

*-Preface-*

# Arizona Department of Economic Security

## Five – Year Review Reports

A.R.S. § 41-1056 requires that at least once every five years, each agency shall review its administrative rules and produce reports that assess the rules with respect to considerations including the rule’s effectiveness, clarity, conciseness and understandability. The reports also describe the agency’s proposed action to respond to any concerns identified during the review. The reports are submitted in compliance with the schedule provided by the Governor’s Regulatory Review Council (GRRC). A.R.S. § 18-305, enacted in 2016, requires that statutorily required reports be posted on the agency's website.

**Department of Economic Security**

**Title 6, Chapter 7**

**Five-Year Review Report**

**1. Authorization of the rule by existing statutes:**

General Statutory Authority: A.R.S. § 41-1954(A)(3)

Specific Statutory Authority: A.R.S. §§ 25-503, 25-504, 25-510, 25-522, and 46-441

**2. Analysis of rules:**

**Rule**

**Analysis**

R6-7-101

Title: Definitions

Objective: The objective of this rule is to define the terms in this Chapter and promote a uniform understanding of terms used by the Department's Division of Child Support Enforcement.

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written?      **Yes**  **No**

Is this rule clear, concise, and understandable?      **Yes**  **No**

Explanation: This rule requires revision to update definitions to align with statutes, rules, and current Department practice.

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**Rule**

**Analysis**

R6-7-102

Title: Interest on Support and Related Payments

Objective: The objective of this rule is to explain that support and related payments retained by the Clearinghouse for disbursement will not accrue interest.

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-103

Title: Payment Handling Fee

Objective: The objective of this rule is to prescribe the monthly payment handling fee as described in A.R.S. § 25-510(D).

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-401

Title: Definitions

Objective: The objective of this rule is to define the terms in Chapter 7, Article 4, and promote a uniform understanding of terms used by the Department's Division of Child Support Enforcement regarding passport denial.

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

Explanation: This rule requires revision to update definitions to align with statutes, rules, and current Department practice.

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**Rule****Analysis**

R6-7-402

**Title:** Certification and Criteria**Objective:** The objective of this rule is to identify which Title IV-D cases with an arrearage the Department's Division of Child Support Enforcement shall or shall not submit and certify for passport denial and when the Department's Division of Child Support Enforcement shall refer a case to the federal Office of Child Support Enforcement (OCSE) for passport denial and federal income tax refund offset, as well as federal administrative offset under federal statute.Is this rule effective in meeting the objective? Yes  No Is this rule consistent with other rules and statutes? Yes  No Is this rule enforced as written? Yes  No Is this rule clear, concise, and understandable? Yes  No 

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**Rule****Analysis**

R6-7-403

**Title:** Notice**Objective:** The objective of this rule is to explain how the Department's Division of Child Support Enforcement provides written notice to an obligor when the obligor has a support arrearage and has been referred for passport denial.Is this rule effective in meeting the objective? Yes  No Is this rule consistent with other rules and statutes? Yes  No Is this rule enforced as written? Yes  No Is this rule clear, concise, and understandable? Yes  No

<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-404	<p><b><u>Title:</u></b> Administrative Review</p> <p><b><u>Objective:</u></b> The objective of this rule is to explain the administrative review process for passport denial by the Department's Division of Child Support Enforcement.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule enforced as written?                              <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-405	<p><b><u>Title:</u></b> Withdrawal of Certification for Passport Denial</p> <p><b><u>Objective:</u></b> The objective of this rule is to explain when the Department's Division of Child Support Enforcement shall notify OCSE to withdraw certification for passport denial for an obligor.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule enforced as written?                              <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-406	<p><b><u>Title:</u></b> Appeal from Administrative Review</p> <p><b><u>Objective:</u></b> The objective of this rule is to explain that a determination made by the Department's Division of Child Support Enforcement under this Article is subject to judicial review.</p>

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written?                      **Yes**  **No**

