

HOUSE BILL REPORT

HB 2558

As Passed House:

February 6, 1996

Title: An act relating to child support health care expenses.

Brief Description: Revising the allocation of child support health care expenses between parents.

Sponsors: Representatives Lambert, Morris, Carrell, Wolfe, Patterson, Smith, Mitchell and Thompson.

Brief History:

Committee Activity:

Law & Justice: 1/30/96 [DP].

Floor Activity:

Passed House: 2/6/96, 96-0.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 16 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Murray; Robertson; Smith and Sterk.

Staff: Edie Adams (786-7180).

Background: Washington's child support schedule contains an economic table. The economic table establishes a presumptive basic child support amount based on the combined monthly net income of the parents and the number and ages of the children. Each parent's share of the presumptive amount is based on each parent's share of the combined monthly net income.

Ordinary health care expenses are included in the economic table. The table assumes that 5 percent of the monthly basic support obligation is spent on ordinary health care. Monthly health care expenses that exceed 5 percent of the basic support obligation are considered extraordinary. Extraordinary health care expenses are shared by the parties according to their proportionate share of the basic support obligation. The obligor must pay his or her share of extraordinary health care in each month the extraordinary health care expenses are incurred.

Summary of Bill: The bill specifies that ordinary health care expenses are calculated on an annual, calendar year basis by multiplying 5 percent of the basic support obligation by 12. The parent receiving the transfer payment is responsible for the payment of the annual ordinary health care expenses.

Once the obligee has incurred the annual ordinary health care expenses, the obligee must notify the obligor, providing receipts or records of the incurred health care expenses, that all future health care expenses are extraordinary expenses to be shared by the parents in the same proportion as the basic support obligation.

"Health care expenses" are defined as those expenses allowed as a federal income tax deduction for medical care.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a long overdue clarification of the law that does not involve a change in the dollar amounts. It will decrease the number of hearings the court has to hold and save money and resources.

Testimony Against: The bill is vague as written. It may result in litigation that is unnecessary.

Testified: Representative Lambert, prime sponsor; Patricia Morgan, Washington State Bar Association, Family Law Section (pro); Martha Harden, Superior Court Judges Association (pro); Judy Turpin, Northwest Women's Law Center (pro, with amendment); and Mike Ricchio, Department of Social and Health Services (with concerns).