

SUPERSEDED BY 45 CFR § 308

STATE OF CALIFORNIA - HEALTH AND HUMAN SERVICES AGENCY

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064

& FC § 17701



Reason for this Transmittal

- State Law or Regulation Change
- Federal Law or Regulation Change
- Court Order or Settlement Change
- Clarification requested by One or More Counties
- Initiated by DCSS

January 26, 2004

CSS LETTER: 04-01

ALL IV-D DIRECTORS
ALL COUNTY ADMINISTRATIVE OFFICES
ALL BOARDS OF SUPERVISORS

SUBJECT: CHAPTERED LEGISLATION – AB 738, CHAPTER 308
QUALITY ASSURANCE & PERFORMANCE IMPROVEMENT PLAN

This letter is to advise local child support agencies (LCSAs) that AB 738 (Chapter 308, Statutes of 2003) was chaptered by the Secretary of State on September 5, 2003, and became effective on January 1, 2004. This measure makes a number of changes to existing law pertaining to compliance review, data collection and reporting processes. Specifically, AB 738 codifies the Quality Assurance and Performance Improvement (QAPI) program and delineates the following:

- Under the direction and oversight of the Department of Child Support Services (DCSS), each LCSA is required to implement a QAPI program that includes: an annual planning process that establishes local performance goals developed by DCSS in consultation with the LCSAs; the establishment of local performance goals and other performance-related measures and the inclusion of those goals and measures in the LCSA's Plan of Cooperation with DCSS; implementation of actions necessary to promote improved performance; an ongoing self-assessment process; and regular and ongoing oversight by DCSS, including onsite reviews and the provision of technical assistance.
- DCSS is required to assess, at least once every 3 years (instead of annually), each LCSA's compliance with federal and State child support laws and regulations using a statistically valid sample of cases. In lieu of the current annual compliance review process, each quarter, LCSAs with a total number of cases fewer than 10,000 will sample 25 cases. Those LCSAs whose total number of cases is 10,000 or greater, will sample 50. Each LCSA will use these cases to complete both the data reliability and compliance reviews.

SUPERSEDED BY 45 CFR § 308 & FC § 17701

CSS Letter: 04-01

Date: January 26, 2004

Page 2

LCSAs found to be out of compliance will continue to be assessed annually, until they are found to be in compliance. DCSS will continue to conduct an annual assessment of the State's compliance, again using a statistically valid statewide sample of cases, in order to meet federal self-assessment requirements.

- The requirements that DCSS conduct reviews of LCSAs whose performance places them in the "bottom quartile" of counties, as well as the requirement that DCSS collect information regarding the proportion of cases found out of compliance that are opened on behalf of CalWORKs families are deleted.
- State performance measures that, among other things, capture information already otherwise reported or that mirror federal performance measures are deleted. Specifically, the measures deleted from the code are:
 - The percentage of cases with an order for current support
 - The percent of cases with an order for arrears and the percent of cases with arrears collections
 - The percent of alleged fathers or obligors who were served with a summons and complaint
 - Total child support dollars collected per \$1.00 of total expenditure
- State performance measures are added, which are designed to measure performance in locating obligors, providing customer service, and obtaining and enforcing orders for medical support. These measures will be developed by DCSS.
- Reporting dates are amended so that data generally will be reported on a federal fiscal year basis.

Should you have any questions or concerns regarding the provisions of AB 738, that pertain to data collection and reporting, please contact Karen Echeverria, Chief of the Data Performance and Analysis Branch at (916) 464-5504. Questions regarding any other provision of the bill should be addressed to Victor Rea, Chief of the Quality Assurance Branch, at (916) 464-5464.

Sincerely,

DONNA S. HERSHKOWITZ
Deputy Director
Child Support Services Division