Is this rule clear, concise, and understandable?      **Yes**  **No**

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-601	<p><b><u>Title:</u></b>            Distribution</p> <p><b><u>Objective:</u></b>      The objective of this rule is to describe the process for the distribution of money collected in a Title IV-D case.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule enforced as written?                      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-602	<p><b><u>Title:</u></b>            Receipt and Use of Foreign Currency or Other Foreign Payment</p> <p><b><u>Objective:</u></b>      The objective of this rule is to describe the process the Department's Division of Child Support Enforcement shall take if payments from an obligor or payor are received in a foreign currency.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule enforced as written?                      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-603	<p><b><u>Title:</u></b> Allocation of Monies Received from Federal Income Refund Offset to Arrearages</p> <p><b><u>Objective:</u></b> The objective of this rule is to describe how the Department's Division of Child Support Enforcement allocates money received from an obligor's federal income tax refund offset to multiple obligees when the amount does not satisfy the total arrearages for all cases submitted by the Department's Division of Child Support Enforcement to OCSE for payment owed by an obligor.</p> <p>Is this rule effective in meeting the objective?      <b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b></p> <p>Is this rule consistent with other rules and statutes? <b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b></p> <p>Is this rule enforced as written?                              <b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b></p> <p>Is this rule clear, concise, and understandable?      <b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b></p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-604	<p><b><u>Title:</u></b> Allocation of Other Than Internal Revenue Service Payments to Multiple Obligees</p> <p><b><u>Objective:</u></b> The objective of this rule is to describe how the Department's Division of Child Support Enforcement allocates money received from a source other than through an income withholding order that is also undesignated to a case or obligee and does not satisfy the total current support or arrearages owed by one obligor to multiple obligees.</p> <p>Is this rule effective in meeting the objective?      <b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b></p> <p>Is this rule consistent with other rules and statutes? <b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b></p> <p>Is this rule enforced as written?                              <b>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></b></p>

Is this rule clear, concise, and understandable?      **Yes**  **No**

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-605	<p><b><u>Title:</u></b>      Distribution of Monies Received from Federal Income Refund Offset to Arrearages</p> <p><b><u>Objective:</u></b>      The objective of this rule is to explain that the Department's Division of Child Support Enforcement shall refund to an obligor any money received by the Department's Division of Child Support Enforcement that is greater than the total arrearages owed for all cases submitted when received from the Internal Revenue Service on behalf of an obligor's federal income tax refund offset.</p>

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes?      **Yes**  **No**

Is this rule enforced as written?      **Yes**  **No**

Is this rule clear, concise, and understandable?      **Yes**  **No**

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-606	<p><b><u>Title:</u></b>      Distribution of Futures</p> <p><b><u>Objective:</u></b>      The objective of this rule is to explain that the Department's Division of Child Support Enforcement shall apply amounts in excess of the total current obligations due while support is still accruing ("futures") as described in 45 CFR 302.51(b).</p>

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes?      **Yes**  **No**

Is this rule enforced as written?      **Yes**  **No**



Is this rule clear, concise, and understandable?      **Yes**  **No**

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**Rule**

**Analysis**

R6-7-607

Title:      Distribution of Prepaid Support

Objective:      The objective of this rule is to explain how and when the Department's Division of Child Support Enforcement treats payments as prepaid support and when the Department's Division of Child Support Enforcement shall release prepaid support for distribution.

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written?      **Yes**  **No**

Is this rule clear, concise, and understandable?      **Yes**  **No**

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**Rule**

**Analysis**

R6-7-608

Title:      Distribution in Title IV-E Cases

Objective:      The objective of this rule is to explain how the Department's Division of Child Support Enforcement handles the retention and distribution of funds in a current or former Title IV-E case.

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written?      **Yes**  **No**

Is this rule clear, concise, and understandable?      **Yes**  **No**

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-609	<p><u>Title:</u> Distribution in Current Assistance Cases with a Child from Assignment</p> <p><u>Objective:</u> The objective of this rule is to explain how the Department's Division of Child Support Enforcement distributes current support in a current assistance case, as defined in R6-7-101, when a child is determined to be a Child Not on Grant and ineligible for cash assistance due to the receipt of Social Security income and whose support, as defined in R6-7-101, is exempt from assignment under A.R.S. § 46-407.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule enforced as written?                              <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-610	<p><u>Title:</u> Distribution of Cash Medical Support in Title XIX Cases</p> <p><u>Objective:</u> The objective of this rule is to describe the distribution of cash medical support in Arizona Health Care Cost Containment System (AHCCCS) (Title XIX) cases where medical support is assigned to the state.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule enforced as written?                              <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-701	<p><b><u>Title:</u></b> Disbursement</p> <p><b><u>Objective:</u></b> The objective of this rule is to explain the process for the issuance of support and related payments that the Department's Division of Child Support Enforcement receives in a Title IV-D case.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/></p> <p>Is this rule enforced as written?                              <b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/></p> <p><b><u>Explanation:</u></b> This rule requires revision because the annual fee is inconsistent with A.R.S. § 25-528, some of the in-text citations to rules in Chapter 7 are expired, and the rule does not align with current Department practice regarding a state lottery prize that has been set off under A.R.S. § 5-575.</p>

<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-702	<p><b><u>Title:</u></b> Disbursement in Never Assistance Cases through December 31, 2002</p> <p><b><u>Objective:</u></b> The objective of this rule is to explain the order in which the Department's Division of Child Support Enforcement disburses support in Title IV-D cases in which a family never received cash assistance, but received services under Title IV-D or Title XIX of the Social Security Act on or before December 31, 2002.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule enforced as written?                              <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

