

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

Department of Justice	137
Agency and Division	Administrative Rules Chapter Number
Carol Riches	(503) 947-4700
Rules Coordinator	Telephone
Department of Justice, 1162 Court St. NE, Salem, OR 97301	
Address	

RULE CAPTION

Guidelines for calculating support.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
11-28-12	1:30 p.m.	Child Support Program Administration, 1215 State St Salem, OR 97301	Jeremy Gibons

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

- ADOPT:**
- AMEND:**
OAR 137-050-0700; 137-050-0710; 137-050-0715; 137-050-0720; 137-050-0725; 137-050-0730; 137-050-0735; 137-050-0740; 137-050-0745; 137-050-0750; 137-050-0755; 137-050-0760; 137-050-0765; 137-055-4620
- REPEAL:**
OAR 137-055-3340

- RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.
- AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:
ORS 25.270 - 25.290, 25.321, 25.323, 25.325, 180.345

Other Authority:
n/a

Statutes Implemented:
ORS 25.020, 25.080, 25.270 - 25.343

RULE SUMMARY

OAR 137-050-0700 provides a formal method for calculating support for a child attending school, age 18, living with a parent and attending high school.

OAR 137-050-0710 updates the method for calculating child support.

OAR 137-050-0715 clarifies income presumptions, adding more flexibility for using imputed and actual income.

OAR 137-050-0720 allows deduction of parent's own health care coverage costs; amends non-joint child terminology and the method for calculating non-joint child credit.

OAR 137-050-0725 clarifies how the basic support obligation is calculated, and applies the self-support reserve to the basic support obligation.

OAR 137-050-0730 provides updated instruction for calculating a parenting time credit.

OAR 137-050-0735 provides updated instruction for calculating child care costs for minor children.

OAR 137-050-0740 clarifies calculating credit against child support for Social Security and Veterans' Benefits.

OAR 137-050-0745 clarifies the obligated parent's self-support reserve in the child support calculation, as it applies to the basic support obligation, child care costs and medical support.

OAR 137-050-0750 changes how a medical support obligation is calculated and whether it will be ordered.

OAR 137-050-0755 changes the exception to the minimum order from 50% parenting time to 182.5 average overnights.

OAR 137-050-0760 provides for the use of rebuttals when a determination is made that the presumed amount is unjust or inappropriate.

OAR 137-050-0765 changes the deviation from the Guideline calculation by an agreed amount from 10 percent to 15 percent.

OAR 137-055-3340 is being repealed as it is no longer necessary. The medical support provisions are provided in OAR 137-055-4620.

OAR 137-055-4620 clarifies how medical support provisions are enforced. It also allows a parent to choose to exceed his/her "reasonable in cost" cap to provide health insurance.

For the Public Hearing, attendance by phone is available but may be limited if large numbers of the public call in. Call in number: (888)622-5357 Participant code: 576132

Please submit written comments by 5:00 p.m. Thursday, November 29, 2012, to Lori Woltring, Policy Analyst, Division of Child Support, 1162 Court St NE, Salem, OR 97301. Questions may be directed to that address or you may call (503) 947-4367.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

11-29-2012 5:00 p.m.	Carol Riches	Carol.Riches@state.or.us	10-12-12 1:56p.m.
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.

ARC 923-2003

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

Department of Justice
Agency and Division

137
Administrative Rules Chapter Number

Guidelines for calculating support.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

OAR 137-050-0700; 137-050-0710; 137-050-0715; 137-050-0720; 137-050-0725; 137-050-0730; 137-050-0735; 137-050-0740; 137-050-0745; 137-050-0750; 137-050-0755; 137-050-0760; 137-050-0765; 137-055-4620

Statutory Authority:

ORS 25.270 - 25.290, 25.321, 25.323, 25.325, 180.345

Other Authority:

n/a

Statutes Implemented:

ORS 25.020, 25.080, 25.270 - 25.343

Need for the Rule(s):

These changes are needed to implement the approved recommendations of the 2011-2012 Child Support Guideline Rule Advisory Committee, in a review required by ORS 25.270.

Documents Relied Upon, and where they are available:

n/a

Fiscal and Economic Impact:

The amendments to these rules do not impact small or large businesses. Because the amendments do not require any changes for businesses, there will be no fiscal impact.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

none

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

none

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

none

c. Equipment, supplies, labor and increased administration required for compliance:

none

How were small businesses involved in the development of this rule?

No small businesses were involved in the development of these rules because the amendments do not require any changes for small businesses.

Administrative Rule Advisory Committee consulted?: Yes

If not, why?:

11-29-2012 5:00 p.m.	Carol Riches	Carol.Riches@state.or.us	10-12-12 1:56 PM
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed