

SENATE BILL REPORT

HB 2558

As Reported By Senate Committee On:
Law & Justice, February 22, 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: 2/21/96, 2/22/96 [DPA].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin and Schow.

Staff: Susan Carlson (786-7418)

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 the 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 expenses in the month those expenses are incurred.

Summary of Amended Bill: 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 that all future health care expenses incurred in that year are extraordinary expenses to be shared by the parents in the same proportion as the basic support obligation. The obligee must provide the obligor documentation that the annual ordinary health care expenses have been incurred.

Amended Bill Compared to Original Bill: The amendment strikes the language defining health care expenses as those medical expenses deductible under the federal income tax code.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The bill clarifies the allocation of ordinary and extraordinary health care expenses between parents.

Testimony Against: DSHS would not be able to collect extraordinary health expenses unless an order is entered establishing the amount.

Testified: Representative Lambert, prime sponsor (pro); Representative Patterson, sponsor (pro); Representative Morris, sponsor (pro); Representative Wolfe, sponsor (pro); Representative Carrell, sponsor (pro); David Law, King County Bar Assn. (pro); Patricia Morgan, WSBA Family Law Section (pro); Mike Ricchio, DSHS Division of Child Support (con).