



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

IV-D MEMORANDUM 2018-003

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: February 16, 2018

SUBJECT: OCS Customer Complaint Process

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum announces the following revisions to the OCS customer complaint process:

- The *Statement of Complaint* (DHS-547), while still a valid form, is no longer required;
- Customers may submit complaints by email, fax, or mail;¹
- Managers may delegate the investigation of a complaint; and
- OCS staff responding to customer complaints will first call the customer to discuss the findings if a phone number is provided, and then write a response summarizing the findings.

This memorandum also:

- Addresses how OCS staff will handle complaints forwarded to OCS by other agencies;
- Outlines procedures for responding to customer complaints for both customers and OCS staff;

UPDATE(S):

Manual

Form(s)

¹ Complaints must be in writing in order to be logged.

- Reflects changes within OCS and the Michigan Department of Health and Human Services (MDHHS), including an updated mailing address and department name;
- Replaces and obsoletes Action Transmittal (AT) 2006-046, *OCS Customer Complaint Process* and AT 2006-046 Attachment 2, Formal Child Support Complaint Process; and
- Updates and replaces the DHS-547 (Rev. 6/15), which was last published with IV-D Memorandum 2015-015. The revised DHS-547 (Rev. 1/18) includes email and fax options for submitting customer complaints.

DISCUSSION:

A. Legal Requirements

Each state must have a complaint process for customers to request an administrative review of their case. The complaint process can be used when customers believe an error has occurred, or an action should have been taken, on their case.²

An administrative review does not have to include a formal hearing process, but it must have clear procedures in place. Each state must:³

- Notify customers of the procedures;
- Make the procedures available for customers; and
- Notify the customer of the results of the review and any actions taken.

The OCS customer complaint process will be used in conjunction with civil service requirements, MDHHS human resources requirements, any labor/union agreement process(es), and business procedure requirements affected by the filing of a complaint. The OCS customer complaint process is supplemental to, and does not replace, the statutory FOC grievance process⁴ or other IV-D partner complaint processes.

The OCS Complaint Unit⁵ will try to informally resolve disputes for OCS; however, if a customer wishes to file a formal written complaint, the OCS Complaint Unit will accept and process the written complaint using the procedures outlined in this IV-D Memorandum. The OCS Complaint Unit will maintain records of written complaints sent to OCS.

² 45 Code of Federal Regulations (CFR) 303.35(a)

³ 45 CFR 303.35(b)

⁴ Michigan Compiled Law (MCL) 552.526. Ref: the [State Court Administrative Office \(SCAO\) Complaints](#) webpage for more information.

⁵ The OCS Complaint Unit is comprised of Central Operations staff.

B. OCS Complaint Process

1. Complaint Is Submitted and Received

To file a formal complaint, a customer will document his/her issue in writing. A customer may use the DHS-547 form; however, this form is not required. IV-D staff will provide the DHS-547 to the customer if the customer indicates (s)he has a complaint or would like to file one. Customers should mail their complaint to:

Michigan Department of Health and Human Services
Office of Child Support
Attention: OCS Complaint Unit
PO Box 30478
Lansing, MI 48909

Customers can also fax their complaint to (517) 335-3030 or email it to MDHHS-OCS-Core@michigan.gov. If one of OCS's IV-D partners⁶ receives a complaint against OCS, they will forward the complaint to OCS by mail, fax, or encrypted email.⁷

Note: As indicated on the DHS-547, email is not a secure way of communicating with OCS. Customers who want to keep their information confidential must mail or fax their complaint.

2. OCS Complaint Unit Logs the Complaint

Upon receipt of a complaint, the OCS Complaint Unit has three business days to log it in the designated tracking system.

3. OCS Complaint Unit Determines Which IV-D Partner Should Process the Complaint

After the OCS Complaint Unit logs the complaint, they will review it to determine which IV-D partner is most appropriate to resolve the issue: OCS, the FOC office, the PA office, or SCAO.

When more information is needed from a customer in order to make a determination, the OCS Complaint Unit will contact the customer by phone, or email⁸ only if a phone number is not provided, to obtain the needed information.

⁶ OCS's IV-D partners are the FOC office, PA office, and SCAO.

