

H Good Cause for Noncooperation

[REVISION 51](#)

(01/01/23 - 12/31/23)

Good cause allows the participant to request an exemption from cooperating with DCSS in both of the following:

- Establishing paternity and support
- Enforcing support

FAA makes the decision of good cause based on a review and recommendation by the Office of Special Investigation (OSI).

NOTE There is no good cause exemption for refusal to sign the assignment of rights.

During the interview, inform the PI of the right to claim good cause and good cause explanation can be found on the FAA official application.

Inform the PI that claiming good cause postpones DCSS activities. The activities remain postponed until a decision is made of whether good cause exists.

NOTE Every effort must be made to make this decision within 45 days. This is not related to the 45 days allowed for CA eligibility determination.

Good cause may be claimed when the parent or relative believes support services could result in physical or emotional harm to themselves or the children.

Treat any claim of good cause as a valid claim. Do not delay the approval of a new or renewal application while waiting for either of the following:

- Verification of good cause
- A decision on good cause

At the time the participant claims good cause, complete **all** of the following:

- A Claim of Good Cause (FAA-0177A) form for each absent parent for whom good cause for noncooperation has been claimed.

NOTE Participants can also go to the DES website and download a copy of the FAA-0177A form.

- Have the participant sign the form. Give the participant the original and place a copy in the case file.
- When completing the interview over the phone, the worker sends the Information Needed-CA/TPEP (A011) notice informing the participant to complete the FAA-0177A form and where it can be located. Once completed, the participant can submit the information to **any** of the following:
To any local office.
Upload into HEAplus.
Mail or fax it to DES.
- Request the participant to provide verification to establish good cause within 20 calendar days. The 20 calendar days begins at the time of the request or upon approval of the benefits, whichever is later.
- The 20 calendar days may be extended to 30 calendar days (or more) when the information is difficult to obtain. The supervisor must approve and document the extension reason in the case file.
- When the good cause is claimed, send an email notification to DCSS at DCSSPolicyQuestions@azdes.gov. Include in the email the reason good cause was requested and whether the participant's good cause reason is approved or still in a pending status. Include all related documentation and verification. During the time the claim is in pending status or when the good cause is approved, the participant remains exempt from participation requirements relating to the absent parent involved.

Key PD in the AF COOPERATION CODE and MA COOPERATION CODE fields on APPD when the verification to establish the claim is provided.

Good cause for not cooperating in establishing paternity or securing support exists in the following situations:

- Key G1 in the AF COOPERATION CODE and MA COOPERATION CODE fields on APPD when reasonably anticipated to result in physical harm to the child.

This includes physical harm to the parent or specified relative with whom the child lives, when it reduces their capacity to care for the child.

- Key G2 in the AF COOPERATION CODE fields on APPD when reasonably anticipated to result in emotional harm to the child.

This includes the parent or specified relative with whom the child lives, when it reduces their capacity to care for the child.

- Key G3 in the AF COOPERATION CODE fields on APPD when legal proceedings for adoption are pending before a court.
- Key G4 in the AF COOPERATION CODE fields on APPD when all of the following apply:
The PI is a refugee who entered the U.S. within the last 12 months from the date of application
The PI is eligible for CA

NOTE The PI is required to cooperate with DCSS after the 12-month period expires. Refer the PI to DCSS at the first initial or renewal interview conducted after the 12-month period expires.

- KEY G5 in the AF COOPERATION CODE fields on APPD when the child was conceived as a result of sexual assault.
- Key G6 in the AF COOPERATION CODE fields on APPD when the child was conceived as a result of incest.

When the participant wants to claim good cause for noncooperation, assist the participant in obtaining necessary documents to establish the claim. These documents include, but are not limited to, the following:

- Birth certificates to verify incest.
- Medical or law enforcement records to verify sexual assault.
- Court or legal documents indicating proceedings are pending before a court of law for adoption.
- Sworn statements from friends, neighbors, clergymen, or other individuals who know the circumstances. The individual must be able to support the claim.
- Documents or records indicating that the presumed father or absent parent may inflict physical or emotional harm on the child or specified relative. The documents or records include, but are not limited to, the following:

Court documents
Medical documents
Criminal record
Department of Child Safety (DCS) records
Psychological records
Social services records
Law enforcement records

- A written document from a public or licensed private social agency who is helping the participant to resolve the issue of either of the following:
Keeping the child
Giving the child up for adoption

NOTE The statement must indicate that the discussions have not gone on for longer than three months.

- Other adequate information that can assist the Office of Special Investigation (OSI) to obtain necessary documented evidence to support the claim of good cause.

The following procedures must be followed so DCSS can postpone support service activities. The documents must be forwarded in a timely manner to prevent harm to the budgetary unit and not delay the completion of the good cause decision.

When informing DCSS **all** of the following apply:

- At the time of approval, for initial applications
- No later than one workday after a good cause claim is requested, for active cases

When a participant has not provided sufficient documentation or verification to make a determination of good cause, use the fraud reporting link on the DES homepage for the Office of Special Investigation (OSI) referrals. Include on the referral where the

support documents are located such as the AZTECS AP screens and all other supporting documentation.

For denied applications place the FAA-0177A in the case file. Do not forward any documents to DCSS or OSI.

When OSI receives the referral and supporting documentation, OSI completes the following:

- Reviews the evidence provided by the participant and determines whether an OSI investigation will help in supporting the claim.

NOTE OSI starts an investigation, when required.

- Completes the review of the claim within 45 [workdays\(g\)](#). The 45 day time frame will be extended, when needed, to explore or obtain evidence.
- Advises the participant of any plans to contact the absent parent. This allows the participant the opportunity to provide additional information, withdraw the claim of good cause, or withdraw from CA to avoid contact with the absent parent.
- Provides a recommendation to both of the following:
The FAA office
DCSS

DCSS reviews the good cause claim when received from the FAA office and OSI. DCSS comments on the OSI recommendation and returns it to the FAA office for a decision.

Within five workdays after receipt, the worker must make a decision on the claim for good cause with the supervisor's approval. The decision must be based on all evidence, including documentation, verification, and comments from OSI and DCSS.

Make the decision on the claim of good cause. Send the email to DCSS at DCSSPolicyQuestions@azdes.gov. Include in the email the reason good cause was requested and that a request for Good Cause has been either of the following:

- Approved
- Denied and an Appeal request has been filed

When good cause is approved, the participant remains exempt from participation requirements relating to the absent parent involved.

This exemption is effective until the next renewal or when a change in circumstances occurs. DCSS does not require the participant's cooperation when conducting support service activities.

Key the appropriate Good Cause Code in the AF COOPERATION CODE field on APPD.

When good cause is denied, inform the PI that within ten calendar days they must cooperate with DCSS as follows:

- Completing child support service documents
- Completing medical support enforcement documents
- Agreeing to keep a legal counsel appointment
- Comply with any requirement for which they claimed good cause

Participants who fail to cooperate within calendar ten days must be sanctioned according to procedures and must be sent a decision notice.

NOTE Once the notice of sanction is received, the participant may file an Appeal request.

Participants who claim good cause because of request for cooperation from legal counsel and whose claims are denied are sometimes unable to cooperate because an appointment cannot be scheduled. DCSS advises the FAA office when appointments cannot be rescheduled. When this occurs, document the case file. Consider the participants to be in compliance.

When approved, redetermine good cause at each new or renewal interview. Also, review good cause when a change in circumstances indicates that good cause for noncooperation may no longer exist.