

CHILD SUPPORT ADVISORY COMMISSION  
September 30, 2014

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The Child Support Advisory Commission met on Tuesday, September 30, 2014, in Room 1103 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a meeting. Members present: Senator Ashford, Chairperson; Senator Campbell; Hon. Karin Noakes; William MacKenzie; Hon. Paul Merritt; Angela Dunne; Eric Thompson; Byron Van Patten; Monty Shultz; and Amy Holmes. Members absent: Corey Steel and Troy Reiners.

SENATOR ASHFORD: (Recorder malfunction)...and I'm going to read the Open Meetings Act provisions per statute. All business will be conducted according to the provisions of the Open Meetings Act. There's a copy of Nebraska Open Meetings Act at the podium for inspection. There's also a binder on the podium that can be...actually the binder is somewhere, not on the podium but back on the...there, you got it. Okay. Good. Any binding...and it contains the same material that the commission has. Any binding action the commission takes will be initiated with a motion, followed by a second and a roll call. The agenda has been passed out. Do we have a motion to approve the agenda? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: So moved. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: And a second? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Second. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Oliver. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: And Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. Do I have a motion on the minutes, to approve the meeting minutes from last time? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: So moved. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Second. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY

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AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. Today we are going to go over the action items that you should all have in front of you and I really think we might as well just delve into it. Does anyone have any preliminary thoughts or comments about this? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I just...I wondered whether Dr. Venohr was going to be participating by phone today. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: She...only if we need her, she's available. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: It's up to us. If we need her, I will call her up, Bill. Whatever you want. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: All right. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: So why don't we go through each item and then we'll have a vote on each issue so that Dr. Venohr can then proceed with her work. So let's start with issue one, the guidelines model that we would use. The income shares model being the current one, and slides 21 through 26--hopefully you have the slides document--would have alternatives. So with that, any discussion? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Senator Ashford, could you stop for just a minute? [CHILD

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SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: We're all kind of looking...where were the factor...where was that slide, and what we had last time? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: The income model slide, is that the one that you're asking about? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Is that one that was passed around? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Do we have that one? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: There's a chart on page 3 in the factors to consider. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Thanks. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I think that... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: It's that chart that we're looking at? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: But the slide she's referring to I think are from her presentation last time, aren't they? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Oh. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: All right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Did the committee print those off for members or... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: There is...yeah, there's more copies over here. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Oh, I'm sorry. They're on the factor...excuse me, I didn't see it. Page 3 of the... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, we just need to all be on the same page. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No, but I think he's passing them around. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEYER: So if you look on your...on the one I just handed out, this one here, on page 3, this is the factor chart that goes from one to the next page to ten, and these were the factors that Dr. Venohr needed some guidance on. On the far right of that chart is where it has your choices of what you could consider. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Okay, Senator Ashford. We now have the right step. What...would you just repeat... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Well, the guidelines model is the first question, which the income approach or other approaches which are found on slides 21 through...as I understand it, slides 21 through 23. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Got it. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Child support guidelines models, and it starts up by explaining that 39 states use the income shares model, and then there are 9 states uses the percentage of obligor income, and then 3 states use the--I can't possibly read that--Melson Formula. So our job is to decide which one we want to do. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEYER: May I interject? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEYER: If I may interject, I did speak with Dr. Venohr prior to this meeting and she did mention that if you were considering a change to this item that in most states, because of the complexity of this factor, that it can sometimes take two to three years to fully implement or fully I guess make that change. And so her suggestion was if you wanted to make a change to that, it might be something to maybe pull aside this time but start the wheels in motion for the next time because apparently it's not a real simple change to make, if that makes sense. You know this probably better than I do, so I'm just going off of what she was telling me. For that first item, unless there's really strong feelings one way or the other on this, that might be one to revisit and plan for the next time this commission would make a recommendation in the future. [CHILD



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ANGELA DUNNE: Is anybody strongly considering that we should move it from the income shares, because I guess that would be the starting point now. Raise your hand if you're...so can we just...do you want to vote now to just agree to... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Well, I'd love to. It's up to...if we have a motion we can...and a second. If there's more discussion, we can have it then. Do we have a motion to accept the income model? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I so move. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Any other discussion regarding this matter and then we can go more into the...some of these other factors. Call the roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY  
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WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY  
COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY  
COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY  
COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY

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MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. The second matter is the child rearing cost matter. And the sheet sets forth what we do currently and what other...what the options are. So do we have a discussion about those? We can always...let's...do we have a motion to adopt the current model which would be the Betson-Rothbarth measurements, 1996 through 1997? Do we have a motion to adopt those, that factor or those... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I so move. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Can I just ask something before we discuss this? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yeah, sure. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. So the alternatives available where it says BR4 measurements, is that not the Betson-Rothbarth only with more recent information? Or am I not looking at that correctly? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: Okay. So why would we go with the older information? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Why don't we get...let's get her on the phone. [CHILD SUPPORT ADVISORY COMMISSION]

