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# Department of Social Services

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Established in 1974, the Missouri Department of Social Services includes four agencies that previously operated social programs under separate administrations. This "umbrella" structure combines the efforts of related agencies and promotes a cooperative approach toward delivering social programs to Missourians in need.

The department works to ensure the health and safety of children, to help parents and caregivers provide nurturing homes, and to aid people in need of financial assistance reach their highest level of social and economic self-sufficiency.

The director of the Department of Social Services assumes a mandate to efficiently administer federal, state and local funds. The director also cooperates with private organizations, businesses, and individuals to extend the outreach of human services available to Missouri citizens.

## Office of the Director

The director of the Department of Social Services is responsible for the overall administration of programs within the department except as otherwise provided by law. The director determines priorities for program implementation and has final approval for uses of state and federal funds appropriated to the department.

There are currently four administrative support divisions within the department: Budget and Finance, Data Processing, General Services and Legal Services.

There are four program divisions within the department responsible for policy formulation, organizing programs and facilitating service delivery. The directors of these divisions report to the department director. These divisions are: Child Support Enforcement, Family Services, Medical Services and Youth Services.

The personnel and labor relations section (PLRS) guides the overall human resources management system for the more than 10,000 employees within the department. The section is responsible for ensuring compliance with merit system rules and coordinating activities in the areas of labor relations, recruitment, selection, classification, compensation and training. PLRS



DANA KATHERINE MARTIN  
Director



STEVEN E. RENNE  
Deputy Director



JACQUELYN D. WHITE  
Deputy Director



MARY BROWNING  
General Counsel

is also responsible for union negotiations and resolution administration as well as administering the employee grievance system.

## Administrative divisions

The **Division of Budget and Finance** provides budgeting and financial support services to all divisions within the department. The responsibilities of the Division of Budget and Finance can be divided into the following major support areas: accounts payable, payroll, purchasing, receipts, audits, grants management, budget and planning.

The **Division of Data Processing** provides information technology services to all agencies within the department. This involves planning and coordinating all department data processing activities as well as development, maintenance and operation of the department's computer systems and a statewide telecommunications network.

The **Division of General Services** provides a variety of support services to all agencies within the department. Offices are located in Jefferson City, Kansas City, St. Louis and St. Louis County. The services include operating service centers, building maintenance, mailing, warehousing, supply distribution, inventory control, composing and printing, leasing and telecommunications and capital improvements oversight.



CHRISTINE RACKERS  
Associate Director



CONNIE CHADWICK  
Assistant to the Director



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Assistant to the Director



DEB HENDRICKS  
Media Relations Coordinator



DORIS LORTS  
Executive Assistant



BRIAN KINKADE  
Director  
Division of Budget & Finance



DENNIS BAX  
Director, Information Services &  
Technology Division



AL GAGE  
Director  
Division of General Services

The **Division of Legal Services** provides comprehensive legal support to all programs and support divisions in the Department of Social Services (DSS). The division represents the department, its divisions and the state, not individuals. The Division of Legal Services (DLS) is organized into five major sections: Litigation, Administrative Hearings, Office for Civil Rights, Investigations and State Technical Assistance Team.

The Litigation section represents the divisions of DSS before administrative tribunals and in the circuit and appellate courts. These cases relate to reimbursement of and sanctioning of Medicaid providers and collection of liens for medical services in personal injury cases and claims in probate estates on behalf of the Division of Medical Services; judicial review of administrative child support orders on behalf of the Division of Child Support Enforcement; placement of children under the care of the Division of Family Services (DFS), proceedings involving child abuse and neglect, licensure and revocation of foster homes, minor guardianships, permanency planning for children including, as appropriate, termination of parental rights and income maintenance issues all for DFS; legal services to the Division of Youth Services in restoring young people to leading lives as productive citizens; and, for all divisions, advice on contracts, per-



HARRY WILLIAMS  
Director  
Division of Legal Services

sonnel matters, and the reviewing and implementation of administrative regulations.

The Administrative Hearings is comprised of hearing officers who conduct hearings related to child support enforcement and public benefits under Chapters 208, 454, 536 and 660, RSMo. [Administrative hearings include enforcing, establishing and modifying child support orders, to ensure the obligation to provide child support is current and reflects the parents' ability to provide financial and medical support to their children in accordance with Supreme Court Rule

88.01.] The Administrative Hearings Section also provides hearings to thousands of public assistance applicants and recipients as mandated by federal law. These due process hearings provide the forum for determining whether the denial or termination of public benefits was justified.

