complaint receipt date. (2) The local child support agency's decision regarding the complaint, including the reason the local child support agency believes the complaint is not eligible for complaint resolution, if applicable, or the reason complaint resolution cannot be completed by the local child support agency. Citations to applicable laws, regulations, or Department policy letters shall be referenced in the explanation. (3) The actions taken or that will be taken by the local child support agency to resolve the complaint. (4) The complainant's right to file a request for a state hearing, the process and time frames for filing a request for state hearing, and the issues within the jurisdiction of a state hearing, if the complainant is dissatisfied with the resolution of the complaint by the local child support agency.

(1)

The complaint and the complaint receipt date.

(2)

The local child support agency's decision regarding the complaint, including the reason the local child support agency believes the complaint is not eligible for complaint resolution, if applicable, or the reason complaint resolution cannot be completed by the local child support agency. Citations to applicable laws, regulations, or Department policy letters shall be referenced in the explanation.

(3)

The actions taken or that will be taken by the local child support agency to resolve the complaint.

(4)

The complainant's right to file a request for a state hearing, the process and time frames for filing a request for state hearing, and the issues within the jurisdiction of a state hearing, if the complainant is dissatisfied with the resolution of the complaint by the local child support agency.

(b)

The director of the local child support agency, or in the director's absence, their designee, shall be permitted to grant a one-time extension of the complaint resolution period for a specified complaint up to maximum of 30 days, if the director of the local child support agency, or in the director's absence, his or her designee, determines more time is needed to resolve the complaint. The local child support agency shall exercise due diligence in attempting to resolve all complaints within 30 days of the complaint receipt date, and shall only take an extension under extraordinary circumstances. The local child support agency shall do both of the following for each complaint resolution extension: (1) Mail a "Notice of Complaint Resolution Extension," LCR005, dated (10/01), incorporated by reference herein, to a complainant no later than 30 days after the complaint

receipt date. The LCR005 shall be signed by the director of the local child support agency, or in the director's absence, their designee, and shall explain the local child support agency's need to extend the complaint resolution period to resolve the complaint, and the time frames to file a state hearing will be extended based on the date of the local child support agency's written resolution response provided pursuant to subparagraph (2). (2) Mail a "Notice of Complaint Resolution," LCR006, dated (10/01), to the complainant no later than 60 days from the complaint receipt date.

(1)

Mail a "Notice of Complaint Resolution Extension," LCR005, dated (10/01), incorporated by reference herein, to a complainant no later than 30 days after the complaint receipt date. The LCR005 shall be signed by the director of the local child support agency, or in the director's absence, their designee, and shall explain the local child support agency's need to extend the complaint resolution period to resolve the complaint, and the time frames to file a state hearing will be extended based on the date of the local child support agency's written resolution response provided pursuant to subparagraph (2).

(2)

Mail a "Notice of Complaint Resolution," LCR006, dated (10/01), to the complainant no later than 60 days from the complaint receipt date.

(c)

If the local child support agency is unable to initiate or complete a complaint investigation due to lack of information from the complainant, and the complaint investigator was unable to obtain the required information during discussion with the complainant as specified in Section 120103(c), the local child support agency shall attempt at least one additional verbal contact with the complainant

to obtain the required information. If the results of the contact are unsuccessful, the local child support agency shall notify the complainant in writing of the required information, and that failure of the complainant to provide the information will result in the local child support agency closing the complaint. If the local child support agency does not receive the information required to resolve the complaint, the local child support agency shall mail a "Notice of Complaint Resolution," LCR006, dated (10/01), to the complainant no later than 30 days after the complaint receipt date, that explains the reason for closing the complaint.