JOHN EICKMEYER: I would like... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Let's just get her on the phone... [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEYER: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: ...because it sounds like we're going to need her on the phone anyway. Let's just find out what she has to say. Think it will go easier. [CHILD SUPPORT ADVISORY COMMISSION]

JOSH EICKMEYER: Do you have the number for her to call in on? Could you ask...find Chuck to get that? Dr. Venohr? Hello. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: This is Dr. Venohr. Good morning, everybody. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Good morning. Well, we've gotten a little ways. We're on two. The study of... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Come on, that's not bad. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: No, no, we've got one done. So the study of child rearing costs issue, can you explain the difference? The question was asked--this is Brad--the question was asked about Betson-Rothbarth, whether it would be more appropriate to use the later date from the more recent numbers as opposed to the '96 to '97? And that's where we are. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, it definitely would be more appropriate to use more recent data just because family expenditures have changed. And the USDA would be for the most recent 2014 and the Betson-Rothbarth is from families surveyed in 2004 through 2009 for their expenditures. I wouldn't recommend the New Jersey just because it would be difficult to take out the adjustment for New Jersey's higher cost of living. And I would probably recommend running a schedule with A, which is the USDA and known to be on the upper bound of the credible estimate for child rearing costs. When I was there last time I explained that, you know, economists are sort of like weathermen in that we can't get a totally accurate measure on child rearing costs. You know, we say like two to four inches, and the reason being is the methodologies that we use to separate the adult from the children expenditures. So I would recommend running a schedule with A and another schedule with B just to see how they compare. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. Thank you. Just stay put there a second. Do we have a motion on A and B? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, I'll make a motion that we allow Dr. Venohr to run two different schedules, one using USDA Midwest model figures and the other one using the BR4 measurement from 2004 to 2009. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. The third issue is the adjustments for state cost of living. Dr. Venohr, would you go through...there's no current table, so can you bring us up to speed on... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The current table is based on the Betson-Rothbarth, which was based on the Consumer Expenditure Survey which is national data. And there is some evidence that Nebraska's cost of living is lower. And so I could make an adjustment for that and I would probably put it on the BR4. A, Midwest, is already adjusted for Midwest prices. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: What was that? Would you repeat what you just said? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: It's a little muffled, Dr. Venohr. I'm sure that's our fault here on the receipt side of your comments, but could you say that again? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Oh, sure. So the issue is with the current schedule there's no...it's based on national data, so the national average. And there's not a large of enough sample size just to separate out Nebraska from the Consumer Expenditure Survey, which is the survey used for most measurements of child rearing costs just because it's very extensive. So regarding the USDA, it's already adjusted for Midwest prices, but the Betson-Rothbarth wouldn't be. So I would recommend looking into that. And I think the best measure, and I can write up a different...some stuff on it, is the Bureau of Economics parity measure. They show roughly, I think it's, Nebraska is 91 percent of the average. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So if we go with the USDA and factor number 2, then we wouldn't need an adjustment for...well, not necessarily because... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, I think it would be a double adjustment, it could be. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Dr. Venohr, this is Eric Thompson. The Bureau of Economic Analysis purchasing parity measure, what is that based on? Is that based specifically on families with children or is it to include a wider group of households? [CHILD SUPPORT ADVISORY COMMISSION]



