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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 3@ State Hearing

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Section 120221@ Compliance with Adopted State Hearing Decision

120221 Compliance with Adopted State Hearing Decision

(a)

Immediately upon receipt of the adopted decision, the local child support agency shall: (1) Initiate action to comply with such decision. (2) Comply with the adopted decision even if a rehearing is requested and/or granted, unless a request to stay compliance pending rehearing has been requested concurrently with the request for rehearing, and has been granted by the Department. (3) Comply with a rehearing decision subsequently rendered, to the extent the decision differs from the original adopted decision.

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(3)

Comply with a rehearing decision subsequently rendered, to the extent the decision differs from the original adopted decision.

(b)

If the adopted decision is wholly or partially in favor of the complainant, the local

child support agency shall, within 30 days of receipt of the adopted decision, submit a compliance report to the Department. The local child support agency shall be presumed to have received the adopted decision 15 business days after the decision is adopted by the Director or the Director's designee. Such compliance report shall set forth the specific manner in which the local child support agency has complied and/or is complying with the order in the adopted decision. The Department shall review the compliance report and notify the complainant and the local child support agency that the plan for compliance has been approved, or the action that must be taken to ensure proper compliance with the adopted decision.

(c)

The complainant shall have the right to contact the Department, orally or in writing, to express dissatisfaction with the local child support agency's compliance with the adopted decision. There shall be no right to another state hearing concerning noncompliance with the adopted decision. The Department shall determine the local child support agency's compliance with the adopted decision and provide notice to the complainant. If the Department determines the local child support agency is not complying with the adopted decision, the Department shall take any action necessary to ensure compliance, and provide notice to the complainant of the action taken by the Department.