

**2011 Guidelines Review**  
**Child Support Guidelines Advisory Committee**  
Thursday, March 31, 2011, 9 a.m. to noon  
**Capital City Business Center, 4600 25<sup>th</sup> Ave., Salem, OR 97301**

**MEETING SUMMARY**

**Facilitator:** Jean Fogarty

**Scribe:** Susan Baker

**In attendance (members):** Claire Anderson, Donna Brann, Lisa Buss, Vonda Daniels, Chris Eggert, Kelly Evans, Professor Kathy Graham, Laurie Hart, Martin Herbest, Jack Lundeen, Carol Anne McFarland, Shelly Matthys, Kate Richardson, Mike Ritchey, Linda Scher, Robin Selig, Peggy Snow, and Brenda Wilson.

**(Support Staff):** Barb Bellek, Debbie Burge, Jeremy Gibons, Vince Hill, Julie McNeal, Melissa Park, and Mary Welty.

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**Project goals and roles (Jean Fogarty; excerpted from email dated 3/2/2011)**

Our goal is to make the guidelines better, less complex, and more understandable. The guidelines should also produce fair, enforceable orders.

The Child Support Guidelines are a collection of administrative rules subject to the Administrative Procedures Act. Rules are defined as "any agency directive that...implements interprets or prescribes law or policy" or that "describes the agency's procedure or practice requirements." ORS 183.310(9). Agencies are encouraged to seek public input to the maximum extent possible before giving formal notice of intent to adopt, amend, or repeal a rule. One way to do this is to form an advisory committee before drafting rules. And that is where you come in.

As the agency head responsible for promulgating the guideline rules, I will be consulting with you and seeking your advice and recommendations on the policy choices presented by the issues identified in the attached list. If the Advisory Committee cannot come to consensus on an issue, I will ask for a majority recommendation and a minority report. Once a decision has been reached, I will have proposed rule language drafted for the committee's review and input. After the Advisory Committee has had an opportunity to weigh in on the draft proposed rules, final proposed rules will be written. Formal notice of rule-making with an opportunity for public comment will occur after the Advisory Committee's work is completed. Final rules will not be adopted until public hearings have been conducted. The full process will take about a year to complete.

**Introductions**

Self-introductions were made, including committee members and Child Support Program staff. Committee members identified the particular constituency perspective they were bringing to the table.

Everyone has been signed up as members for Basecamp, a web-based collaboration and project management tool. Committee members should have received an email invitation to join Basecamp from Susan Baker on March 29, 2011. If you have not received the email invitation or you are having difficulty logging in, please see Susan at the break.

Basecamp is located at [www.basecampHQ.com](http://www.basecampHQ.com). Once you sign in it will take you to the homepage. Click on the overview. There is an easy reference to the guidelines rules website. Other resources include Messages, To Dos, Milestones, Whiteboards, Time, and Files. My Info provides your profile; please take a moment to update the information.

You can set up daily reminders of site updates, and when you post files or messages, you can choose to send email updates to all or some committee members.

Basecamp is a great repository for files that provides easy access to all members and preserves a record of the committee's work.

Contact Susan Baker if you have any issues or questions with Basecamp.

### **Child Support Guidelines Background; Requirements**

This document provides background information, evolution, and constraints and recommendations from the federal advisory committee. As a federally funded program, we must meet federal requirements for guidelines review. This document lays that foundation and gives you a historical view. All other states go through the same guidelines review process.

### **Economic Data Review**

One of the federal requirements is for states to gather economic data on the costs of raising children. In 2006, the program commissioned a thorough and costly review of the updating the obligations. A number of states have used the data in that report. We asked Oregon's Office of Economic Analysis to review this document to see if the information was still viable to date. Economists compared the information used in the 2006 report with current data. They determined that the economic data, based on the spending patterns of families, remained stable from 2006 and does not warrant any change.

### **A Twenty-One Years Retrospective**

Professor Pirog's article compares child support obligations in three test cases for all states over a twenty-one year period. The data suggest that Oregon's 2009 guidelines produced the highest support amount in the nation for a low income obligor. Two other scenarios showed Oregon with near-average support levels for mid- and higher-income obligors.

## Major issues areas overview

Jean Fogarty

Jean reviewed bulleted issues from issues list. Based on the comments the Child Support Program has received, the Program identified medical support, the parenting time credit, and child attending school as the most significant issues. Low-income parents are again an area of concern, particularly in light of the Pirog findings.

## Issue #1 discussion: Medical Support

Jeremy Gibbons

Reviewed *Medical Support—Basic Federal and State Requirements* (handout)  
Reviewed OAR 137-050-0750.

Discussion followed (paraphrased), what we have is a transmittal from the federal Office of Child Support Enforcement (OCSE) that articulates that the federal office is holding states harmless if they do not comply with the changes to medical support resulting from the 2007 Deficit Reduction Act. However, the requirements are still in federal and state law.

General discussion on what is “reasonable in cost”. Is it 4% of the providing parent’s income? The federal government has income-based conditions. It is pretty hard to gauge, and sometimes 4% is not enough. If there is health care coverage available but the monthly cost is \$400, is that reasonable given the party’s income?

Following the general discussion, an issues list was compiled for the medical support workgroup to consider.

### For next meeting

Please review the comments and issues raised by others about the parenting time credit (see 2011 issues tab in your notebook).