

137-050-0735
Child Care Costs

(1) Adjust the support obligation for child care costs **paid by a parent or caretaker** if the child for whom support is being calculated is disabled or under the age of 13. ~~The adjustment is equal to the average monthly child care expense less any state or federal child care tax credit.~~

(2) Child care costs ~~can be incurred by either parent, but~~ must be related to the parent's **or caretaker's** employment, job search, or training or education necessary to obtain a job. Only **actual costs paid by a parent or caretaker for** child care costs that can be documented and determined ~~can~~ **may** be considered **used to compute an adjustment under these rules**.

(3) Child care costs are allowable only to the extent that they are reasonable and, except as provided in section (4), do not exceed the maximum **amounts** set out in table **Table 1**. ~~For the purposes of applying the maximums, the location of the provider determines which rates apply.~~

Table 1: **Maximum Allowable Child Care Costs by Provider Location**

Age of Child	Cities of Portland, Bend, Eugene, Corvallis, Springfield, Monmouth, Ashland Maximum Per Child	All Other Oregon or Out of State Locations Maximum Per Child
Newborn to 1 year	\$900	\$573 <u>595</u>
1 year to 3 years	\$894	\$557 <u>575</u>
3 years to 6 years	\$705	\$435 <u>475</u>
6 years and older	\$698	\$410 <u>460</u>

(4) The maximum amounts allowed **can be found in** by the Department of Human Services in their Employment-Related Day Care Allowance tables at OAR 461-155-0150, **available on line at any time at http://arcweb.sos.state.or.us/pages/rules/oars_400/oar_461/461_tofc.html or <http://dhsmanuals.hr.state.or.us/EligManual/07cc-f.htm#RateCharts>**, may be used as ~~cost maximums~~ in lieu of the abbreviated table in section (3), **where greater than the amount in Table 1.**

(5) **Each parent's obligation for child care costs is that parent's income share percentage as provided by OAR 137-050-0720 multiplied by the total allowed child care costs. A parent's child care cost obligation may not exceed the parent's available income after deducting the parent's basic support obligation.** ~~Child care~~

~~costs incurred or to be incurred by a parent include any amounts paid by government subsidies for that parent.~~

(6) As used in **section 1 of** this rule, “**disabled** ~~child with disabilities~~” means **refers to** a child who has a physical or mental disability that substantially limits one or more major life activities (**for example**, self-care, **performing manual tasks**, walking, seeing, speaking, hearing, **eating, sleeping, standing, lifting, bending**, breathing, learning, **reading, concentrating, thinking, communicating, and** working, ~~etc.~~).

Stat. Auth.: ORS 25.270 – 25.290, 180.345

Stats. Implemented: ORS 25.270 – 25.290