Ohio | Department of Job and Family Services

TO STRENGTHEN OHIO'S FAMILIES WITH SOLUTIONS TO TEMPORARY CHALLENGES

EMPLOYER'S RESOURCE GUIDE TO CHILD SUPPORT



Introduction to Child Support

This Employer Resource Guide was developed to help employers manage Ohio child, spousal and medical support orders. Regardless of the size of the organization or the number of individuals employed, this guide will help ensure that employee child support orders are processed accurately and timely.

Child, spousal and medical support orders are established through either a judicial or administrative process in Ohio. After an order is established, a local court or a county child support enforcement agency (CSEA) will issue an income-withholding order to the employer of the individual responsible for paying monthly support. In addition, employers and health plan administrators may receive medical support order instructions. These could include directives to enroll the employee's child(ren) in an available health plan or to withhold an additional amount for payment of medical obligations.

This guide includes information about the following:

	Page #
› Payroll and Lump-Sum Income Withholding	4
› Remittance Timeframes and Default	4
› Electronic Remittance	4
› Payments by Mail	5
› Withholding Limits	5
› Processing Multiple Withholding Orders	5 - 6
› Reporting New Hire Information and Changes in Employee Status	7
› Medical Support Orders and the National Medical Support Notice	8 - 9
› Who to Contact for Help	9
› Terminology and Definitions	10
› Frequently Asked Questions	11 - 13

Payroll and Lump-Sum Income Withholding

When a child support order is created, an "Income Withholding for Support" order will be issued to the employer of the individual ordered to pay support. The order may be issued by either a local court or CSEA. After the employer receives the order, the employer should deduct the specified amount each pay period and send the payment to Ohio Child Support Payment Central (CSPC). CSPC then disburses the payment to the appropriate individual or agency.

In addition, employers should report to the CSEA when an employee subject to a withholding order will be paid a lump sum of $150 or more. Some examples of lump-sum payments include payment for workers' compensation benefits, severance pay, sick leave, retirement benefits or contributions, bonuses, or profit-sharing payments or distributions. This report should be made no later than 45 days before the distribution is to occur or 45 days before the date the employer determines that the lump-sum payment is due, whichever is earlier.

When the CSEA receives the report of the impending lump-sum payment, it will determine whether the payment can be released to the employee. If the employee has an arrearage (past due support), the CSEA or a local court will issue a transmittal order for the employer to remit to CSPC all or a portion of the lump-sum amount, which will then be applied to t

hose arrears. If no outstanding arrearage is owed, the CSEA will notify the employer that the lump sum may be released to the employee. Employers should hold the lump-sum payment for 30 days after the expected payout date. This will give the court or CSEA time to assess the arrearage status and issue either a transmittal request or authorization to release the funds to the employee. Reporting potential lump-sum payouts as soon as possible helps ensure that funds are not held unnecessarily prior to transmittal or release.

Remittance Timeframes and Default

Employers should deduct the amount specified on the income-withholding order from the employee's earnings each pay period. The income-withholding order will state the amount that should be withheld based on a semimonthly, weekly or biweekly pay cycle. If the specified amounts are not withheld and remitted immediately after each pay cycle, the employee may be in danger of falling behind in his or her monthly support obligation. If an individual's case accrues an arrearage equal to the monthly support amount, the case will be considered in default.

When a case enters default, the court or CSEA may add an additional order to the employee's case to pay off the arrearage. If that happens, the employer will receive an amended withholding order with the new withholding totals. When the arrearages are paid and the case becomes current again, the employer will receive another amended withholding order with the revised withholding total. Because of this, an employer may receive multiple withholding orders throughout the life of a case, depending on how often the case enters and exits default. The employer also may receive amended withholding orders if the court or CSEA modifies the child, spousal or medical withholding order amounts.

Courts and CSEAs do their best to issue withholding orders immediately after support is set. This allows for initial payroll withholding to begin shortly after the date the order takes effect. However, it is not uncommon for some time to pass between the order's effective date and the first withholding date based on the employer's pay cycle. Because of this, many cases enter default during the first month of the order, which leads to the issuance of an amended income-withholding order with new withholding amounts. Employers can do their part to help avoid default scenarios and multiple withholding orders by remitting payments as soon as possible after each pay period.

Electronic Remittance

Employers must remit income-withholding payments to CSPC electronically if they have 50 or more employees and if they withhold support for at least one of those employees. However, remitting electronically is available and beneficial to all employers, regardless of size. Please note that all lump-sum payment remittance must be done through personal check, money order or cashier's check.

