

## Child Support Guidelines – Old vs. New

(Old – Effective 1/4/10/New – Effective 7/1/13)

Old Medical	New Medical
<p><b>Double Coverage:</b></p> <ul style="list-style-type: none"> <li>- If both parents have HCC available, order both to provide.</li> <li>- Parents may agree to single coverage when there is no medical assigned.</li> </ul>	<p><b>Single Coverage:</b></p> <ul style="list-style-type: none"> <li>- If both parents have HCC available, order one parent to provide. Parent with more parenting time (PT) chooses.</li> <li>- Parents may agree to double coverage.</li> <li>- If 50/50 PT, lowest out of pocket premium will be chosen by CSP if parents don't agree on a policy. CSP can order higher cost policy with a finding.</li> </ul>
<p><b>Reasonable in Cost (RIC) Cap for HCC:</b></p> <ul style="list-style-type: none"> <li>- Use individual parent's 4% of adjusted income for that parent's cap.</li> <li>- Oregon minimum wage parent's cap is zero.</li> </ul>	<p><b>Reasonable in Cost (RIC) Cap for HCC:</b></p> <ul style="list-style-type: none"> <li>- Combine both parents' 4% of adjusted income for a total shared cap (this cap may be different now than the cash medical cap).</li> <li>- Oregon minimum wage parent's cap is still zero.</li> <li>- Each parent's contribution amount is limited to the parent's available income, if less than 4% of the parent's adjusted income.</li> </ul>
<p><b>Reasonable in Cost Cap for Cash Medical:</b></p> <ul style="list-style-type: none"> <li>- 4% of obligated parent's adjusted income.</li> <li>- Zero for Oregon minimum wage obligor.</li> </ul>	<p><b>Reasonable in Cost Cap for Cash Medical:</b></p> <p>No change:</p> <ul style="list-style-type: none"> <li>- 4% of obligated parent's adjusted income, or less if limited by the parent's available income.</li> <li>- Zero for Oregon minimum wage obligor.</li> </ul>
<p><b>No apportioning of HCC:</b></p> <ul style="list-style-type: none"> <li>- Both parents ordered to provide HCC when available at their individual RIC.</li> </ul>	<p><b>Apportioning Share of HCC Cost:</b></p> <ul style="list-style-type: none"> <li>- Total premium cost multiplied by each parent's income share to get premium share.</li> <li>- When O provides: Cash child support decreases by obligee's share of premium.</li> <li>- When OE provides: Cash child support increased by O's share.</li> <li>- When only one parent has income above minimum wage, only that parent can be ordered to provide coverage, and that parent bears the entire cost.</li> </ul>
<p><b>When Neither Parent Has Appropriate Private HCC:</b></p> <ul style="list-style-type: none"> <li>- Both parents ordered to provide private HCC when available at RIC.</li> <li>- Obligor ordered to pay cash medical when not providing HCC.</li> </ul>	<p><b>When Neither Parent Has Appropriate Private HCC:</b></p> <ul style="list-style-type: none"> <li>- Both parents ordered to provide private HCC when available at RIC. When one parent enrolls child, other parent is no longer required to provide.</li> <li>- Obligor with income &gt; minimum wage to pay cash medical until obligor provides HCC.</li> </ul>
<p><b>Contingent Cash Medical (CSP Implementation):</b></p> <ul style="list-style-type: none"> <li>- Obligor always ordered unless finding of reason not to.</li> <li>- Included both when private HCC available and when not available at the time of the order.</li> </ul>	<p><b>Contingent Cash Medical (CSP Implementation):</b></p> <ul style="list-style-type: none"> <li>- No longer ordered when a parent is providing HCC at the time of the order.</li> <li>- CSP will only order contingent cash medical when private HCC not available to any parent at the time of the order.</li> </ul>

