



**NOTICE OF INTENDED ACTION**

AGENCY NAME: Department of Human Resources

RULE NO. & TITLE: 660-3-6-.04 Unemployment Compensation Intercept Program

INTENDED ACTION: Proposed permanent rule to bring the rule in line with Alabama statutory law which includes unemployment compensation as income and child support policy and procedures.

SUBSTANCE OF PROPOSED ACTION: To bring the rule in line with Alabama statutory law which include unemployment compensation as income and child support policy and procedures.


TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested parties may submit data, views or arguments respecting the proposed amendment by mail or in person through close of business on July 5, 2011. Persons wishing to submit data, views or arguments orally should contact the Department's Administrative Procedures Secretary between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding State holidays, at (334) 242-1328 to set up an appointment for such oral/in-person presentations.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 5, 2011

CONTACT PERSON AT AGENCY:

Mrs. Gail Grobe  
State Department of Human Resources  
Gordon Persons Building  
50 Ripley Street  
Montgomery, Alabama 36130-1801

  
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Nancy T. Buckner  
Commissioner

660-3-6-.04 Unemployment Compensation Intercept Program.

(1) Through the income withholding intercept process, a portion of the unemployment compensation benefits of a noncustodial parent may be withheld intercepted and applied to the current support obligation and arrearages.

(2) The Department of Human Resources sends an income withholding order to the Department of Industrial Relations.

(23) The Department of Human Resources sends the noncustodial parent a copy of the income withholding order and a notice of the right to an administrative review. The intercept begins two weeks after the Department of Industrial Relations (DIR) receives paperwork. DIR sends the noncustodial parent notice that: The noncustodial parent has 15 days from the date that appears on the notice to request an administrative review.

~~(a) The Department of Human Resources is intercepting unemployment compensation to satisfy a child support obligation.~~

~~(b)a The noncustodial parent has 15 days from the date that appears on the Notice of the Right to request an Administrative review. DIR mails the notice to appeal the intercept. The only basis for the appeal is:~~

- ~~1. DIR does not have authority to make deductions; or~~
- ~~2. The deduction is inaccurate.~~

(34) Once the intercept begins, the payments continue until the Child Support Enforcement Division instructs DIR to terminate the intercept, or the noncustodial parent no longer receives unemployment compensation.

**Author:** Janice Grubbs

**Statutory Authority:** Code of Alabama 1975, §§30-3-60 through 30-3-71 and §30-3-197(a)(5), §§30-4-80 through -98, 38-2-6; 38-2-6(1), 38-10-1 through -11, 40-18-100 through -109; P.L. 93-647; P.L. 98-378; §9 of P.L. 96-611; 42 U.S.C. 651 et seq.; 42 U.S.C. 663; 45 C.F.R. 205-235; 301-306; ALABAMA STATE PLAN – CHILD SUPPORT ENFORCEMENT PROGRAM.

**History:** Succeedent emergency amendment effective July 20, 1999.

**New Rule:** Filed September 3, 1999; effective October 8, 1999.  
Succeedent permanent amendment effective August 5, 2011.