



Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

January 22, 2025

The Hon. Will Smith, Chair
Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0015 - CHILD SUPPORT - DRIVER'S LICENSE SUSPENSION
FOR ARREARAGES AND COURT ORDERS - POSITION: INFORMATIONAL ONLY**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide a letter of information regarding Senate Bill 15 (SB 15). The bill would remove parents with lower incomes from early engagement with resources that could help when a parent experiences challenges meeting their child support obligations. After the January 14, 2025 hearing on our Department's bill, SB 195, we met with Senator Watson to discuss the Child Support Driver's License Suspension program.

With offices in every one of Maryland's jurisdictions, DHS empowers Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities. Our Child Support Administration (CSA) implements the child support program affected by SB 15. This legislation impacts the Driver's License Suspension program, a tool leveraged to increase engagement with non-custodial parents who have arrears and are unable to pay. Senate Bill 15 would exclude noncustodial parents who fall at or below 250 percent of the federal poverty guidelines from referral to the Driver's License Suspension (DLS) program.

We agree that parents unable to pay child support because of low income should be excluded from the DLS program. We believe the intention to exclude parents unable to pay is best served by our Department's bill, Senate Bill 195 (SB 195). SB 195 would

exclude parents CSA knows are unable to pay from referral to Maryland Motor Vehicle Administration for the purpose of suspending a driver's license.

When parents are out of compliance with a child support order and engage with CSA, they have opportunities to explain their circumstances, correct out-dated information, and right-size their child support orders. SB 15 would exclude parents CSA knows are unable to pay from otherwise statutorily required engagement when a parent is in arrears. Our bill would continue to include parents with low incomes in statutorily required outreach to engage with CSA while exempting the parents from the DLS program. Moreover, SB 195 would create more opportunities for CSA to determine when a parent meets the requirements for exclusion from the DLS program by engaging the parent to update information only the parent has, like the size of their household and whether a multi-family adjustment applies. SB 195's emphasis on engagement with parents is an example of the Family Matters approach we are taking across our department and with our sister agencies.

We agree it is critical to distinguish between parents who cannot pay child support and parents who will not pay. We agree that parents experiencing poverty should not be penalized by a driver's license suspension. However, we don't want to continue with out-dated information or leave parents without support when they are unable to pay. Noncustodial parents can fall further into arrears without regular engagement with CSA which updates our information, and facilitates access to employment programs, supportive services, and the child support Payment Incentive Program.

Child support orders include the requirement that parents proactively inform the Child Support Administration of a substantial change in income. When parents provide updated income and household information we are able to determine whether they meet the threshold of at or below 250 percent of the federal poverty guidelines. Federal poverty guidelines are determined by a combination of income and household size. Even if CSA verifies income with sister agencies, the only way to determine household size is through engagement with the parent. SB 15 would require CSA to determine whether a parent is exempt from the Driver's License Suspension program based on income information alone. That is not possible unless CSA proactively reaches out to every parent in arrears whose known income appears to be at or below 250% of poverty to inquire about household size. CSA estimates it would need an additional 29 caseworkers to confirm and process whether a noncustodial parent in arrears meets federal income and household size thresholds.

The Department supports the policy objective of SB 15 and is committed to distinguishing between parents who are unable to pay and parents who are unwilling to pay a child support obligation when implementing non-payment disincentives like the Driver's License Suspension program. Both SB 15 and SB 195 make the appropriate distinction. When combined with our commitment to implementing

administrative and information system changes, SB 195 ensures that our mutual policy objectives will be effectuated faster.

We appreciate the opportunity to offer informational testimony to the Committee as you consider how best to modernize child support in Maryland. Our bill, SB 195, requires more equitable implementation of the Driver's License Suspension program, encourages parental engagement so CSA information is up to date, and maintains parental opportunities for receiving help. When child support orders are equitable and parents have help when they need it, parents can avoid arrearages and collection actions while improving payment consistency and reliability.

We believe our Departmental bill, SB 195, would effectuate our shared policy objectives, ensure we remain compliant with federal statutory and regulatory requirements, and better serve Maryland's children, parents, and families. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Rafael López', written in a cursive style.

Rafael López
Secretary