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JANE VENOHR: No. That is a weakness and I think what I'll probably do is include a little summary of weaknesses and the strengths that some, they combine. They use medium rents and they also use the Consumer Expenditure Survey. They look at the changes, the price levels in general. And I can... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: But not for the purchases particularly of families with children but of all families. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, all households. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Where does that get picked up then? I mean, how do we address some of the issues or concerns that have been raised about child rearing costs and things that are not necessarily in the data? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm sorry? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: How do you consider...you know, we've had lots of discussion now about the cost of a child, taking care of a child, your child. How is that picked up, I mean, just in the... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Oh, that's in the...that's definitely in the USDA measurement... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: ...and in the Betson-Rothbarth measurement. Those are specific to the child. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And the thing that really is whether Nebraska has a lower cost than the national, which would be the Betson-Rothbarth, or a lower cost than the Midwest. I would probably say that they don't have a lower cost than the Midwest in general. You know, but they...Nebraska does have lower housing costs than the national average. So I would definitely make some sort of adjustment for that to the Betson-Rothbarth. And this might be too technical, I mean, I might...I think what I would recommend is just, again, don't do anything to the USDA and do some sort of adjustment to the Betson-Rothbarth. And I can run it with and without the adjustment and provide a little page summary of what that cost-of-living adjustment is. It's probably going to be like the purchasing parity, the Bureau of Economics analysis. They...it's rent and also it includes transportation and food. But generally it's housing or rent that's the biggest regional difference. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor, this is Bill MacKenzie. I have one question. As you have indicated, the primary area of price-cost difference in Nebraska versus the nation as a whole is housing. On the other side of the coin, our income is lower... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...than the national or even Midwest average, that maybe those just...those follow one another. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. There's certainly that argument too. There's definitely a correlation between housing costs and income, regional income. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Dr. Venohr, in your presentation in the chart or the explanation of your presentation you talked about the fact that Nebraska uses a net income and 29 states use a gross income. Are you making any recommendation on that factor or issue? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know, number 4 is the tax assumption, and I think at this point, you know, if you wanted to switch to gross income in the future I don't...I think it's a big change to do in three months. But the commission is always welcome to recommend stuff that requires further study. And I think switching to gross income would be one of those ones that you don't make a change overnight. You want to get feedback from the bar association, a lot of practitioners. My experience is in states that they have a lot of case law and they get very comfortable with their income definitions, particularly with subchapter S, self-employed, income from nonsalary sources. So if you have an inkling or the commission feels strongly that they want to go to gross income, I mean, I can certainly run a schedule now but I would also, you know, you can always make a recommendation to study it further later. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I move to adopt Dr. Venohr's recommendation that she run with the adjustment to the BR4, not to the USDA, just so that we can see what that looks like with her summary. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: I have one question for Dr. Venohr, too, is that when you're talking about the housing costs, the cost of living, is there a place in there where you would give a credit for a noncustodial parent having to pay for a separate household? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: That would be an adjustment usually to income. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: I didn't hear that, Doctor. Could you say that again? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: If there's a...if the nonresidential parent is paying for a separate household to support children, that's usually in most states they adjust...make that adjustment to the parent's income and they apply it to either parent. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So on the calculation what we're talking about when we're factoring number 2 or 3, we have...we're going to have income that gets plugged in and then it nets it out. So it's just assigning, based on parent's income, how much does it cost to raise children. And then after we make these decisions, then the adjustments are things like day care, healthcare that you plug in that ends up reducing the support. That's what she's saying, that the housing costs would be added in after we make these decisions about if we're going to adjust for what the cost of housing is for both parents. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: But if the difference between the cost of living and presumably the cost of supporting children is house...between Nebraska and the other states is housing costs, then why would we want to adjust for that difference in the cost? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: We're already netting out the difference in housing costs from the income. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. I think all we need to decide now is do we believe that we should be doing an adjustment for Nebraska's lower cost of living and to Bill's point we

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have lower income. So that's what number 3, that's what we're... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, this is Bill MacKenzie again. Is it your recommendation that we do or we do not allow for an extra adjustment for our cost of living beyond running the two different models? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know, I think what I would recommend is that table...because I assume that you decided to go with income shares, right? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: That table should represent how much it costs on average to raise a child in Nebraska for that family size and that income. And so I would recommend exploring that difference between Nebraska housing costs and the U.S. average. And I also will look into whether those...it's self-adjusting. I think you made a good point earlier that in some regions, and I'm sure that you've experienced this in Omaha to a certain degree or Lincoln, is that salaries are slightly higher than they are in rural parts of Nebraska. You know, and the housing kind of follows suit with that pattern. So I...that's what I would recommend doing. Does that make sense? I can't see your faces. (Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: We're nodding. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: It does make sense. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. Just real quickly, I'm trying...Mr. Shultz, I think maybe what he was trying to decide is whether that accounts for two households or a single household.

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[CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: I think we have to be very careful not to confound the issues, that we're talking about the table now and the table reflects how much it costs to raise the children who are at the bar who support is being determined. And I think with regard to a second family or, you know, it could be a first family or whatever, that's a separate issue and I think you need to keep it in your head that those are separate things, look at it as a...when you're doing taxes. If somebody has very simple, you know, if your kid is working, you know, the simple tax tables probably work and...but, you know, a family becomes more complicated, there's all sorts of adjustments in that worksheet. So look at the table, the child support table, as that simple tax calculation, the simple lookup table. And then those other issues, those ones about, you know, whether either parent is raising other children or has other children in their home, those are the things that make it more complicated and you have to use like Schedule A or complete more tax forms. So there would be something in the worksheet. Does that help make it more clear? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: No, it doesn't. Not me. I'm still... [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: So we're not going to consider it right at this moment but we may consider it as we're moving through these other issues. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, we haven't gotten to the adjustments. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. So we're still...it's going to go into the adjustments. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: All we're saying is do we think we want to adjust it downward because Nebraska has a lower cost of living. It takes into consideration housing, but we'll look separately... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: But single housing, correct? Like... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes, but... [CHILD SUPPORT ADVISORY COMMISSION]

