

Policy Transmittal

Office of Child Welfare Programs



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Number: CW-PT-18-014

Issue date: 4/26/18

Topic: Legal Paternity Establishment and Payments to Vital Statistics

Due date:

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other:

Applies to (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging: {Select type} | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> ODDS Children's Residential Services | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input checked="" type="checkbox"/> Child Welfare Programs | |

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|-------------------------------|--|-------------------------|--|
| Policy/rule title: | Legal Paternity Establishment and Payments to Vital Statistics | | |
| Policy/rule number(s): | | Release number: | |
| Effective date: | May 1, 2018 | Expiration date: | |
| References: | | | |
| Web address: | | | |

Discussion/interpretation: The Division of Child Support (DCS) paid for a majority of Child Welfare's birth record amendments due to legal paternity establishment for more than 15 years. While each program learned much through this collaboration, this approach cannot be sustained:

- DCS is transitioning to a new information system and does not have the resources to track all cases to completion; and
- Research between 2013-2017 revealed approximately 30% of Voluntary

Acknowledgments of Paternity (VAP) and at least 25% of Judgments of Paternity did not result in birth record amendment. Documents were lost in the mail, misfiled, or never forwarded to Vital Statistics. This means the entire system of care encountered some duplications of effort as families moved to different programs for assistance. In addition, children's access to certain federal and state benefits, potential relative resources, enrollment in school and other programs, even traveling, have all been impacted.

Quarterly meetings with Child Welfare Paralegals, Department of Justice Child Advocacy Section and other Central Office staff further highlighted the need for closer monitoring and support of legal paternity establishment processes.

Implementation/transition instructions: To reduce Child Welfare costs, DCS can still provide efficiencies through its paternity services:

- When appropriate, parents may be referred to their local DCS office to execute the VAP. DCS will forward that VAP and payment to Vital Statistics.
- The caseworker may request Central Office send an electronic paternity establishment only referral to DCS. DCS can legally establish paternity through its administrative filiation process provided it receives the Self Alleged Fathers Affidavit (SAF) or Declaration of Paternity (by mother), which gives it the legal basis to work the referral. The Child Welfare paralegal is an excellent resource to assist with this.

Training/communication plan: Managers, please ask staff to review Flowchart #1 – Establishing Paternity or Parentage and corresponding procedure found on the [Staff Paternity Tools Page](#) for a comprehensive overview of legal paternity processes.

Local/branch action required: Effective May 1, 2018, Child Welfare caseworkers or their designee:

Who previously submitted completed Voluntary Acknowledgment of Paternity (VAP) Affidavits and Judgments of Non-Paternity/Paternity to DCS must now send them to:

DEPARTMENT OF HUMAN SERVICES
Office of Child Welfare Program
Central Office Child Support Team
500 Summer St. NE, E-60
Salem, OR 97301

Local offices with an existing birth record amendment process may continue to submit the VAP and Judgments of Paternity/Non-Paternity to Vital Statistics, without the one-time payment.

These offices must send an email to CW.ChildSupportTeam@dhsosha.state.or.us and include: the date the amendment was requested, child's full name and OR-Kids Person ID.

Vital Stats will submit a monthly invoice to Central Office Child Support Team (CST). CST will review the invoice to verify the request submitted to Vital Stats and will process the payment upon validation. CST will be using one-time payment process in OR-Kids therefore payments will remain in the appropriate branch budget.

Central office action required: With the above clarifications, Central Office Child Support Team (CST) will forward the paternity document to the Oregon Health Authority, Center for Vital Statistics. Once the birth record is amended, Central Office will notify the caseworker.

Field/stakeholder review: Yes No

If yes, reviewed by: Child Welfare Paralegals, Division of Child Support,
Center for Health Statistics

Filing instructions:

If you have any questions about this policy, contact:

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