Employers have two options for remitting payments electronically. If you have questions after reading the information below, please call CSPC Customer Support at (888) 965-2676.

› Pay by checking account debit

Visit https://oh.smartchildsupport.com to make a payment by ACH Debit. There is no charge for payments sent to Ohio CSPC; however, there may be a nominal fee for payments remitted to other states. Please allow five

days for your first payment to be received. Subsequent payments will be received within three business days. For more information, visit https://oh.smartchildsupport.com.

› Pay by National Automated Clearing House Association–approved Automated Clearing House (ACH) Credit

Employers may make electronic payments via ACH credit in either the CCD+ or CTX 820 file format. To remit via ACH credit, verify that your payroll software and your financial institution can remit in one of those ways. Both formats allow the employee name, case number and Social Security number to travel with the payment so Ohio CSPC can apply the funds to the correct case. Many software companies have developed payroll software with these capabilities included. If you have questions, contact your software provider or financial institution for assistance.

For more information, see the Employer Electronic Payment Guide at https://oh.smartchildsupport.com/

Payments By Mail

If an employer has fewer than 50 employees and is not able to remit payments electronically, the employer may submit payments to CSPC via personal check, money order or cashier's check. Additionally, all lump-sum payment remittance, regardless of the number of employees, must be done through personal check, money order or cashier's check. Make checks payable to Ohio CSPC and send by standard U.S. mail to the following address:

Ohio CSPC
P.O. Box 182394
Columbus, OH 43218

› DO NOT send payment to a county CSEA.

› If you need to send a payment via overnight delivery, you must use the U.S. Postal Service's Priority Mail Express.

Include the following information with each payment for prompt and accurate processing:

› Employee name

› Employee Social Security number (optional)

› Employee's Support Enforcement Tracking System (SETS) case number (10-digit number that begins with a 7)

› Court or CSEA order number

› Amount that should be applied to each case (if remitting for more than one case)

Employers may create a remittance statement with the above information to send with the payment.

Withholding Limits

An employer may not withhold more than 50 percent of an employee's disposable income if the employee supports another dependent, or 60 percent if the employee does not support someone else. In either situation, an additional 5 percent may be withheld if the income-withholding order indicates the employee has had arrearages in place for longer than 12 weeks. The federal Consumer Credit Protection Act (CCPA) mandates these limits.

Processing Multiple Withholding Orders

Many individuals are subject to more than one support order. Multiple support orders may be contained within one SETS case number (10-digit number beginning with a 7) or may be separated into multiple cases. In either situation, employers receive a separate withholding notice for each active order. When a withholding order is received, the employer should check the "Order Identifier" field. If the number is different from any previously received order number, it is a new order and should be processed in addition to any other orders received. If the order number is the same, it is an amended notice that should replace the previous order. If an employer receives two or more income-withholding orders for the same employee, the employer is responsible for withholding the combined total obligation, as long as this amount does not exceed the CCPA limits mentioned above. If the amount of current support exceeds the limits, the employer should allocate a proportional fraction for each obligation.

If the income-withholding order indicates that an e

mployee has had arrears for more than 12 weeks, the

limit increases by 5 percentage points. Current support obligations take priority over arrears. When current support does not exceed the limits, but past-due support cannot be paid in full, proportionately allocate past-due support in the same manner as current support.

Example	Amount
Income-withholding order #1	$545 per month (current support only)
Income-withholding order #2	$475 per month (current support only)
Combined income-withholding obligation	$1,020 per month ($545 + $475)

Employee's monthly income	$1,386.67
Maximum income permitted to be withheld (withholding limit of current support)	$832 per month ($1,386.67 x 60 percent of income)

Total fraction of current support amount that can be paid	.81568 ($832 / $1,020 = .81568)

Allocation for income-withholding order #1	$444.55 ($545 x .81568)
Allocation for income-withholding order #2	$387.45 ($475 x .81568)

Reporting New Hire Information and Changes in Employee Status

Employers must report changes in an employee's status to the county CSEA. In the event of a layoff, termination, leave of absence without pay, or any termination of pension or retirement benefits, the employer should notify the CSEA in writing within 10 days of the occurrence. The notice should include the employee's last known address and any available information regarding a new employer or income source.

