

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTICS RELATIONS

§ 19307. Access to and Disposition of Information.

(a) The Director of New Hires shall ensure that information received from an employer pursuant to this Article will be entered into the Directory of New Hires within five business days of receipt. Within three business days after entry into the Directory of New Hires, the Director of New Hires shall furnish the information to the National Directory of New Hires.

(b) Data contained in the Directory of New Hires shall be disclosed only to authorized employees of the Child Support Enforcement Office, or to other state IV-D agencies as may be requested.

(c) The Child Support Enforcement Office shall use the information received to locate individuals for purposes of establishing paternity and establishing, modifying, and enforcing child support obligations, and may disclose such information to any agent of the Child Support Enforcement Office under contract to carry out such purposes.

(d) Within two business days after the date information regarding a newly hired employee is entered into the Directory of New Hires, the Office shall transfer a notice to the employer directing the employer to withhold from the income of the employee an amount equal to the monthly or other periodic child support obligation, including any payment ordered for past due support subject to the Consumer Credit Protection Act limits, unless the employee's income is not subject to withholding pursuant to a finding of the court or administrative body that there is good cause not to require immediate income withholding, or a written agreement is reached between both parties which provides for an alternative arrangement. In any event, however, the income of a non-custodial parent shall become subject to withholding on the date the non-custodial parent support obligation is in arrears one month, or on the date the non-custodial parent requests that the withholding begin, or on the date the custodial parent requests the withholding begin and the Office determines there is no reason why the request should not be approved, or on the date the Office so elects.

(e) The Director of New Hires shall, on a quarterly basis, furnish to the National Directory of New Hires, information concerning the wages paid to individuals, by such dates, in such format, and containing such information as the Secretary of Health and Human Services shall specify in regulations.

(f) The Department of Labor shall have access to the data received from employers pursuant to 8 CMC § 19307 for purposes of administering employment security or workers compensation programs, but shall limit disclosure of such information for this authorized purpose only.

(g) The Department of Community and Cultural Affairs and any other agency administering a federal program enumerated in 42 U.S.C. § 1320b-7(b) shall have access to the information reported by employers for purposes of verifying eligibility for such programs, but shall limit disclosure of such information for this authorized purpose only.

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Source: PL 20-60 § 3 (June 14, 2018), modified.

Commission Comment: The Commission struck figures that were merely a repetition of written words in (a) and (d) pursuant to 1 CMC § 3806(e). The Commission corrected the citation in (f) to agree with the numbering of this Article pursuant to 1 CMC § 3806(c). The Commission changed capitalization in (g) pursuant to 1 CMC § 3806(f). The Commission changed “42 U.S.C. § 1302b-7(b)” to “42 U.S.C. § 1302b–7(b)” in (g) pursuant to 1 CMC § 3806(g).v