**WAC 388-14A-2040 Do I have to cooperate with the division of child support in establishing or enforcing child support?** (1) You must cooperate with the division of child support (DCS) when you receive public assistance unless the department determines there is good cause not to cooperate under WAC 388-422-0020.

(2) As described in WAC 388-14A-2080, DCS may close a nonassistance case if the custodial parent (CP) fails to cooperate, if cooperation is essential for the next step in enforcement.

(3) For purposes of this section and WAC 388-14A-2075, cooperating with DCS includes cooperating with those acting on behalf of DCS (its "representatives"), namely the prosecuting attorney, the attorney general, or a private attorney paid per RCW 74.20.350. In cases where parentage is at issue, the CP of a child who receives assistance must cooperate whether or not the parent receives assistance.

(4) Cooperation means giving information, attending interviews, attending hearings, or taking actions to help DCS establish and collect child support. This information and assistance is necessary for DCS to:

(a) Identify and locate the responsible parent;

(b) Establish the parentage of the child or children on assistance in the CP's care; and

(c) Establish or collect support payments or resources such as property due the CP or the child or children.

(5) The CP must also cooperate by sending to DCS any child support received by the CP while on assistance, as required by RCW 74.20A.275 (3)(c). If the client keeps these payments, known as retained support, the CP must sign an agreement to repay under RCW 74.20A.275, and the CP must honor that agreement.

(6) The cooperation requirements of subsections (1), (3), and (4) of this section, but not subsection (5), apply to a recipient of medicaid-only assistance.

[Statutory Authority: RCW 26.23.050, 26.23.110, 43.20A.550, 74.04.055, 74.04.057, 74.08.090, 74.20.040, 74.20A.055, 74.20A.056, and 74.20A.310. WSR 25-09-019, s 388-14A-2040, filed 4/7/25, effective 5/8/25. Statutory Authority: 2012 c 253 § 5, 2012 1st sp.s. c 4, RCW 34.05.220, 43.20A.550, 74.04.055, 74.08.090, and 70.20.040. WSR 12-18-027, § 388-14A-2040, filed 8/27/12, effective 9/27/12. Statutory Authority: RCW 34.05.020, 34.05.220, 74.08.090, 74.20.040, and 2011 c 42. WSR 11-23-087, § 388-14A-2040, filed 11/17/11, effective 12/18/11. Statutory Authority: RCW 74.20A.310, 45 C.F.R. 302.31 and 302.33. WSR 06-03-120, § 388-14A-2040, filed 1/17/06, effective 2/17/06. Statutory Authority: RCW 74.08.090, 34.05.310 (4)(d), 26.23.035, 74.20A.310. WSR 03-20-072, § 388-14A-2040, filed 9/29/03, effective 10/30/03. Statutory Authority: RCW 74.08.090, 26.23.035, 74.20A.310. WSR 01-03-089, § 388-14A-2040, filed 1/17/01, effective 2/17/01. Formerly WAC 388-14-201.]