

(ii) An appeal under this subsection shall be conducted in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) The Secretary of Human Resources, in cooperation with the Office of Administrative Hearings, may adopt regulations to implement this section.

**10-112.1.**

(A) IN THIS SECTION, "PROGRAM" MEANS THE CHILD SUPPORT PAYMENT INCENTIVE PROGRAM.

(B) BY JUNE 1, 2008, THE ADMINISTRATION SHALL DEVELOP A STATEWIDE CHILD SUPPORT PAYMENT INCENTIVE PROGRAM TO ENCOURAGE PAYMENT OF CHILD SUPPORT IN CASES IN WHICH AN ASSIGNMENT HAS BEEN MADE UNDER ~~ARTICLE 88A, § 50(B)(2) OF THE CODE~~ § 5-312(B)(2) OF THE HUMAN SERVICES ARTICLE BY ENTERING INTO AGREEMENTS WITH CHILD SUPPORT OBLIGORS IN EXCHANGE FOR REDUCTIONS IN THE AMOUNT OF ARREARAGES AS AUTHORIZED UNDER § 10-112 OF THIS SUBTITLE.

(C) (1) (I) TO PARTICIPATE IN THE PROGRAM, THE OBLIGOR'S INCOME SHALL MEET THE CRITERIA DESCRIBED IN § 10-112(B)(1)(III) OF THIS SUBTITLE.

(II) FOR PURPOSES OF DETERMINING THE APPLICABLE FEDERAL POVERTY LEVEL FOR A PROGRAM APPLICANT, THE OBLIGOR'S HOUSEHOLD SHALL INCLUDE THE CHILDREN FOR WHOM THE OBLIGOR IS REQUIRED TO PAY CHILD SUPPORT UNDER A CHILD SUPPORT ORDER THAT IS THE SUBJECT OF THE APPLICATION TO THE PROGRAM.

(2) (I) IN DETERMINING WHETHER TO AUTHORIZE AN OBLIGOR TO PARTICIPATE IN THE PROGRAM, THE ADMINISTRATION SHALL CONSIDER THE FOLLOWING FACTORS:

1. WHETHER THE OBLIGOR HAS A CURRENT ABILITY TO PAY;
2. WHETHER THE REDUCTION OF ARREARAGES WILL ENCOURAGE THE OBLIGOR'S ECONOMIC STABILITY; AND
3. WHETHER THE AGREEMENT SERVES THE BEST INTERESTS OF THE CHILDREN WHOM THE OBLIGOR IS REQUIRED TO SUPPORT.