

**WAC 388-14A-4525 How to obtain a release of certification for noncompliance.** (1) After the division of child support (DCS) has certified a noncustodial parent (NCP) to a licensing entity for noncompliance, the NCP may obtain a release from DCS if one of the following occurs:

- (a) NCP pays the support debt in full, in which case DCS withdraws the notice of noncompliance;
  - (b) NCP enters into a payment agreement under WAC 388-14A-4520;
  - (c) DCS confirms that the NCP receives GAU, GAX, TANF or SSI;
  - (d) DCS confirms that the NCP is currently incarcerated at a state or federal correctional facility;
  - (e) The prosecuting attorney determines that the NCP is substantially complying with a contempt repayment agreement and recommends release;
  - (f) DCS receives any type of recurring payment, including but not limited to:
    - (i) Employer payments;
    - (ii) Unemployment compensation;
    - (iii) Labor and industries benefits;
    - (iv) Social security benefits;
    - (v) Retirement account garnishments;
  - (g) DCS believes that release of the certification for noncompliance will facilitate the NCP seeking employment, modification of the child support order(s), or compliance with the current order(s);
  - (h) DCS certified the NCP because the NCP failed to make a timely objection to the notice of noncompliance and:
    - (i) The NCP filed a late request for hearing; and
    - (ii) The final administrative order entered under WAC 388-14A-4530 contains a finding that the NCP made a good faith effort to comply with the order and establishes a payment schedule.
- (2) If the NCP and DCS are unable to reach a payment agreement that would lead to release of the certification, the NCP may request a conference board under WAC 388-14A-6400.
- (3) By signing a payment agreement with DCS, the NCP waives the administrative hearing right associated with any notice of noncompliance under WAC 388-14A-4505 which was served before the agreement was signed.
- (4) DCS retains the right to reinstate the suspension action if the NCP meets the conditions of reinstatement but:
- (a) Fails to follow through in a timely fashion with any verbal or written agreement made with DCS; or
  - (b) Fails to comply with the payment schedule contained in an administrative order entered under WAC 388-14A-4530.
- (5) DCS may reinstate the suspension action at any time after releasing the certification, as long as the NCP's case still meets qualifications for certification.
- (6) Unless the NCP pays the support debt in full, DCS is not required to withdraw the notice of noncompliance.
- (7) DCS must provide a copy of the release to any licensing entity to which DCS has certified the NCP.
- (8) The NCP must comply with any requirements of the licensing entity to get the license reinstated or reissued.

[Statutory Authority: 2009 c 408, RCW 34.05.060, 43.20A.550, 74.04.055, 74.04.057, 74.20A.310, 74.20A.320(10), and 74.20A.350(14). WSR 10-03-029, § 388-14A-4525, filed 1/12/10, effective 2/12/10. Statutory Authority: RCW 74.20A.320. WSR 03-18-114, § 388-14A-4525, filed

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