KAREN NOAKES: ...it takes into account one house. So the... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, the housing for the child. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Everything in that table is about the child who support...or children for whom support is being determined. It's not about the parent's personal situation. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And that we can look at later as an adjustment to the calculation. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Perfect. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: So we wouldn't be double-dipping. It's just we need to decide do we think our guidelines should be lower because Nebraska has a lower cost of living, taking into consideration the income. So I'm going to renew my motion to have Dr. Venohr look at it with making the adjustment to the Betson-Roth (sic) when she does, prepares her two different schedules, not for the USDA because it appears that's already been accounted for in that model. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. Judge. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Dr. Venohr, did you hear the motion? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Did you understand that? Would that be making two separate tables then, one with the adjustment and one without the adjustment? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. I just want to make sure. That's what I want to see, each, so we can at least look at. Okay. That's the only discussion I had. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So there would be a total of three tables produced. [CHILD



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ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Okay. Got it. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Because... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Is that right, Dr. Venohr? Three tables? [CHILD SUPPORT  
ADVISORY COMMISSION]

JANE VENOHR: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: As long as...yeah. Let's go back to it after I hear all your things to  
make sure that's feasible. But at this point, yes, a preliminary yes. [CHILD SUPPORT  
ADVISORY COMMISSION]

ANGELA DUNNE: Because it would be basic Betson-Roth (sic) with adjustment and  
USDA, which already includes the adjustment, correct? [CHILD SUPPORT ADVISORY  
COMMISSION]

JANE VENOHR: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: All right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And we're not voting on which one. We're just asking her to produce

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it for us... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: All three. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...so then we can be more informed. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: All right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Or more confused. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Oh either of, whichever, whichever way it went. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: We still have tax assumptions? Did we...we're on tax assumptions now. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: What I like about the way that our calculation works now, we actually plug in the gross income of the parties into the calculator. And what's nice about that is we can make a future adjustment to what the tax situation is going to look like. So right now if we just were taking straight net income, you can't account then for people going from married filing jointly to head of household or single, and now we are able to make those adjustments. So we take their gross income and we can assign their tax rate which is usually going to be either head of household or single. And then that's automatically accounted for and it doesn't mirror what pay stubs we're getting during the divorce because they're filing status is at a more advantageous rate. And so what I like is that we're accounting for people pay more tax post-divorce generally, and that's factored into the child support as it is now. So for whatever that's worth. Does that make sense? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: So, Angela, are you saying that it's net income aftertax, the way we're doing it now? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Okay. And if I heard Dr. Venohr right, then we would stay with where we're at right now and put on a list for future study whether we wanted to look at gross income. Is everybody...is that correct, Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: You don't have to look at gross income in the future. I mean, you know. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: But it may be something that a future commission may want to take a look at or prepare for the next time because, you know, you don't want to get to the next time and then they're short and they don't look at it. I guess I for one would like to see it looked at in the future. I understand your explanation. So I would move that we, on tax assumptions, do net income, aftertax income. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Second. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Call the roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Price levels. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Just to be clear, you're talking no change in your definition of income. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Price levels. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know, I don't think we need to vote on this unless you really want to, but I don't think there's any other thing than to use the most current price levels. You know, unless there's anybody that contests to that. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yeah, well, we're going to vote on everything that's on there. So go...does anyone have a motion to adopt the 2014 most current price levels? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll make that motion. [CHILD SUPPORT ADVISORY

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MONTY SHULTZ: I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY



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COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: All right. Childcare expenses: Excluded/Exclude. Well, they're excluded now. Do we exclude them in the future? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, I included you on an e-mail I sent out late yesterday where I adjusted a prototype worksheet one including the cost of childcare,

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work-related or school-related childcare as a deduction in a similar manner that we now deduct for health insurance. Did you have a chance to look at that? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: I did look at it briefly. The problem with...I'll tell you this right up-front is that most states do not include childcare in their table and it's not because they don't want to consider it in the guidelines calculation. It's just because it's highly variable from case to case that, you know, children ages above 12 won't have childcare expenses and not all custodial parents or nonresidential parents work, that sometimes there's a relative care and it could be highly variable with infant care. So they'll make the adjustment in the worksheet. They'll add it to the basic obligation which is the table amount. So if the table amount is \$500 and then there's \$100 in childcare, then that basic table amount is \$600. And then assuming both parents have equal income, each parent would be responsible for 50 percent, so the order would be \$300. The problem with deducting it from income is that the parent that has it deducted from income, if there's an increase in the childcare, they carry more of the burden, and the same with the health insurance. What I would probably recommend is running some case examples with Mr. MacKenzie's example. I think there's merit in it. His case example is particularly in light of Affordable Care with health insurance, less so with the childcare adjustment. But my recommendation would be to continue to exclude childcare and then maybe explore whether it should be a subtraction from income versus an add-on to the table amount. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Doctor, my intention was to...and I think it did it correctly, was to include it as an add-on to the table amounts, not as a deduction from income. Am I correctly stating what I've done in my example or are we... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: You know, maybe I didn't read it right because I've looked at number 4 and that confused me, so maybe I...I glanced at it, Mr. MacKenzie, so I can't...I

