

NCCSD Annual Meeting Minutes

June 13, 2010
New Orleans, Louisiana

ATTENDING:

President Robbie Endris (LA)	Alisha Griffin (NJ)
Vice President Alicia Key (TX)	Joe Jackins (MD)
Secretary/Treasurer John Bernhart (CO)	Kandee Yearsley (ID)
Past President Brenda Lyttle (WY)	Sharon Santilli (RI)
Steven Veno (KY)	Sue Pfeiffer (WI)
Benidia Rice (DC)	Garrett Jacobs (WV)
Barry Miller (NC)	Gary Dart (OK)
Mike Schwindt (ND)	Jean Fogarty (OR)
Nick Young (VA)	Cynthia Longest (IN)
Scott Cade (NY)	Jerry Joy (ME)
Chuck Hayward (DE)	Charles Bryson (TN)
Louise Bush (NV)	Wally Naylor (MS)
Jeff Cohen (VT)	Pam Lowry (IL) by phone

GUESTS:

Jack Rogers (NC)	Cory Chandler (DC)
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President Robbie Endris called the Annual Meeting to order, welcomed everyone to Louisiana, and gave an update on the state of the city and the state since Hurricane Katrina and the new challenges created by the Gulf Oil Spill.

Robbie presented a gift to Brenda Lyttle for her service as President the prior year.

Treasurer John Bernhart presented a Treasurer's Report showing \$89,025.18 in the Council's account as of June 10, 2010. This is before the majority of the bills for the Annual Meeting have been received; however, there are still almost \$19,000 in unpaid registrations. The Treasurer's Report was approved.

The minutes from the Annual Meeting in Jackson, Wyoming on June 14, 2009 were approved.

NCSEA Funding Coalition Update – There are now 33 co-sponsors of S. 1859.

Revision of Federal Forms – Mike Bratt of OCSE would like comments on the proposed changes to the 396 Report within the next 30 days. The next report to be reviewed by the OCSE will be the 34 Report.

OCSE Strategic Plan – The OCSE has drafted a document titled, National Child Support Guiding Principles and Strategies. This includes most of what will be included in the OCSE Strategic Plan. It will be discussed at the NCCSD/OCSE joint meeting on Wednesday, June 16, 2010.

NCCSD Website – There was discussion about the future of the NCCSD website and different options for managing and enhancing it. Benidia Rice, Alicia Key, Jeff Cohen, and Barry Miller were tasked with developing proposals for its future. Designated ad-hoc Parliamentarian Scott Cade cautioned the group to make sure that any revenue that is received to help operate the website is not considered a donation, so we don't run afoul of the IRS.

GAO Reviews of 10 States – Texas, New York, Wisconsin, California, Michigan, Georgia, Iowa, Washington, Louisiana, and Maine were selected by the GAO for a review of child support funding. The GAO has begun conducting phone interviews with the states and will be visiting some of them as well. Among the topics being covered are pass through, funding instability, ARRA, incentives, support from the OCSE, and cost recovery, among others. This led to a broader discussion about the federal government's plans for the program. Barbara Pryor of Senator Rockefeller's office has indicated she believes there is an effort to change the incentive structure. Directors present expressed their concerns about a block grant for child support, feeling that would be capped and would limit flexibility. There was discussion about the push for Fatherhood and other initiatives that, while worthy, might dilute the program's core mission of establishing and enforcing child support orders. The Directors discussed ways in which to engage the Administration to craft our future direction.

Debit Card issue – There was discussion about the Durbin Amendment and its effect on the debit cards many states use and require of custodial parents. It was reported that the child support debit cards have been excluded from the Amendment. There are still concerns with the amendment nonetheless, as it is feared that banks will shift fees from credit cards where they will be restricted to debit cards where they will not. Brenda is going to follow up on this issue.

Private Collection Companies – Nick Young reported on a lawsuit with Support Kids and its successor companies. They have a default judgment against SKI, but would have to spend \$600,000 in attorney fees to collect a \$50,000 bond.

Bankruptcy vs. Bradley Amendment – Nick discussed the 11th Circuit Court of Appeals decision that threatens the program's ability to collect support following a declaration of bankruptcy. Ann Coffin had previously emailed a copy of the ruling to all Directors.

By-Laws Committee – Scott reviewed a recommendation from the Committee to separate the Secretary and Treasurer positions effective with the election of the 2010-11 Executive Committee. Since the resolution had not been shared with the members at least two weeks prior to the meeting, the Council needed to waive this requirement. Barry moved and Joe Jackins seconded waiving this rule. Passed unanimously.