Office for Civil Rights represents DSS in the role of prevention of discrimination in all employment practices, and in offering services to clients or potential clients. OCRs areas of responsibility include: investigations of complaints of discrimination brought by clients or potential clients, conducting mandatory civil rights training of all DSS employees, ensuring contract compliance of DSS vendors by audits, developing DSS affirmative action plan and recruitment of diverse employees.

The Investigation Section is divided into four units: Welfare Investigations Unit, Medicaid Investigations Unit, Claims and Restitution Unit and General Assignment Unit. The Welfare Investigations Unit investigates fraud and abuse committed by public assistance recipients. The Medicaid Investigations Unit investigates fraud and abuse committed by recipients against Medicaid providers. Also, the Medicaid Unit is responsible for Medicaid provider compliance investigations including overpayments, denial of enrollments and program sanctions. The Claims and Restitution Unit operates and manages the Claims Accounting Restitution System (CARS). The CARS system tracks the establishment and collection efforts in all claims in the public assistance programs administered by DSS. This unit processes in excess of 40,000 recoupments and 100,000 hot line and mail requests annually. The General Assignment Unit conducts criminal, personnel and internal investigations; investigates allegations of discrimination and civil rights violations; locates persons owing monies to DSS, as well as other state agencies, identifies their resources, initiates collection actions, monitors payments and takes appropriate action on delinquent accounts; conducts background investigations and associated research in support of DSS investigations, as well as background checks on prospective DSS employees.

Missouri's State Technical Assistance Team (STAT) has evolved from implementing Missouri's Child Fatality Review Program (CFRP) in 1992 to providing comprehensive integrated services to the entire child protection community. From data collection and interpretation, to prevention facilitation, training and complex criminal investigations, STAT provides support and expertise to professionals responsible for the protection of children at risk.



GARY BAILEY  
Acting Director, Division of  
Child Support Enforcement

## Division of Child Support Enforcement

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Missouri's Child Support Enforcement Program began in 1977 under an executive order, and on August 15, 1986, the Division of Child Support Enforcement (DCSE) was created by statute. DCSE has the responsibility for operating the Child Support Enforcement Program pursuant to Title IV-D of the federal Social Security Act (originally adopted as P.L. 93-647) and Chapter 454 of the *Revised Statutes of Missouri (RSMo)*.

## General responsibilities

DCSE's responsibilities include locating parents, establishing paternity, establishing child and medical support orders, monitoring and enforcing compliance with child and medical support orders, reviewing and modifying support orders and distributing support collections.

DCSE's customers come from several sources. When a custodial parent receives public assistance, Division of Family Services (DFS) staff make a referral to DCSE and provide appropriate forms and relevant information. DCSE collects child support on behalf of families receiving public assistance not only to eliminate their dependence on assistance programs, but also to reimburse the state for the benefits provided to these families.

In addition, individuals not receiving public assistance benefits may apply for DCSE's services. To request an application, they may contact any DCSE office or call DCSE's toll-free number.

## Organization

The program is administered from DCSE's central office located in Jefferson City. Central

office staff provide support functions with the bulk of the division's responsibilities carried out in twenty-two field offices across the state. One of the field offices pursues support for children who live in other states but whose noncustodial parents live in Missouri. This office is the central registry for all incoming interstate referrals.

The field offices are comprised of supervisory, investigative, clerical and legal staff. In addition, local prosecuting attorneys and circuit court clerks assist the division with its child support responsibilities. The majority of prosecutors in Missouri provide legal support (e.g., the filing of paternity actions, criminal nonsupport and enforcement actions) for cases DCSE staff refer to them. Circuit court clerks support DCSE staff by filing legal documents and providing copies of documents already on file.

Pursuant to Section 454.530, RSMo, DCSE operates the state disbursement unit known as the Family Support Payment Center. The Family Support Payment Center, located in Jefferson City, receives and disburses support on behalf of families. The Family Support Payment Center forwards to the state, collections received for families receiving public assistance. When a family is not receiving public assistance, the Family Support Payment Center sends payments directly to the family. DCSE collected \$361 million in state fiscal year 2000.

## Funding

Federal funds, available under the Social Security Act, assist state and local jurisdictions in financing the costs of program operations. Currently, the federal matching rate is 66 percent. In addition to federal funds, the state is entitled to retain approximately 34 percent of the collections it receives for families who receive public assistance.

All counties that have entered into a cooperative agreement with DCSE receive reimbursement for their child support activities, as provided by state and federal law. Generally, counties are reimbursed at the 66 percent rate for personnel and operating expenses. DCSE also assists the counties by passing through to the counties the federal incentives it earns.