Is this rule clear, concise, and understandable?      **Yes**  **No**

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-703	<p><b><u>Title:</u></b>      Disbursement in Never Assistance Cases on and after January 1, 2003</p> <p><b><u>Objective:</u></b>      The objective of this rule is to explain the order in which the Department's Division of Child Support Enforcement disburses support in Title IV-D cases in which a family never received cash assistance, but received services under Title IV-D or Title XIX of the Social Security Act on and after October 1, 2009.</p> <p>Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule consistent with other rules and statutes? <b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/></p> <p>Is this rule enforced as written?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Is this rule clear, concise, and understandable?      <b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/></p> <p><b><u>Explanation:</u></b> This rule is inconsistent with other rules and statutes because R6-7-611, which is used as an in-text citation, has expired.</p>

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<b><u>Rule</u></b>	<b><u>Analysis</u></b>
R6-7-704	<p><b><u>Title:</u></b>      Disbursement in Current Assistance Cases through December 31, 2002</p> <p><b><u>Objective:</u></b>      The objective of this rule is to specify the order in which the Department's Division of Child Support Enforcement disburses support and related payments from federal income tax refund offsets collected for an Arizona Title IV-D current assistance case on or before December 31, 2002.</p> <p>● Is this rule effective in meeting the objective?      <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/></p>

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-705

Title: Disbursement in Current Assistance Cases on and after January 1, 2003

Objective: The objective of this rule is to specify the order in which the Department's Division of Child Support Enforcement disburses support and related payments from federal income tax refund offsets collected for an Arizona Title IV-D current assistance case on or before October 1, 2009.

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-706

Title: Disbursement in Current Assistance Cases with a Child Exempt from Assignment

Objective: The objective of this rule is to describe the process the Department's Division of Child Support Enforcement uses to handle the disbursement of support when a child on a court order is not on a grant and the support for that child is not assigned to the state.

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-707

Title: Disbursement Under Federal Law from October 1, 1997 through September 30, 2000 for Former Assistance Cases

Objective: The objective of this rule is to specify the order in which the Department's Division of Child Support Enforcement disburses support from federal income tax refund offsets in a former cash assistance case from October 1, 1997 through September 30, 2000.

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-708

Title: Disbursement Under Federal Law from October 1, 2000 through December 31, 2002 for Former Assistance Cases

Objective: The objective of this rule is to specify the order in which the Department's Division of Child Support Enforcement disburses support from federal income tax refund offsets in a former cash assistance case from October 1, 2000 through December 31, 2002.

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-709

**Title:** Disbursement Under Federal Law on and after January 1, 2003 for Former Assistance Cases

**Objective:** The objective of this rule is to specify the order in which the Department's Division of Child Support Enforcement disburses support from federal income tax refund offsets in a former cash assistance case on and after January 1, 2003.

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**

**Analysis**

R6-7-710

**Title:** Disbursement of Federal Income Tax Refund Offsets Under Federal Law from October 1, 1997 through September 30, 2000

**Objective:** The objective of this rule is to explain the order in which the Department's Division of Child Support Enforcement shall disburse support collected through federal income offsets in accordance with 26 U.S.C. 6402 and 42 U.S.C. 664 from October 1, 1997 through September 30, 2000.

Is this rule effective in meeting the objective? **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written? **Yes**  **No**

Is this rule clear, concise, and understandable? **Yes**  **No**

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**Rule**                      **Analysis**

R6-7-711      Title:                      Disbursement of Federal Income Tax Refund Offsets Under Federal Law on and after October 1, 2000

Objective:                      The objective of this rule is to explain the order in which the Department's Division of Child Support Enforcement shall disburse arrearages collected through federal income offsets on and after October 1, 2000, and the retention of conditionally assigned arrearages to reimburse the state and federal governments for unreimbursed cash assistance paid to an assistance unit.

• Is this rule effective in meeting the objective?                      **Yes**  **No**

•    Is this rule consistent with other rules and statutes? **Yes**  **No**

•    Is this rule enforced as written? **Yes**  **No**

•                      Is this rule clear, concise, and understandable?                      **Yes**  **No**

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**Rule**                      **Analysis**

R6-7-712      Title:                      Caretaker Disbursement

Objective:                      The objective of this rule is to explain how support and related payments are disbursed to a caretaker who has physical custody of a child and is not the child's parent.

Is this rule effective in meeting the objective?                      **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**



Is this rule enforced as written? Yes  No

Is this rule clear, concise, and understandable? Yes  No

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**Rule**

**Analysis**

R6-7-713

Title: Past Support Judgments

Objective: The objective of this rule is to describe the process for the collection and disbursement of support when a court or administrative entity orders past support that covers a period in which the obligee was on cash assistance and states that a past support judgment ordered on or after September 26, 2008, does not accrue interest.