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obviously didn't understand that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. What we do in Nebraska now with health insurance is that the child's share of the health insurance premium is added in. Say the mother is providing the health insurance and say it's \$300 a month, the child's share. We add that in to the worksheet and it increases, essentially it increases the amount of net income. And then the support is based upon that extra \$300 which is then prorated out between the two of them. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: So if Mom pays \$300 in health insurance, she's going to be stuck with her prorated share of that \$300. And if Dad is the one paying support, his share will be added to his child support. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah. I see my confusion now. Are you suggesting...so I get that now in item 3, so are you suggesting that childcare be treated like health insurance is now but health insurance be subtracted from income so they'd be treated differently? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Okay. What I am proposing or what I threw out as an offer, as a suggestion to study, is that we treat the health insurance that's the child's share of the premium exactly the same in the future that we have, that we do now. But what we also do is that we allow each parent a deduction from their gross income for the cost of that parent to cover themselves in health insurance under the ACA. As I see, you know, the burden now is more clearly placed on adults to provide for their own healthcare costs, provide their own health insurance. And so with the ACA more or less mandating parents, at least most income situations do that, I think they ought to be then entitled to a deduction from their gross income for the cost of their percentage or their share of that health insurance premium. That's line 3 or, excuse me, line 2F in my proposed

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worksheet. So that would be different. But the rest of the health insurance, the child's share, wouldn't change going forward versus what we're doing now. And that... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: Yeah, thank you. I appreciate all the clarifications. And I think what you say about childcare makes sense and I think that's a very good recommendation, consistent with what other states do, and I would say it's the best practice. With regard to the health insurance, I think your points are valid. And the other states haven't been wrestling with this. I've heard they say that they need to do something about this, about the parent cost, and so I think it would be interesting to run some case examples with what you've proposed and see the impact on the health insurance. So... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Clearly, I think the result will be that you're going to have lower net income for both parents. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: But that isn't necessarily good or bad. If it's a cost of living, I don't think we should ignore it. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: Right. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: It's like the cost of putting fuel in your car or buying clothes for your kids, except you have some control over how much you...you know, what kind of car you drive and what kind of fuel economy you get. You have some kind of control over what kind of tennis shoes you buy your kids. But you don't have a lot of control over the cost of your healthcare. You know, you're not in a good negotiation position with your insurance company. [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Well, maybe we should, since the next issue is medical expenses, maybe we should just stick with the childcare issue right now. And it sounds like what you are proposing is what...and what is consistent with other states is to continue to exclude it from the table and then maybe run some case examples with it in the worksheet the way you describe. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I want the commission to know if we're going to be looking at this from the practitioner standpoint, I can tell you the sources of disputes between parents that would impact this. And I think that we should consider, because there's no case law on it because we don't do it now, but we're going to have to give direction to the attorneys or to the parents who are doing their cases on their own about if preschool would be included in that, if summer camps would be included in that, if there would be any cap. A lot of parents fight over which day care, and so we don't want to...you want to deincentivize somebody picking a high-cost day care because it would subsequently increase the child support amount. I realize they'd be paying the day care but these are...I'm just giving examples of the things that we see. And then a method to annualize the day care because summer care is much more expensive than after-school care during the school year. And then a method to either identify an age, like if it's going to be 12, that that caps off so that people aren't having to constantly come back in to modify. What the calculations do now, if we have three children, it shows us the separate amounts and so as the children age out we can provide in the decree that it will reduce as children reach the age of 19. I'm sure we could do something similar at an age certain if we're taking into consideration day-care costs. I would just...as somebody who runs these and works with clients, I'd hate to have them having to come back every year just to make the adjustment for their day care because day care changes, the needs of the kids change. Parents also fight about when children cannot have day care when we're getting into that age. So these are things I would just ask the commission, if we're going to make this type of consideration, that we are also, as part of that, giving some directive and structure to what that will look like to support the practitioners.

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SENATOR ASHFORD: Well, if we were to include it, let me make sure I understand, at this stage if we were to say we're not going to exclude them anymore, we'll have the ability, at least at this point, we can then have another look at it in October and decide at that point. I mean, this is simply allowing her to put...to include it in her analysis. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, in the table. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I would agree with that statement that it sounds like you're leaning not to have it in a table which is the most important thing right now. Regarding the comments that were made, those are all valid if they're included in the worksheet. But you can address that issue later and I can certainly give you language from other states that address all that issue, including where they use...all states are required for their childcare subsidy program to conduct a market survey periodically, and some states use that as the cap amount to define reasonable. But I can give you examples of language. But for the purposes of the table, I totally agree with the last statement. I don't need to know what you're going to do...whether you're going to put it in a worksheet or not. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So we just need to decide...I guess I can move to exclude the childcare from the table. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I second that. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: Yes, I guess that's....yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So we're voting now on whether or not she's going to be looking at it further. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: No. In the tables, whether it should be excluded in the tables.