⁷ If an email includes confidential information, IV-D staff must remove the confidential information or encrypt the email before sending it. Ref: [Section 1.10, "Confidentiality/Security," of the Michigan IV-D Child Support Manual.](#)

⁸ If contacting the customer by email, OCS Complaint Unit staff will not include identifying information such as the customer's full name, date of birth, Social Security number, or address. Ref: Section 1.10 of the manual for more information.

When providing a resolution or a finding to the customer, the OCS section manager will send the response to the customer's mailing address.

a. OCS Complaint Unit Determines OCS Should Process the Complaint

If OCS Complaint Unit staff determine the complaint is against OCS, they will forward the complaint to the appropriate OCS section manager for processing. Within 20 business days, the OCS section manager (or his/her designee) will investigate the complaint.

- If the complaint is based on a business process concern, the OCS section manager will determine whether OCS complied with state laws, federal regulations, OCS policy and procedures, and/or contractual requirements.
- If the complaint is related to employee conduct, the OCS section manager will review the complaint in relation to civil service requirements, human resources requirements, and any labor/union agreements.

Based on the findings of the investigation, the OCS section manager will either substantiate the complaint or find that it is not substantiated.

1) OCS Section Manager Substantiates Complaint

If the OCS section manager substantiates the complaint, (s)he (or his/her designee) will:

- a) Call the customer (if a phone number is provided) to inform him/her of the findings and that a corrective action plan will be implemented;
- b) Provide the customer a written response that summarizes the findings and the action that will be taken on the complaint; and
- c) Send a copy of the written response to the OCS Complaint Unit for tracking.

2) OCS Section Manager Does Not Substantiate Complaint

If the OCS section manager does not substantiate the complaint, (s)he (or his/her designee) will:

- a) Call the customer (if a phone number is provided) to inform him/her of the OCS section manager's findings;
- b) Provide the customer a written response that summarizes the findings; and
- c) Send a copy of the written response to the OCS Complaint Unit for tracking.

b. OCS Complaint Unit Determines the PA Office, FOC Office, or SCAO (PA/FOC/SCAO) Should Process the Complaint

The OCS Complaint Unit staff may determine the complaint is related to the responsibilities of the PA/FOC/SCAO and should be processed by one of those IV-D partners. If so, they will take the following steps.

1) Inform the Customer the Complaint Is Being Forwarded to a IV-D Partner

OCS Complaint Unit staff will:

- a) Call the customer (if a phone number is provided) and explain that the complaint is being forwarded to the appropriate IV-D partner's office;
- b) Contact the PA/FOC/SCAO to determine the correct contact person; and
- c) Provide a written response to the customer that explains the matter is being forwarded to a IV-D partner for processing. The response will include the IV-D partner's contact information.

Note: If OCS Complaint Unit staff are forwarding the complaint to an FOC, the response will also include a link to the SCAO Complaints webpage.

2) Prepare Complaint Packets

Next, OCS Complaint Unit staff will prepare two complaint packets, each containing a copy of:

- The customer's complaint; and
- OCS's written response.

OCS Complaint Unit staff will provide one complaint packet to the customer and the other complaint packet to the appropriate PA/FOC/SCAO contact person.

3) Close the Complaint

The OCS Complaint Unit will close the complaint in the designated tracking system after sending the complaint packets to the customer and the appropriate PA/FOC/SCAO contact person.

4. PA/FOC/SCAO Believes Complaint Was Referred to the Wrong IV-D Partner

If PA/FOC/SCAO staff believe a complaint should not have been sent to their office for processing, they will contact the OCS Complaint Unit at MDHHS-OCS-Core@michigan.gov in an attempt to resolve the discrepancy.

- a. If the OCS Complaint Unit and the PA/FOC/SCAO are able to agree on who should process the complaint, then the agreed-upon office will resolve the complaint per that office's policy.
- b. If they are not able to agree, then the PA/FOC/SCAO will forward the complaint to the Program Leadership Group (PLG) for redetermination at:

Michigan Department of Health and Human Services
Office of Child Support
Attention: PLG Facilitator/Scribe
P.O. Box 30478
Lansing, MI 48909

Upon receipt of the requested redetermination, the PLG Facilitator/Scribe will add the complaint to the agenda for the next regularly scheduled PLG meeting to determine which IV-D partner office should process the complaint.