Ohio employers also must report all newly hired employees and independent contractors who live or work in Ohio within 20 days of their start dates. New-hire reporting helps CSEA locate parents who owe support.

Employers may report new employees using a variety of methods, including online reporting, electronic reporting, mail or fax. For more information, visit Ohio's New Hire Reporting Center at oh-newhire.com

Employers should report the following information:

Required Employee Information	Required Employer Information
Employee's full name (please identify first, middle and last name)	Employer's name (please use the corporate name)
Employee's address	Employer's address (please provide the address where income-withholding orders should be sent)
Employee's Social Security number	Employer's Federal Employer Identification Number (FEIN). If you have more than one FEIN, please use the same FEIN you use to report quarterly wage information when reporting new hires.
Employee's first day of work	Employer's State Unemployment Insurance number

Optional Employee Information	Optional Employer Information
Employee's date of birth	Employer's phone number
Employee's gender	Employer's fax number
Availability of employee's medical benefits	Employer's email address
Employee's salary and pay frequency	Employer's contact's name

Online Tools

The federal Office of Child Support Enforcement offers online tools that can help employers meet some of the requirements previously mentioned in this booklet. For additional information about electronic income-withholding orders or to learn more about reporting employee terminations and lump-sum notifications electronically, please visit acf.hhs.gov/css/employers.

Medical Support Orders and the National Medical Support Notice

All child support orders include information about how a child's medical coverage will be paid. This may come in the form of an order for one or both parents to obtain and provide health insurance (if available) or to enroll in a plan once it becomes available. If this is the case, a local court or CSEA will notify the employer of the details of the medical insurance obligation. The court or CSEA also will instruct the employer and the employer's health plan administrator to enroll the child in a health plan as outlined in the order.

If private health insurance is not provided as ordered, an additional charge for medical support may be included in the income-withholding order. This is referred to as a "cash medical support" charge. If cash medical is being charged, and health insurance coverage is obtained at a later date, an amended income-withholding order will be issued to remove the cash medical support charge. Again, this means that the total amount to be withheld may be modified multiple times over the life of an order.

The National Medical Support Notice (NMSN) is a federally required notice used to identify available medical coverage and to enforce medical support orders for minor children. It is used throughout the United States to enroll children in health insurance coverage through a parent's employer. If an employee subject to a support order has been ordered to provide medical insurance for his or her child(ren), the employer will receive an NMSN that explains the following:

- Requirements for withholding employee health insurance contributions
- How to prioritize child support and health insurance payments when funds are insufficient to cover both
- Duration of the obligation

The NMSN will be issued within two days of reported employment. It is a two-part, 14-page document with instructions for both the employer and the health plan administrator.

NMSN Part A: Notice to Withhold for Health Care Coverage

This section provides identifying information about the case and the employee. The employer must complete and return this section if one of the following situations exists:

- You do not provide health care coverage for your employees
- The employee is not eligible for the employer-provided health care coverage*
- The employee has been terminated or has left this employment
- The health care coverage cannot be deducted because of state or federal limits and the state's priority for withholding (explained in the instructions)

NMSN Part B: Medical Support Notice to Plan Administrator

If the situations described above do not exist, the employer must forward the NMSN Part B to the health plan administrator. Included in the NMSN Part B is the "Plan Administrator Response" form and the "Employer/Health Plan Administrator Health Insurance Verification Request" (JFS 03377) form. The JFS 03377 requires additional information not requested on the NMSN. The health plan administrator must complete both forms and return them according to the accompanying instructions.

The health plan administrator must notify both the support-paying parent and the child's caretaker that coverage is or will be available and provide health cards, forms and other information needed to access the coverage. By returning Part B of the NMSN, the administrator informs the CSEA of the coverage.

If coverage cannot begin immediately because of a waiting period, the administrator must provide the coverage as soon as the child is eligible.

Notice of Medical Support Enforcement Activity

When an NMSN is issued to an employer, the employee will be sent a "Notice of Medical Support Enforcement Activity" (JFS 04036) letter. This notice explains that the employer will receive an NMSN and that the employee

may request a hearing if he or she believes a mistake has been made regarding the medical support order. If the CSEA determines that a mistake was made, it will take the appropriate action, such as issuing a correction or terminating the notice.