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[CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: And that's what you've suggested, Bill, in this... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I did, but there doesn't seem to be a consensus in that regard. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm going to say no. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So we're voting on whether it should be included in the table. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: I think what we're voting on now is whether at this stage in our discussion whether it would be included in the table. But you're still going to look at the issue, correct, Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. I could look at it as far as a way that Mr. MacKenzie says to treat it and to address Angela's concerns too. I think that was Angela. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: So this is just as to whether or not it's included in the monthly table for the number of children, not whether or not it will be included on the worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Right. [CHILD SUPPORT ADVISORY COMMISSION]



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KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: And specifically it's whether it will be excluded from the table.  
[CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Right, and... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: I mean, if you look at Mr. MacKenzie's proposed, what he sent out, it's not even referred to until after monthly support from table 1 has been determined.  
[CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Is determined. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Right. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: So what we're saying is it's not going to affect the table. It may then be considered as a credit or a deduction as it may be after you've determined the income from the credit, excuse me, from the table 1. So what he put together didn't even refer to childcare costs being included with the table. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: And that's all I think we're voting on is whether we should keep it the way we have and yet still have the option available to address those questions after we get the table amount. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: I think that's what we're saying. So it's excluded from the table but we're still...I mean, again, this is...okay. Yeah, let's... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So I'm being asked to vote yes or no about whether it's excluded from the table. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Correct. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: I vote yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. But I think...let's...we're in the middle of a vote, so what we need to do is finish the vote and then if someone has another motion they can make. Why don't we just finish the vote and then... [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

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AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: All right. So is there further discussion on this matter that we just voted to do? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So we need to...okay. So I motion to have childcare expenses be looked at as an adjustment. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: And I think that's happening anyway, but that's fine. Is that happening anyway, Doctor? We don't need...are you going to look at childcare expenses as a... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, I can do that. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. And we can add...if you want to make it a motion, she'll do it then as an adjustment or credit? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Right. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: So we have a motion to do that. I'd second that. And we can talk about it now. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. Are we going to have separately then, once the table is done, we're then going to be looking to worksheets. And I don't know that any of these one through ten referred to worksheets, they refer to the table, if I'm correct. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Okay. And so then once the table is done, then we need to be looking separately, I think, at various worksheets which will take up not only worksheet 1 but the worksheet 3 and then the worksheet 5, which I think are the primary ones that we've talked about here. Primarily, quite frankly, worksheet 3 is the one we've talked about most. But I think those are separate from what I see number one through ten being. That doesn't mean we can't be taking those up. I just think they're separate from these ten. I'm just... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: These ten here? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: These ten that Dr. Venohr sent out. Am I right, Dr. Venohr? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, that this is to get the table going because that takes more time. But a lot of these adjustments you're talking about would occur in the worksheet and that would be the next step. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: All right. So we have a motion and a second on taking a look at childcare expenses as adjustments. Call the roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

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BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. Medical expenses. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I will tell you as a practitioner, we assume or have assumed for these years that it's been \$480; that that amount was specifically incorporated into the child support, so that's how we describe it to the parents. We say \$480 has already been adjusted for in the child support, and so the custodial parent, the recipient of child support, pays the first \$80 (sic) per child per year of uninsured medical expenses. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: \$480. \$480. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I'm sorry? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: \$480. You said \$80. [CHILD SUPPORT ADVISORY COMMISSION]

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ANGELA DUNNE: Oh, \$480, yes. And so the recipient of child support bears the majority of the medical expenses as it is now, and so I was surprised and went back to some lawyer friends. We were all surprised that that wasn't necessarily the reason that the \$480 was selected. So... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Do you know why the \$480 was selected? I think you told us. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: And that's been there a while. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: That's before my time. I don't... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think you told us but I can't remember, Dr. Venohr. Would you... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: She didn't know. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh, she didn't know? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It's with...I actually found the old documentation from Tier and it's what the higher incomes will spend. I think it was the 75th percentile spend \$480 or less. So what happens is when those tables were developed or if we were to...did it, I'm not sure how Tier does it exactly, but is we take that first \$480 in medical expenditures and we keep that in the table, now there's going to be some households that don't spend that \$480, particularly at the lower income. The Medicaid households, you know, those that are below 200 percent of the poverty, so those are going to be more like maybe \$80

