

New law compelling Child Support data exchange for workers' compensation, personal injury and wrongful death claims has a fast-approaching Nov. 1 deadline

A new Oklahoma law that goes into effect November 1, 2007 contains a provision that directly affects workers' compensation, wrongful death and personal injury awards. This new law changes insurers' relationship with the Oklahoma Department of Human Services' (OKDHS) Child Support Enforcement Division (CSED), division officials said.

"This statute compels Oklahoma insurers to share information with CSED on payouts of more than \$500 to determine if the claimant owes child support before making payments on these types of claims," said Ronald Smith, CSED Programs Manager. "If the insured owes child support, this process culminates with the interception of payments."

OKDHS CSED is publicizing the enactment of a new law at Oklahoma Statute Title 56 Section 237B because insurers that flagrantly refuse to exchange information could face a \$10,000 fine per occurrence for failing to do so.

To carry out this matching process CSED will interface with insurers electronically. This involves an Internet Portal (IP), data matching File Transfer Protocol (FTP), or release of the data from an insurance industry database to a CSED designee. To begin, CSED is requesting that insurers authorize the Insurance Services Office, Inc. (ISO) to release data to the [Child Support Lien Network \(CSLN\)](#). They can accommodate the fast-approaching deadline, as it already serves the majority of the United States.

The Oklahoma CSED and the insurance industry in Oklahoma are taking a major step forward in helping children by monitoring for the potential for child support funds.

This partnership between Oklahoma insurers, CSED and its designees is another way to reach nonpaying parents' assets. The insurance industries' help is important, division officials said. By performing collection and enforcement services on parent's delinquent in their child support obligation Oklahoma insurers will help elevate the quality of life for many Oklahoma children.

Officials said this new endeavor helps round out CSED's other efforts in working with the private sector, including financial institutions and employers.

The Federal Government has been advocating this effort for more than a decade. In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act, more commonly known as "welfare reform."

Subject to safeguards on privacy and information security, and the non-liability of entities that provide such information, State CSEs are granted access to government and certain records held by private entities 42 U.S.C. 666(c)(1)(D) 56 Okla. Stat. 240.12. Thus, without needing to obtain an order from any other judicial or administrative tribunal, current law gives States sweeping access.

The laws authorize a State CSE agency to obtain information from insurers about insurance claims, settlements, awards and payments, to enforce a child support order.

When this new Oklahoma law goes into effect November 1, 2007, CSED will take a major leap forward in automation, officials said. It will offer an efficient, cost effective and centralized match between information maintained by CSED and information maintained by insurers or their agents. For more information on how an insurer elects to comply with the new law insurers should contact Ronald Smith at Ronald.Smith@OKDHS.org or (405)-522-2576.