

477-000-005 – Standardized CSE Referrals for Medicaid**Child Support Referral:**

As stated in 477 NAC 12-011, Medicaid recipients are required to cooperate with Child Support Enforcement (CSE). When there is an adult/parent (including pregnant women and minor parents) eligible for medical services, a Child Support (CS) referral is required after the date eligibility is approved.

Absent Parents Can Include:

- Step-parents.
- Biological parents.
- Adoptive parents.
- Alleged fathers (even if the name is unknown).
- Deceased parents when the deceased parent was a *non-custodial* parent at the time of death.
 - A CS referral is not made when the deceased parent was a member of the child's household at the time of death.
- Alleged parent who lives in the home, but paternity has not been established.

Paternity Establishment:

If the father's name is not on the birth certificate and the couple is unmarried, in order to legally establish paternity, the parents can either complete a notarized acknowledgment of paternity, as provided in Neb. Rev. Stat. § 43-1408.01, or bring a civil proceeding to establish paternity in district court as provided in Neb. Rev. Stat. § 43-1411.

Standardized Child Support Referral:

A CS referral is completed when:

- There is an adult eligible for medical services (including during the postpartum period) and there is an absent parent.
- There is an adult eligible for medical services (including during the postpartum period) and the alleged father is in the home, but paternity has not legally been established.

A CS referral is not required if a program closes and re-opens; however, if new information is available, a new CS referral can be sent.

- CSE staff will send a questionnaire to the client.

Exceptions to Referral:

A referral is **not** made to the CSE unit for / when:

1. Only the child(ren) is receiving Medicaid.
2. An unborn child (599 CHIP).
3. An emancipated minor.
4. A child(ren) receiving Home & Community Based Services in the home of both parents.
5. A deceased parent when the parent was a member of the child's household at the time of death.

- a. A CS referral **is** appropriate when the deceased parent was a noncustodial parent at the time of death.
 - b. If a deceased parent was out of the child's household at the time of death and the time of death has been more than 2 years ago, child support can only enforce an order up to 2 years past the date of death.
6. The parent cannot meet the Share of Cost (SOC).
7. Independent living programs.

Case Scenarios When a Referral Should Not Be Sent:

1. A Minor mother who is living with her parent(s), is in his/her own Master Case with a new child, the father is in the household, and paternity has been established.
2. Both biological parents in which paternity has been established who live in the home with the child.
3. A CS referral does need to be made during the postpartum period (this would not apply to 599 CHIP) for a newborn whose father is either absent from the home or who has not formally acknowledged paternity.