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that is kept in the schedule for them. So the short of it is you would think that across the board there's \$480 per child per year in that schedule. But it's really not. It's \$480 or less depending on the income of the parent. Now the issue is, is that if you want to keep that \$480 it's going to...I don't have the data ready. I have to subcontract to Betson to run that. And I don't think it's a good number anymore. It's a good number for high incomes, but I don't think it's a great number for lower incomes because they're not spending that much out of pocket. As everybody knows, Medicaid pays for everything, but this also includes over-the-counter medicines and stuff. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So do most states adopt \$250 because it's a better average? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It was. I mean, everything is changing now because of healthcare reform. And I wish I had a crystal ball to predict but I don't. And I think one of the things that I'd like to show you is the way that Michigan does it, which is they do it as an add-on. They actually have a table similar to the way that you do health insurance now and what Mr. MacKenzie recommends for childcare. But most states do do \$250. Nebraska includes more than...this is high. It's unusual. So... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Do any other states, Doctor, use \$480 or something similar? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: No, not even close. There's, I think it's Indiana that uses 6 percent of the basic obligation, and that's the second highest. But most states use \$250 per child per year or \$100 per child per year. And... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: If we were to switch to \$250, is it your opinion that that's not



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going to create any kind of problem for you? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: No, uh-uh, it's not going to create any problem for me. It would make those schedule amounts less. I'd probably...I'm going to show you Michigan regardless because I think what the big problem now is just...and it's hard to explain right now just over the phone. It's one of those things I think you have to see. You know, there's going to be variation now depending on the parent's income. So even if you don't want it, I'm going to give you something like Michigan too in addition to whatever you vote on that you want to see that will have a variable rate for...to account for differences in income. I'm just not sure if it's going to be lumpy. I mean, I don't want to...I think it's something we just have to...you have to explore. This is new for states. All states are wrestling with this and unfortunately Nebraska doesn't have a lot of other states that they can lead, follow a good example from. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Dr. Venohr, aren't, you know, with or without the Affordable Care Act, wasn't, in the private insurance market, wasn't the number of high deductible plans rising... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, it really is. The problem... [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: ...where many employed people only have the option of high deductible plans at work? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, and it definitely is. I mean, that \$480 is reasonable for those with health insurance. But when you look at the caseloads, it's usually 37, 35 percent of the kids have private health insurance. So... [CHILD SUPPORT ADVISORY COMMISSION]

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ERIC THOMPSON: What would happen if...with \$250 or \$480 if a child whose insurance was a high deductible plan had, say, \$2,000 worth of expenses that were not deductible...or that were deductible, had to be paid out of pocket? Who would bear the responsibility for the extra payment? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm going to let one of the attorneys answer that one. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Now it's split between the parents. So when you look at Bill's or any of the child support, it shows the percentage contribution of each parent. So right now day care and uninsured medical expenses after the first \$480 are divided, you know, 40/60, 50/50, whatever. It's proportionate to the income. So if you have a high deductible plan and you've got \$2,000 out of pocket, the recipient of child support would pay the first \$480 of that \$2,000. After that, it's shared. And so what we're just looking at is, is that \$480. It will lower child support, correct, Dr. Venohr? If we lower it to \$250, the corresponding child support amounts will lower. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. Because it's an inflated. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Dr. Venohr, Paul Merritt. I have a question. I remember, yeah, I didn't go back and try to find anything, but I remember years ago when the \$480 was put in that we were told that the tables that were in existence at that time took into consideration the custodial parent paying the first \$480 of health insurance for the child or children. And I remember that we were very surprised and that's when we changed

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the guidelines to show that the custodial parent should be paying the first \$480 per child per calendar year because that was calculated in the child support. So that's how we got to that. I just don't remember the specifics but I do remember that's how that happened. My question to you now, however, is when you do the guidelines, the tables rather, excuse me, based upon the USDA, Midwest, and the BRE measurements, are they not going to consider medical expenses for the children in those figures? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: The USDA does itemize medical expenditures. And so that's an easy one to adjust. And just to be clear, that \$480 was medical expenses, not necessarily insurance. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yeah, I meant medical expenses, out-of-pocket expenses, sorry. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Yeah. And with the Betson-Rothbarth, because of the way that methodology is done where it just looks at total expenditures, it looks at families with child-rearing couples or of child-rearing age with and without children. So it's just the comparison of a lump sum, looks at their expenditures. It doesn't itemize. So I have to subcontract to Professor Betson to run that \$480, and to be honest I haven't talked to him yet. Usually he can turn things around depending on what his schedule is, but it could be a delay to do the \$480. I apologize that I haven't talked to him. But I do have to work with him because he has to go back to the raw data and take that out. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, my concern is this. It sounds like somebody is saying that the \$480 was somewhat arbitrary when... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: I don't think it was arbitrary. I was looking at the documentation. Like I explained, it was what 70 percent or 75th percentile spent for those that had private