Selection of a Health Plan Option

If more than one health plan option is available, the CSEA will send the child's caretaker the "Notice of Available Health Plan Options and Selection Made by the Medical Insurance Obligee" (JFS 04035) form, along with a description of available options. The caretaker has five calendar days to choose a plan and inform the CSEA of that choice. The CSEA then will send the "Notice of Selection of Health Option" (JFS 04034) form to the health plan administrator within 20 business days. If the caretaker does not respond by the required date, the CSEA will select the standard coverage option for the child.

Expiration/Termination of Medical Support Notice

When a medical support order is no longer in effect, the employer will receive a "Notice to Employer/Health Plan Administrator of Expiration of Withholding Requirements" (JFS 04098) form.

Who to Contact for Help

The first page of the income-withholding order lists the name of the CSEA responsible for administering the order, along with the agency's address and phone number. Feel free to contact the CSEA if you need assistance. The last page of the order will provide an additional contact name and phone number.

Terminology and Definitions

Arrearages	Past-due, unpaid support owed by a noncustodial parent. Payments made toward arrearages reduce the unpaid balance on a child support order.
Consumer Credit Protection Act (CCPA)	A federal law that limits the amount an employer may withhold from an employee's earnings to satisfy the employee's support obligations and other garnishments.
Child Support Enforcement Agency (CSEA)	The county agency responsible for providing child support services. Each of Ohio's 88 counties has a CSEA.
Cash medical support	Payment required as part of a child support order to cover the child's health care.
Child Support Payment Central (CSPC)	The entity that collects and distributes all child support payments made to children who live in Ohio.
Disposable income	The income left after making such mandatory deductions as federal, state and local taxes and statutory pension contributions.
Employee Retirement Income Security Act	A federal law that regulates the operation of health benefit plans selected by employees and that establishes minimum pension plan standards.
Health plan administrator	Any health insurance corporation or self-insured legal entity that provides benefits to its employees or members.
Lump sum	A supplemental payment that an employee receives or is eligible to receive from an employer. See page 4 for examples.
Medical obligor	The person responsible for providing medical coverage for a child; may or may not be the same person responsible for paying child support.
National Medical Support Notice (NMSN)	The form sent to an employer ordering the employer and its health plan administrator to enroll an employee's child in a health insurance plan.
Obligee	Any person to whom support is owed; typically a custodial parent or a caretaker.
Obligor	Any person who owes support; typically a noncustodial parent.
Qualified Medical Child Support Order	A legal notice stating the name and address of the obligor and child, a description of the health coverage to be provided to the child, and the time period to which the order applies.
Remittance identifier	Case number; can be found on page two of the income withholding notice. This number must be included with any payment sent to CSPC.
State Disbursement Unit (SDU)	The entity responsible for processing and disbursing all child support payments for a state; Ohio's SDU is Child Support Payment Central.

Frequently Asked Questions

Order/Notice to Withhold Income for Child Support

Q: What do I do if I know my employee has a child support order, but I have not received an "Income Withholding for Support"?

A: You are not required to withhold support payments until official notice is received. The parent who owes support is required to pay any ordered support until the support is deducted from his or her wages.

Q: What earnings can be used for child support?

A: Almost any earnings can be used. This includes wages, salary, commissions, bonuses, draws against commissions, profit sharing, vacation pay and any other compensation.

Q: How long after I receive the notice do I begin withholding funds?

A: Withholding should begin as soon as possible. It must start no later than the first pay period that occurs 14 working days after the date the notice was mailed. The first withheld payment must be forwarded immediately, no later than seven working days after the withholding. Ongoing withholdings should occur during each subsequent pay period.

Q: How long after support is paid to Ohio CSPC will the recipient receive the funds?

A: Ohio CSPC processes all payments with valid posting information the same day they are received. Ohio CSPC is required to distribute funds within two business days of receipt.

Q: What do I do when my employee says the information on the notice is wrong?

A: Continue to comply with the withholding requirements as detailed in the notice. At any time, you or the employee may contact the issuing agency for clarification or confirmation of the withholding requirements. Please refer to the "Contact Information" section on the last page of the notice for details.

Q: Is there a resource to help determine the appropriate withholdings for employees with multiple child support orders?

A: The Ohio Child Support Enforcement Agency Directors' Association has developed a multi-order calculator to help with this. For more information, please visit **ocda.us**.

Q: What should I do if an employee wants to make a voluntary deduction for his or her child support, or increase the amount withheld in excess of what is required?

A: You should not withhold more than instructed on the "Income Withholding for Support" If an employee chooses, he or she may make payments in addition to the normal employer withholding.