## Location

The first step in the case-processing sequence is locating the noncustodial parent. Often, the custodial parent provides sufficient information to allow DCSE staff to locate the noncustodial parent and his or her place of employment. If the noncustodial parent's location is unknown, DCSE may use a number of resources to find that parent.

Section 454.440, RSMo, requires other agencies, as well as private entities, to cooperate with DCSE for the purpose of locating and determining financial resources of a parent.

Section 285.300, RSMo, requires all Missouri employers to report newly hired employees to the Department of Revenue (DOR). DOR forwards the information to DCSE. This law helps ensure that DCSE has the most current employment information available on noncustodial parents who owe child support.

DCSE also commonly queries and conducts data matches with databases maintained by other state and federal agencies to obtain location, income and asset information. The Expanded Federal Parent Locator Services, a computerized national network, provides DCSE with Social Security numbers, addresses, employer and wage information for noncustodial parents.

## Establishment

Before DCSE can establish a support order, a legal relationship must exist between the child and the noncustodial parent.

Pursuant to Section 210.822.1(1), RSMo, when a child is born during a marriage, the husband is presumed to be the child's natural father. If a child was born out of wedlock, paternity can be established if the parents complete a voluntary paternity acknowledgment pursuant to Section 210.823, RSMo. If either the mother or alleged father requests a genetic test to determine paternity, DCSE will arrange for the necessary test. If necessary, DCSE may enter an order requiring that the child, the mother or an alleged father submit to a genetic test for the purpose of determining paternity. A person who fails to comply with such an order is subject to civil contempt and/or license suspension actions. If the genetic test shows there is a 98 percent or greater probability that an alleged father is the child's biological father, a presumption of paternity is established pursuant to Section 210.822.1(4).

Once the father-child relationship is established, DCSE attempts to establish a support order under the authority of Chapter 454, RSMo. DCSE staff serve the parents with a notice of intent to establish an ongoing support order, which may include both child support and medical support. If a child receives public assistance, DCSE may, in addition to establishing an ongoing support order, attempt to recoup public assistance benefits paid on the child's behalf prior to the date of the notice. The amount of public assistance benefits to be recouped is based on the noncustodial parent's ability to pay child support. Upon receipt of the notice, the parents have the opportunity to discuss the terms of the proposed order with DCSE staff or request an administrative hearing to contest the terms.

Depending on the parents' response, the director will enter a consent order or a default order, or staff will refer the case to an administrative hearing officer for a hearing. The hearing officer will render a decision on the support issue. DCSE files its administrative orders with the circuit court, at which time they have the full force and effect of an order signed by a judge.

When administrative procedures are inappropriate, DCSE staff refer cases to the appropriate prosecuting attorney. The prosecuting attorney may use the judicial process to determine paternity and obtain a support order.

## Enforcement

When a judicial or administrative order is established, DCSE staff monitor the noncustodial parent's compliance and take appropriate enforcement action if he or she does not comply. DCSE has a number of enforcement actions at its disposal, many of which can be initiated without a court's involvement. Such administrative actions include income withholding, real and personal property liens, state and federal income tax refund interceptions, unemployment compensation and workers' compensation benefits interceptions, license suspension and referrals to consumer reporting agencies. When administrative procedures are inappropriate, DCSE staff refer cases to prosecuting attorneys for the filing of civil or criminal actions.

## Review and Modification

Family and financial circumstances change over time. To ensure child support awards are in line with changing circumstances, DCSE conducts periodic reviews of child support orders in accordance with Section 454.400, RSMo. On non-assistance cases, DCSE only conducts reviews if requested. On a public assistance or Medicaid-only case, DCSE either initiates a review on its own or at either parent's request.

When conducting a review of an order that is three years old or older, DCSE will modify the order if the amount in the current order differs by 20 percent or more from the amount that would be awarded in accordance with Supreme Court Rule 88.01. DCSE will conduct a review of an order that is less than three years old if the party requesting the review shows a substantial change in circumstances has occurred.

DCSE initiates a modification of an administrative order by serving a motion for modification upon the parents. The parents have the right to an administrative hearing if a consent agreement cannot be reached. When modifying child support orders established by a court (e.g., child support awards established as part of a dissolution of marriage), DCSE serves the parents with a motion to modify pursuant to Section 454.496,



DENISE CROSS  
Director  
Division of Family Services

RSMo. The parents may consent to the new child support amount, request an administrative hearing or default by not responding to the motion. An administrative order modifying a judicial order must be filed with and approved by the court that entered the original order before it becomes effective. The judge can approve the order or set the matter for trial *de novo*. DCSE, at its discretion, may also use the judicial process to modify a judicial order.

