

COMPLIANCE PROVISIONS — INCOME DEDUCTION ORDER FOR SUPPORT

To the Employer: By law, in complying with this Order,

1. **You must provide the respondent/employee with a copy of this Order.**
2. You must obey this Order before you comply with any other lien against (deduction from) respondent's *disposable* income created by state law, such as a garnishment or attachment summons. "Disposable Income" is that income left after deductions required by law are made.

Exceptions:

- a. If you have been served previously with an order for income deductions for support from any court or an administrative agency, including the Virginia Department of Social Services, you must obey such earlier orders in the order in which you were served before trying to comply with this order, *and*
 - b. The maximum amount of respondent's disposable income which may be deducted for support payments on this order is the percentage shown on the order. If health insurance coverage is also ordered, the order shall specify either support withholdings or insurance premium deductions as having priority for the duration of the order in the event the maximum total deduction permitted at any time by § 34-29 is insufficient to cover both; the employer shall consider and direct insurance premium deductions and support withholdings the same for purposes of applying § 34-29.
3. If required by the support order, you are ordered to:
 - a. Enroll the persons described above in a group health insurance plan or other similar plan providing health care services or coverage offered by the employer, without regard to enrollment season restrictions, if such persons are eligible for such coverage under the employer's enrollment provisions, and
 - b. Deduct any required premium from the employee's income to pay for the insurance.

If more than one plan is offered by the employer, the persons named in the order shall be enrolled prospectively in the insurance plan in which the employee is enrolled or, if the employee is not enrolled, in the least costly plan otherwise available. The employer shall also enroll the children of an employee in the appropriate health coverage plan upon application by the children's other parent or legal guardian or upon application by the Department of Medical Assistance Services. The employer shall not be obligated to subsequently make or change such enrollment if the group health insurance plan or other factors change after the spouse's, former spouse's or child's initial eligibility for coverage is initially determined in response to the order for withholding. However, the employer shall not disenroll such children unless the employer (i) is provided satisfactory written evidence that such court or administrative order is no longer in effect, (ii) is provided satisfactory written evidence that the children are or will be enrolled in a comparable health coverage plan which will take effect not later than the effective date of such disenrollment, or (iii) has eliminated family health coverage for all of its employees. In each case enforced by the Virginia Department of Social Services, the employer shall advise the Department in which plan the children are enrolled or if the children are ineligible for any plan through the employer. A one-time fee of not more than five dollars may be charged by the employer to the employee for the administration of this requirement.

4.
 - a. You must deduct and forward all payments on respondent's regular pay date or reply that no funds were deductible, *and*
 - b. You may comply by sending payment to the Division of Child Support Enforcement of the Virginia Department of Social Services, as directed in the order in a check by first class mail or by submitting such amounts by electronic funds transfer transmitted within four days of the respondent's regular pay date (contact the Customer Service Department at the Division of Child Support Enforcement at 800/468-8894 in Virginia, or if you are an out-of state employer, call 804/692-2458 to arrange electronic funds transfer), together with respondent's name, respondent's social security number, and the DCSE number, if any, at the top of the order; however,
 - an employer of 10,000 persons or more shall not be required to make payments to DCSE other than by combined single payments to the Division's central office in Richmond without the express written consent of the employer unless the order is from a support agency outside the Commonwealth, *and*
 - c. If deductions are taken from more than one employee, they may be combined into a single check if accompanied by a list showing for each order: (1) respondent's name, (2) respondent's social security number, (3) the DCSE number (if none, then Case number) at the top of the order, (4) the amount deducted pursuant to each order or a statement that no income was deductible, and (5) the date that payment was withheld from the respondent's income.

