OFFICE OF PROFESSIONAL REGULATION
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Administrative Rules for Procedures to Enforce Child Support Orders by Suspension of Professional Licenses

Effective: February 1, 1999

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Part 1. Introduction

1.1 Scope and Purpose

Fifteen V.S.A. § 798 governs enforcement of child support orders by suspension of professional licenses. The purpose of these rules is to provide for uniform procedures to implement court-ordered license suspensions under that section.

1.2 Authority 15 V.S.A. § 798(d).

Part 2. Information for Persons Subject to Court-ordered Suspension

2.1 Definitions

For purposes of child support suspensions, the term "license" includes certification, registration, a permit, or right to apply for licensure, certification, registration, or a permit.

2.2 Suspension Notices

Suspension notices shall be sent to the person's last known address as contained in the files of the Office of Professional Regulation (Office) and, if applicable, to any different address contained in the court order.

In addition, if the records of the Office or the court order indicates that the person holds a professional license in any other jurisdiction, copies of the suspension notice shall be mailed to the professional regulatory authority of that jurisdiction.

2.3 Effective Date of Suspension

Child support suspensions shall become effective on the 16<th> day after the date the notice of suspension is mailed by the Office, unless the person contests the suspension as provided in Rule 2.4.

2.4 Opportunity to Contest Suspension

Within 15 days of receipt of a suspension notice, a person may contest license suspension by filing a letter with the Office alleging mistaken identity or compliance with the underlying child support order. The Office will forward the letter within 5 business days of receipt to the court and to the Office of Child Support (OCS) or the custodial parent, as appropriate for determination as to identity or compliance. The suspension will be deferred until notice of that determination is filed with the Office.

2.5 Report of Identity or Compliance

All determinations of identity or compliance with a child support order shall be reported upon a standard form, as devised and approved by the court, OCS, and the Office.

If the motion for the court order was brought by OCS, a report of identity or compliance shall be accepted by the Office only from OCS or the court. If the motion for the court order was brought by the custodial parent, a report of identity or compliance shall be accepted only from the custodial parent, custodial parent's attorney, or the court.

If the report of identity or compliance was dated before the effective date of the suspension, the suspension shall be

canceled and removed from the person's record and any reinstatement fee refunded.

2.6 Notice of Reinstatement

Notices of reinstatement shall be issued by the Office not later than 5 business days from the date the Office is notified of compliance.

The Office shall direct all inquiries from persons seeking reinstatement to the court or to OCS, if OCS brought the motion for suspension before the court. Statutory Authority: 15 V.S.A. § 798(d)

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