Is this rule effective in meeting the objective? Yes  No

Is this rule consistent with other rules and statutes? Yes  No

Is this rule enforced as written? Yes  No

Is this rule clear, concise, and understandable? Yes  No

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**Rule**

**Analysis**

R6-7-714

Title: Interest on Arrearages

Objective: The objective of this rule is to explain how the Department's Division of Child Support Enforcement allocates the amount of interest on permanently assigned, temporarily assigned, never assigned, and unassigned arrearages.

Is this rule effective in meeting the objective? Yes  No

Is this rule consistent with other rules and statutes? Yes  No

Is this rule enforced as written? Yes  No

Is this rule clear, concise, and understandable?      **Yes**  **No**

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**Rule**

**Analysis**

R6-7-715

Title:      Unassigned Arrearages

Objective:      The objective of this rule is to describe how, when, and the order in which the Department's Division of Child Support Enforcement unassigns arrearages.

Is this rule effective in meeting the objective?      **Yes**  **No**

Is this rule consistent with other rules and statutes? **Yes**  **No**

Is this rule enforced as written?      **Yes**  **No**

Is this rule clear, concise, and understandable?      **Yes**  **No**

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**3.      Has the Department received written criticisms of the rules within the last five years?**

**Yes**  **No**

**4.      Economic, small business, and consumer impact comparison:**

There is no substantive change from the Economic, Small Business, and Consumer Impact Statement (EIS) comparison provided in the last Five-Year Review Report, which was approved by the Governor's Regulatory Review Council (GRRC) on December 3, 2019.

The Department's self-service Payment Gateway allows obligors to make a child support payment online. In SFY 2024, the Payment Gateway processed 77,040 online payments made by obligors for a total distribution of over \$30 million to obligees and their cases.

The Department's TouchPay services allow obligors to make child support payments at local Division of Child Support Services offices and other locations using cash, credit or debit cards, and checks without waiting in line to speak to a staff member. In SFY 2024, 16,151 payments were processed by TouchPay for a

total distribution of over \$5 million to obligees and their cases.

Additional child support payments were received by the Department through various other payment methods, such as wage garnishment or child support withholding order for a total distribution of over \$401 million to obligees and their cases.

Under A.R.S. § 25-510(D), the Department receives a monthly fee for handling support and maintenance payments, known as the Clearinghouse Payment Handling Fee. The Clearinghouse Payment Handling Fee is \$8.00 per month. In SFY 2024, the Department collected an average of \$1 million per month in Clearinghouse Payment Handling Fees.

**5. Has the agency received any business competitiveness analyses of the rules?**

Yes  No

**6. Has the agency completed the course of action indicated in the agency's previous five-year review report?**

Yes  No

In the previous Five-Year Review Report approved by the Governor's Regulatory Review Council (GRRC) on December 3, 2019, the Department planned to submit a moratorium exception request for Title 6, Chapter 7 to the Governor's Office by March 30, 2020, so that the Department could update references to Division of Child Support Enforcement to Division of Child Support Services in a Notice of Final Expedited Rulemaking. In early 2020, the COVID-19 Pandemic required the Department to quickly divert all resources to providing pandemic response services. Given that the only item requiring amendment in the last Five-Year Review Report for Chapter 7 involved updating the name of the Division, the Department decided to forego requesting permission to proceed with a rulemaking request until additional revisions were required.

**7. A determination that the probable benefits of the rule outweigh within this state the probable costs of the rule, and the rule imposes the least burden and costs to regulated persons by the rule, including paperwork and other compliance costs, necessary to achieve the underlying regulatory objective:**

The benefits of these rules outweigh any costs associated with the rules and impose the least burden on individuals regulated by these rules. The Department

does not anticipate any negative impacts on small businesses or individuals regulated by these rules.

**8. Are the rules more stringent than corresponding federal laws?**

*Please provide a citation for the federal law(s). And if the rule(s) is more stringent, is there statutory authority to exceed the requirements of the federal law(s)?*

Yes  No

CFR Title 45, Subtitle B, Chapter III

The rules are not more stringent than corresponding federal laws.

**9. For rules adopted after July 29, 2010 that require the issuance of a regulatory permit, license, or agency authorization, whether the rules are in compliance with the general permit requirements of A.R.S. § 41-1037 or explain why the agency believes an exception applies:**

The Department has determined that A.R.S. § 41-1037 does not apply to these rules because they do not require the issuance of a permit, license, or agency authorization.

**10. Proposed course of action:**

The Department proposes to amend some of the rules in 6 A.A.C. 7 to address the issues identified in Section 2 of this Five-Year Review Report. The Department anticipates submitting a Notice of Final Rulemaking to the Council by August 2025.