Q: What should I do if there is an existing Internal Revenue Service (IRS) garnishment for the employee, and I receive an "Income Withholding for Support"?

A: Federal tax debt takes precedence over a child support order if it was served first. However, the IRS has stated its willingness to accommodate child support withholding orders that are served after IRS levies. It is up to the employee to request this from the IRS. The CSEA has no way of knowing whether your employee has a pre-existing tax levy, so you should notify the CSEA if this applies to the employee in question.

Q: If I send a payment in error, will it be refunded to me or to my employee?

A: If a payment is sent in error, you should contact CSPC as soon as possible. If you contact CSPC before the payment is disbursed, CSPC will return the funds to you. If the funds have been disbursed, you will need to contact the county CSEA to discuss potential remedies.

Q: How do I know when to stop withholding?

A: You should continue withholding until you receive a "Notice to Payor to Terminate the Withholding from Obligor's Income" form.

Q: I received an "Income Withholding for Support" and a "Notice to Payor to Terminate the Withholding from Obligor's Income" on the same day. What do I do?

A: Verify that both notices pertain to the same case and order. If the case and order are the same, contact the issuing CSEA for clarification. Please refer to the "Contact Information" section on the last page of the "Income Withholding for Support."

Q: I received an income-withholding order from another state. Must I send payments directly to the other state?

A: You must comply with income-withholding orders from other states. The order will specify where to mail the payment.

Q: Is an employee who has declared bankruptcy still liable for child support payments?

A: Even if an employee declares bankruptcy, he or she still is obligated to pay child support. However, you may be notified that you are no longer responsible for withholding child support payments if a trustee of the bankruptcy court takes over this task. You should continue withholding until you receive notice from either the bankruptcy court or the agency that issued the support order.

Q: I received a noncompliance letter, but I am sending payments. Why?

A: Contact the issuing CSEA for clarification. Please refer to the "Contact Information" section on the last page of the "Income Withholding for Support."

Q: Who should I contact if I have questions about payment processing or the "Income Withholding for Support"?

A: Contact the issuing CSEA. Please refer to the "Contact Information" section on the last page of the notice.

Q: Why did I receive an order to deduct $0.00 per month?

A: A court or CSEA may have modified an ongoing support order to $0.00 per month. When this happens, you may be notified so you'll know which agency to contact if the employee ever is eligible for a lump-sum payment. Please review the "Lump-Sum Payments" section of the notice for additional information.

Lump Sums

Q: May I combine lump-sum notices for multiple employees into one document to send to the CSEA?

A: Yes. Be sure to clearly identify each employee and each employee's respective lump-sum amount, case number and order information. Also be sure to indicate whether an employee has multiple cases.

Q: What if the lump sum is for a cash-out of vacation pay?

A: Any cash-out of vacation pay is considered a lump-sum payment and should be processed as such. Employers should notify the CSEA of any lump-sum payment.

Health Insurance

Q: Our company insurer provides open enrollment for all health benefit plans once a year. What happens if the employee can't enroll the children until the open enrollment?

A: As detailed in the National Medical Support Notice Part B, all enrollments should be made without regard to season restrictions.

Q: What if the insurance company denies the application because the child does not live with the employee or was born out of wedlock?

A: As detailed in the National Medical Support Notice Part B, enrollment of a child may not be denied because the child does not live with the employee or was born out of wedlock.

Q: Medical, dental and vision insurance are available for our employees and their dependents. Each policy has a separate premium. Do we have to enroll the children in all three policies?

A: Children should be enrolled in any health, dental or vision plan as stipulated in the National Medical Support Notice Part B, which is sent to your health plan administrator. Any necessary withholding should begin if you determine that it is permitted under state and federal withholding and/or prioritization limitations.

Q: My employee says he or she no longer has to provide health insurance for the child because the child's other parent can get it at a lower cost. May I stop deducting premiums from his or her wages?

A: You should continue to comply with the existing medical withholding order until you receive a "Notice Regarding NSMN Withholding Requirements" advising that the previous health care coverage requirement is no longer in effect.

New Hire Reporting

You can read frequently asked questions about new hire reporting at **newhire-reporting.com/OH-newhire/faq.aspx**.

Mike DeWine, Governor
State of Ohio

Matt Damschroder, Director
Ohio Department of Job and Family Services

JFS 08020 (Rev. 7/2021)
This institution is an equal opportunity
provider and employer.