

#14517, eff 2-25-26

Readopt with amendment He-W 606.31, effective 3-25-16 (Document #11063), to read as follows:**He-W 606.31 Good Cause Reasons for Non-Cooperation with Child Support Requirement.**

(a) To claim a good cause waiver for non-cooperation with the child support requirements described in RSA 167:79, III(c)(1)-(2) and (c)(4), for any of the reasons specified in RSA 167:82, III(b), the individual shall provide the verification as specified below:

- (1) Birth certificate, medical records, or law enforcement records that indicate if a child for whom support is sought was conceived as a result of incest or forcible rape;
- (2) For adoption:
 - a. Court documents or other records which indicate that legal proceedings for adoption are pending in court; or
 - b. A written statement from a public or private agency confirming that the individual is being assisted in resolving the issue of whether to keep or give up the child for adoption; and
- (3) For domestic violence pursuant to 42 USC 602(a)(7):
 - a. Court, medical, criminal, child protective services, psychological or law enforcement records, or a statement from a social service provider;
 - b. A written statement from a social worker from a public or private social service agency;
 - c. A written statement from a social worker from a public or private social service agency providing domestic violence services; or

d. Sworn statements from an individual other than assistant group members with knowledge of the circumstances.(b) If claiming good cause for non-cooperation with child support requirements is due to the claimant being or having been battered or subjected to extreme cruelty pursuant to 42 USC 602(a)(7), but verification pursuant to He-W 602.10(a)(1)b.1. is not submitted to support the claim, the department of health and human services shall accept a signed, written statement from the individual, under penalty of unsworn falsification pursuant to RSA 641:3, that:

- (1) States the reason for the claim of the battering or extreme cruelty; and
- (2) Indicates that cooperation with a child support requirement in RSA 167:79, III(c)(1)-(2) or (c)(4) would, pursuant to 45 CFR 260.52(c):
 - a. Make it more difficult for the family to escape the situation of battering or extreme cruelty;
 - b. Unfairly penalize the family who is or has been victimized by the situation of battering or extreme cruelty; or
 - c. Put the family at further risk of the situation of battering or extreme cruelty, to include but not be limited to, emotional harm.

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(c) False information provided on a signed, written statement pursuant to (b) above shall result in the loss of the good cause waiver for non-cooperation with the child support requirement due to being battered or subjected to extreme cruelty, pursuant to 42 USC 602(a)(7)(B), and be considered a violation of RSA 167:17-b and RSA 641:3.

APPENDIX

Rule	Specific State or Federal Statute or Regulations the Rule Implements
He-W 606.31	RSA 167:79, III(c); RSA 167:82, III(b); 42 USC 602(a)(7); 42 USC 608(a)(7)(C)(iii); 45 CFR 260, Subpart B