## Parents' Fair Share

Parents' Fair Share is a noncustodial parent program that helps participants gain self-sufficiency. The program includes assessments and referrals for educational, employment needs and supportive services through a network of community resources.

## Division of Family Services

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The Division of Family Services (DFS) was established in 1974. The division is responsible for the administration of these programs and services: temporary assistance (TA), formerly AFDC; direct client support; child care subsidy; children's services (adoption, child abuse/neglect, foster care, licensing of child placing facilities, preventive services, residential treatment, family-centered services, intensive in-home services, domestic violence, interstate placement of children, independent living and others); commodities distribution; food stamps; Community Services Block Grant; general relief; low-income home energy assistance; refugee assistance; rehabilitation services to the blind and the visually impaired; medical assistance; supplemental nursing care, and MC+.

## Administrative structure

The Division of Family Services is administered by a director appointed by the director of the

Department of Social Services. The division maintains an office in each county and in St. Louis.

### Public assistance programs

The determination of an individual's financial need is basic to the granting of TANF, child care subsidy, food stamps, blind pension, general relief, supplemental aid to the blind, medical assistance, nursing care benefits and MC+. The division has a legal requirement to consider all facts and circumstances in determining eligibility for public assistance, including the applicants' earning capacity, income and resources from whatever source received. The amount of benefits, when added to all other income, resources, support and maintenance, shall provide such person with reasonable subsistence. If the applicant is not found to be in need, assistance is denied.

In order to administer this provision equitably, the division has established a consolidated standard expense for each person included in the budget and for each item judged to be a necessary expense. Available income is deducted from this total and the difference represents the amount the individual is eligible to receive.

The federal Social Security Amendments of 1972 provided that the adult assistance programs of old age assistance, permanent and total disability and aid to the blind be taken over by the Social Security Administration on January 1, 1974. The primary intent was to make a nationwide, uniform minimum payment to eligible adults and the handicapped. The law further provided that any state may or, in some instances, must supplement federal payments. The division administers this state supplementation program in Missouri.

### Temporary Assistance

Temporary Assistance makes cash grants on behalf of needy children who have been deprived of parental support and who are living in homes maintained by parents or close relatives. This program provides temporary financial assistance for a period of time, up to five years, while the adult transitions to self-sufficiency.

The program provides education, skill training, community work experience and employment assistance to prepare individuals for employment enabling children to be cared for in their own homes. Each participant is screened to obtain the individual's work and educational background, supportive service needs, and employment goals. The participant signs a self-sufficiency pact outlining activities necessary to meet their employment goals. The participant is referred to education, training or job search activities consistent with employment goals. Additional services to support the individual transitioning to work may include case manage-

ment, childcare payments, transportation allowances and work-related expense payments.

During FY00, a total of \$142 million was paid to Temporary Assistance families, \$33 million in state funds and \$109 million in federal funds. There was a monthly average of 48,354 families, involving 126,461 persons, received payments which average \$244 per family.

### Child care subsidy

The child care subsidy program provides families with financial assistance in meeting child care expenses, enabling adults to work, attend school or participate in job training programs. The program also has provisions for care due to a parent's medical incapacitation or a child's special needs. Eligibility is based on income and the need for care.

DFS served approximately 47,034 children per month in FY00.

### MC+

The MC+ program provides healthcare coverage to children under 19, parents, and pregnant women. Family income is compared to the applicable percentage of the federal poverty guidelines. The applicable income limit is dependent on age of the children and the individual's insurance status. MC+ is funded by Medicaid and the Children's Health Insurance Program (CHIP). In FY00, the program provided coverage to 409,881 children, 16,235 pregnant women and 122,047 parents.

The Division also oversees an expanded MC+ program which provides health insurance coverage for eligible uninsured low-income children and parents. Authority for this program is through a waiver of Section 1115 of the Social Security Act and SB 632, signed into law June 1998. This waiver initiative builds on the original MC+ program by focusing on uninsured children and parents leaving welfare for work. The MC+ for Kids program is funded in part by the new federal children's health initiative program from the Balanced Budget Act.

### General relief

The division is also responsible for administering the state's general relief program which provides aid or public relief to unemployable persons. Eligibility for this assistance is dependent upon need and is determined basically in the same manner as are other programs. Most of the payments are made by check to recipients, although orders or vendors are used in emergency situations and for individuals who have demonstrated that they are unable to properly handle cash payments. The maximum monthly payment is \$80 a person.