Louise Bush then moved and Nick seconded a resolution to create a distinct Secretary position and a distinct Treasurer position from the current combined position beginning 2010-11. Passed unanimously.

Audit Committee – Pam Lowry joined by phone to discuss the audit issues the Council has taken to OCSE. She reported that Commissioner Vicki Turetsky had said the OCSE will be more forthcoming about audit findings and that the annual Policy Forum in January would be the best time to provide a briefing. The OCSE wants to know how the states feel about sharing specific audit findings without first getting the approval of the affected state(s). This led to a lengthy discussion of the pros and cons of this approach, differences between Data Reliability Audits (DRA) and Limited Cost Audits (LCA), and state frustrations with the conduct and closeout process for the audits. There was also discussion about the best way to share audit findings between states in order to help states learn from the experiences of others and, hopefully, avoid the same findings.

The Council decided to adopt specific motions related to the DRA and LCA audits in response to the OCSE's request for input on how to handle the dissemination of audit findings.

With respect to the DRA, the Council adopted the following resolution: The Council respectfully requests the OCSE to compile state-specific findings from the DRA audits to be shared with the NCCSD. Mike Schwindt moved, Chuck Hayward seconded; passed with one "no" vote.

With respect to the LCA, the Council adopted the following resolution: The NCCSD authorizes the OCSE to release to states upon their request, the names of states that have undergone or are undergoing an LCA specifying the topic and current status. Jeff moved and Alisha Griffin seconded. Passed unanimously.

Robbie requested the Audit Committee survey the Directors regarding LCAs and report back later.

Nominating Committee – Louise reported the Committee was recommending that Alicia Key serve as President, Dan McDonald serve as Vice President, Sharon Santilli serve in the new Secretary position, and John Bernhart serve in the new Treasurer position. There were no nominations from the floor. Nick moved and Brenda seconded the motion to elect the state officers as recommended by the Nominating Committee. Passed unanimously.

The following Regional Representatives were appointed to the NCCSD Executive Committee for 2010-11 to serve with the aforementioned officers and by then Past President Robbie Endris:

Region 1 – Jerry Joy
Region 2 – Alisha Griffin
Region 3 – Garrett Jacobs
Region 4 – Ann Mims
Region 5 – Pam Lowry

Region 6 – Gary Dart
Region 7 – Carol Eaton
Region 8 – Brenda Lyttle
Region 9 – Louise Bush
Region 10 – Jean Fogarty

There was also a motion to approve the financial records of the Council upon the transfer from Alicia to John as audited by Mike, Dan, and Nick. Mike moved and Alisha seconded. Passed unanimously.

NCCSD Donation - Robbie reported that one impact of the Gulf Oil Spill was that individuals along the Gulf Coast were having to give up their pets, as they were unable to afford to feed them. The Council agreed to give 100% of the proceeds from a raffle to be used to purchase dog and cat food, so people could keep their pets. (The raffle raised over \$800 for the PAWS charity.)

TANF Reauthorization Committee – Marilyn Stephen is joining the Committee as co-chair. Other members are Scott, Wally Naylor, Pam, Jean Fogarty, Alisha, and Kande. They would like representation from each Region. HR 4213 passed; it extended TANF. The incentive match was not included in the extension. It was reported that neither APHSA nor CLASP has child support specialists on their staff.

Incentive Workgroup – The OCSE is creating a workgroup chaired by Joyce Pitts to review the incentive structure and determine whether any changes are needed. The PEP penalties will be part of the discussion. Kande asked that timeliness of penalties be considered. The TANF Reauthorization Committee will represent NCCSD on the workgroup.

Mandatory Notices/Cost Savings Committee – The Committee plans to look at case closure criteria and IAs to UCB agencies directly rather than through other agencies, as some states are requiring. Sue Pfeiffer suggested eliminating the continued services letter. This committee will coordinate with the OCSE on their outreach efforts to states to identify paperwork reductions.

Medical Support Committee – Alisha said she would send some information out to the members. She believes it is important to continue the work of this committee. A question was raised as to whether the OCSE could put the medical support regulations in abeyance via an AT, as they had done. Sue said she feels there is a role for CSE in the health care reform assessment process because we have information about the financial status of both parents. The members of the Committee are Kande, Alisha, Mike, Benidia, and Sue. They will be making recommendations for the rescission of specific rules, but want to be cautious as states are at different places with their implementation of the medical support regulations.

The meeting was adjourned. Mike made the motion, Nick seconded. Passed unanimously.