	<p><b>18-Year Old Children Attending High School and Living with Parent</b></p> <ul style="list-style-type: none"> <li>- Includes 18-year old child in high school and living with the parent for non-joint child deduction. CSP will still not take a new order for an 18 year old in high school.</li> <li>- For mods, the 18-year old CAS in HS living with a parent will be calculated as a minor.</li> <li>- Support will still be distributed directly to the CAS unless the order provides otherwise.</li> </ul>
<p><b>Old Calculation of Additional Child Deduction</b></p> <ul style="list-style-type: none"> <li>- Deduct scale amount for parent's income and number of non-joints.</li> <li>- Need a support order to receive non-joint credit for a CAS.</li> <li>-Term used: "additional child".</li> </ul>	<p><b>New Calculation of Non-joint Child Deduction</b></p> <ul style="list-style-type: none"> <li>- Obtain scale amount for parent's income and total number of joint and non-joint children, then prorate for only non-joint children for amount to deduct.</li> <li>- Lowers deduction.</li> <li>- Non-joint deduction given for 18-year old in high school in parent's home.</li> <li>- Going back to "non-joint child" terminology.</li> </ul>
<p><b>Old Parenting Time Credit</b></p> <ul style="list-style-type: none"> <li>- Multiplied basic support per scale by 1.5</li> <li>- 25% threshold before any credit given</li> <li>- Multiplied percentage share of PT by basic support amount for amount of credit.</li> <li>- Written agreement/order required by Program.</li> </ul>	<p><b>New Parenting Time Credit</b></p> <ul style="list-style-type: none"> <li>- No multiplier; no threshold</li> <li>- Percentage of credit is calculated from the number of overnights using a graduated curve.</li> <li>- Creates low credits for lower numbers of overnights and closer to equal credits toward 50% overnights.</li> <li>- Written agreement/order still required by CSP.</li> </ul>
<ul style="list-style-type: none"> <li>- Credit based on aggregate parenting time in parenting plan, but applied to the support for all children, including a CAS' portion.</li> <li>- Formula: 1.5 X basic support amount X parenting time percentage.</li> <li>- Result: More credit applied when there are CAS.</li> </ul>	<ul style="list-style-type: none"> <li>- CAS's support is not included in the amount of basic support used to determine the parenting time credit*, but the final support is still divided between all the children.</li> <li>- Formula: Multiply minor children's proportionate share of basic support X the parents' parenting time credit percentage.</li> <li>- The PT credit percentage is based on overnights and derived from a complex formula. (See OAR 137-050-0730.)</li> <li>- Result: Less credit applied when there are CAS.</li> <li>* Exception: Where the CAS is 18-years old, attending high school and living with a parent, the CAS's basic support <i>is</i> included in the parenting time credit.</li> </ul>
<p><b>Old Income</b></p> <ul style="list-style-type: none"> <li>- Presumed minimum wage at full-time when party unemployed, or employed less than full-time, income less than full-time Oregon minimum wage, or no evidence of any income.</li> </ul>	<p><b>New Income</b></p> <ul style="list-style-type: none"> <li>- <b>Always begin with actual income.</b></li> <li>- Then add potential income where supportable based on the parent's earnings history and present ability and the opportunities available in the community.</li> <li>- Default to minimum wage only when there's no information about the parent's wage history.</li> <li>-Minimum wage still applies to TANF recipients.</li> </ul>

<p><b>Old definition of potential income:</b></p> <ul style="list-style-type: none"> <li>- (5) "Potential income" means the <b>greater of:</b></li> <li>(a) The parent's probable full-time earnings level based on employment potential, relevant work history, and occupational qualifications in light of prevailing job opportunities and earnings levels in the community; or</li> <li>(b) The amount of income a parent could earn working full-time at current state minimum wage.</li> </ul>	<p><b>New definition of potential income:</b></p> <ul style="list-style-type: none"> <li>- Based on relevant work history, hours worked, hours available, qualifications, education, physical/mental health, prevailing job opportunities.</li> </ul>
<b>Old Adjusted Income</b>	<b>New Adjusted Income</b>
- Deduct parent's own HCC to insure them if necessary to enroll child and if child's premium is reasonable.	- Always deduct parent's own HCC costs to insure themselves, even if not enrolling the child.
<b>Old Child Care Costs</b>	<b>New Child Care Costs</b>
- Include total child care amount, including subsidies.	- Include only costs actually paid up to maximum cost allowed. No longer includes subsidy amounts.
- Include caretaker's child care costs.	- Continue to include caretaker's child care costs.
- Refer to maximum cost table.	- Updated maximum cost table per DHS – amounts increased for "other locations".
- Calculate child care tax credit and deduct from child care cost.	- Removed tax credit computation.
<p><b>Computation:</b></p> <ul style="list-style-type: none"> <li>- Compare to income after self-support reserve. Do not exceed.</li> </ul>	<p><b>Computation:</b></p> <ul style="list-style-type: none"> <li>- Still compare to self-support reserve. Do not exceed.</li> </ul>
<b>Old Agreed Amount</b>	<b>New Agreed Amount</b>
- Parties may consent to amount within 10% of calculated support amount (including rebuttals).	- Parties may consent to amount within 15% of calculated support amount (including rebuttals).
<b>Rule Commentary</b>	<b>Rule Commentary</b>
- Not available.	- Restored and updated rule commentary.