- If the PLG agrees that the matter belongs to the PA/FOC/SCAO, the PLG will return the complaint to the PA/FOC/SCAO along with an explanation.
- If the PLG determines that the complaint was incorrectly forwarded to the PA/FOC/SCAO, the PLG will send the complaint to the OCS Complaint Unit along with an explanation. The OCS Complaint Unit will then forward the complaint to the appropriate OCS section manager for processing.

5. OCS Complaint Unit Closes the Complaint

Once the written response is completed and sent to the customer, the OCS Complaint Unit will close the complaint in the designated tracking system.

6. OCS Operations Provides Monthly Report

At the end of each month, OCS Operations will provide the monthly totals of complaints and their respective outcomes.

C. Complaints Originally Sent to Other Agencies

Customers might also submit complaints to one of the following:

- The MDHHS director's office;
- MDHHS Legislative Affairs and/or a legislator's office;
- The Office of Child Support Enforcement (OCSE);
- The Office of the Administration for Children and Families (ACF);
- The IV-D director's office;
- MDHHS Legal Affairs Administration;

- The Office of the Inspector General (OIG) Hotline;
- The governor's office; or
- Field Operations Administration.

These offices may forward customer complaints to OCS for processing. When this happens, OCS Complaint Unit staff will resolve the complaint directly with the customer following the steps outlined in Section B of this memorandum. Then OCS Complaint Unit staff will respond to the office that forwarded the complaint by following the steps below.

1. Responding to Complaints Submitted to the MDHHS Director's Office

The OCS Complaint Unit may receive two kinds of complaints from the MDHHS Director's Office: a general constituent inquiry or a governor's office constituent inquiry. The OCS Complaint Unit will tell the executive secretary of the Field Operations Administration when they have begun the investigation. They will also give an estimated time for when they will complete the investigation and the response to the customer.

The OCS Complaint Unit will respond to general constituent inquiries within 10 business days and to governor's office constituent inquiries within five business days. If an extension is needed, the OCS Complaint Unit will request an extension through the executive secretary, who will request an extension on OCS's behalf.

Once the response has been sent to the customer, the OCS Complaint Unit will send a copy of the response to the executive secretary and summarize the final outcome.

2. Responding to Complaints Submitted to a Legislator's Office

If a legislator's office receives a customer complaint, the office will forward the complaint to MDHHS's Legislative Affairs staff, who will then forward the complaint to the OCS Complaint Unit. OCS Complaint Unit staff will respond to MDHHS Legislative Affairs and:

- Confirm the complaint was received;
- State the complaint will be worked on by the appropriate child support partner; and
- Indicate that child support staff will contact the customer.

Occasionally, the OCS Complaint Unit may receive a complaint directly from a legislator's office. When this occurs, OCS Complaint Unit staff will:

- Respond to the legislator's office and include the information listed above;

- Copy MDHHS Legislative Affairs (MDHHS-Legislative@michigan.gov) on the response; and
- Attach a copy of the complaint to the response.

3. Responding to Complaints Submitted to the IV-D Director's Office

If the IV-D director receives a complaint, (s)he will forward it to the OCS Complaint Unit with a copy to the IV-D director's executive secretary. The OCS Complaint Unit will investigate the complaint and provide a written response to the IV-D director for his/her review and signature unless the IV-D director indicates otherwise.

After the IV-D director reviews and signs the response, the OCS Complaint Unit will complete the response process.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice. With the publication of this memorandum, the following are obsolete:

- AT 2006-046, *OCS Customer Complaint Process*;
- AT 2006-046 Attachment 2, *The Formal Child Support Complaint Process*; and
- The previous version of the DHS-547 (Rev. 6/15), which was published with IV-D Memorandum 2015-015.

REVIEW PARTICIPANTS:

Program Leadership Group

CONTACT PERSON:

Amy Coscarelli
OCS Policy Analyst
(517) 335-1490
CoscarelliA@michigan.gov

CC:

None

SUPPORTING REFERENCES:

Federal
45 CFR 303.35(a)-(b)

State
MCL 552.526

ATTACHMENT:

DHS-547: *Statement of Complaint*

EPF/NES