

WAC 388-14A-4111 When may DCS decline a request to enforce a medical support obligation? The division of child support (DCS) may decline to enforce a medical support obligation using the remedies available under RCW 26.09.105, 26.18.170, and 26.23.110 if one or more of the following apply:

(1) The medical support obligation is imposed by a child support order that was not entered in a court or administrative forum of the state of Washington;

(2) The department of social and health services is not paying public assistance;

(3) The department of children, youth, and families is not providing services for a child in residential care (foster care);

(4) The party requesting enforcement of the medical support obligation does not have an open IV-D case with DCS for the child;

(5) The party requesting enforcement of the medical support obligation is not a parent of the child for whom the medical support obligation was established;

(6) The party is requesting reimbursement of the obligated parent's proportionate share of medical premium costs, and the obligated parent is currently providing accessible health care coverage for the child;

(7) The party requesting enforcement of the medical support obligation is not a former recipient of public assistance as described in WAC 388-14A-2000 (2) (d);

(8) DCS has not received a request for services from a child support agency in another state or a child support agency of an Indian tribe or foreign country;

(9) The party requesting enforcement of the medical support obligation has not applied for full support enforcement services;

(10) The party requesting enforcement of the medical support obligation does not qualify as a party who can receive child support enforcement services from DCS under WAC 388-14A-2000;

(11) The case does not meet the requirements for provision of support enforcement services from DCS under WAC 388-14A-2010;

(12) DCS denies the application under WAC 388-14A-2020;

(13) The party requesting enforcement of the medical support obligation does not provide proof of payment, any required forms, or the declaration under penalty of perjury required under WAC 388-14A-3312;

(14) The case meets one or more of the reasons set out in WAC 388-14A-4112(2) that DCS does not enforce a custodial parent's obligation to provide medical support.

[Statutory Authority: RCW 26.09.105, 26.18.170, 26.23.050, 26.23.110, 26.23.120, 34.05.020, 34.05.060, 74.08.090, 74.20.040, 74.20A.055, and 74.20A.056. WSR 24-15-143, § 388-14A-4111, filed 7/23/24, effective 8/23/24. Statutory Authority: Part I of 2018 c 150 and RCW 26.09.105, 26.18.170, 26.23.050, 34.05.220 (1) (a), 34.05.350(1), 74.08.090, and 74.20.040(9). WSR 19-02-017, § 388-14A-4111, filed 12/21/18, effective 1/21/19. Statutory Authority: RCW 26.09.105(17), 26.18.170(19), 26.23.050(8), 26.23.110(14), 34.05.020, 34.05.060, 34.05.220, 74.08.090, 74.20.040, 74.20A.055(9), and 74.20A.056(11). WSR 11-12-006, § 388-14A-4111, filed 5/19/11, effective 6/19/11.]