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health insurance. The problem we have now is that probably 40 percent I would guesstimate of Nebraska children in child support system have Medicaid CHIP. So they're not going to have that sort of cost. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, how are...what is the basis going to be if we were to say, for example, \$250, what will we use as data to explain to somebody that's where we came from this figure, \$250? Because if it should be zero, it should be zero. I don't want to just be picking a figure out of the air just because other places are doing it. That's got us where we are on \$480. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: So, Doctor, what did you...did you just use a 40 percent figure for Medicaid eligibility? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Roughly. I could...let me see if I've got something more specific. That's what I'm seeing in other states and jurisdictions, 40 percent Medicaid CHIP. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. That's 200 percent of poverty. Is that what you're using? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: That's not how I got it. I'm basing on other statistics I've seen in other states. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: That's fine. But you're using around 40 percent when you're talking to us. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, that's what I would say. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: Okay. We can find that number but just so you're...just so we understand. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Yeah, uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: All right. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: And, you know, Medicaid has no cost sharing. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Right, but I think that...well, there's a slight cost sharing but it's like a...you know, very, very, very low. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Oh, okay. There is an...yeah, in CHIP you can do up to 5 percent of gross income. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yeah. But I tend to agree with what Judge Merritt is saying is what number accurately reflects reality here. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHHR: Well, you could do all. I mean, you could do zero. I mean, I agree that \$250, I mean, there is some evidence, you know, but it's old. I mean, that's what I don't like. It's evidence from 2007 that \$250 is an appropriate amount. But, I mean, I've been looking at the data and I put it in that policy brief. I think, yeah, I did on page 5, you look at the out of pocket and it varies a lot depending on the kid's age and whether they have public coverage or their uninsured or they're private coverage. I mean, it's not uniform. I mean, one option would be to treat it as an add-on and use these as an add-on. But then you have the problem of what happens when a kid is on Medicaid and you assume that they're out-of-pocket expenses, you know, \$19 if they're a young kid, and all of a sudden that kid reaches age four or actually it should be age five or they go off public

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assistance or Medicaid. I mean, that private coverage is a lot, you know, the average out of pocket expense. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Well, and, Dr. Venohr, this is Kathy Campbell, it's what you and I talked about last time. We have no...we have no commitment or confirmation that Congress will continue CHIP. It has to be reauthorized. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: And so that's part of my concern is when you start looking at that. You say, well, we know they're going to be there. Congress may say we're assuming that most of the states are under ACA, and by then probably a great number of states will have done Medicaid expansion, which is a whole different view of how you provide health insurance for children. I'm just telling the panel it's very hard today to know what to do in this figure. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know, maybe... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: So, Judge Merritt, his \$250 or \$480 is probably as...you know, it is an arbitrary number, but no one could tell you with certainty what that number should be based on data right now. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know what I kind of lean towards with that, I mean, just looking at it and thinking about it mathematically is C, to include all of it in there, don't make any adjustments, include the medical expenses, and then just rewrite that when the parents go back to court do an adjustment for extraordinary medical, you know, and then it comes more similar to what you're doing now, that \$480. [CHILD SUPPORT ADVISORY COMMISSION]

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KARIN NOAKES: So you're saying that the medical expenses will be included in the table. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, and that way you can still use that \$480. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: And that data comes from where then? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: It's what has already been run, you know, and then I can check with Betson on running it with \$480. But as I look at the numbers and think about it, it's not going to be that much different to do C and the \$480. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: C and the \$480? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: That there wouldn't be any difference...that much difference mathematically between C and the \$480. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Oh, okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And I'm just worried about how long it's going to take to get that \$480 anyway. I mean, that's another thing that I have to consider. But... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: What is the Michigan...you said you wanted to present the Michigan plan. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: You know, the Michigan plan, what I like about it is you see that table

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on page 5, they do something similar and then they just add that amount like they would health insurance. But the problem with that is, you know, like you and I talk about like if CHIPRA doesn't...if there's not a new CHIPRA, you know, what are we going to do. What's going to happen with those children that had public coverage and then all of a sudden they're thrown out and they're uninsured? You know, their medical expenses would increase a lot, you know, what they're paying out of pocket. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: But that would be shared between the parents based on the proportion of their income. So there's the difference is, sure we're going to have children with uninsured medical expenses. It's what's we can account for in the table. The parents are each going to be paying a portion. It's just are they sharing above \$480, splitting it after that,... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: ...above \$250, or at the zero mark, as I understand it. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. Uh-huh. And I should be clear, those amounts on table 5 are just the out of pocket for cost sharing. So it's not insurance, the cost of insurance. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: This is the uninsured medicals, right? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]



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JANE VENOHR: But you're right. You're absolutely right. It's...you know, what we're really talking about is how much is in the table versus how much is dealt with, especially in the worksheet or in other areas of the guideline. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, you had testified earlier this month that, as I recall, relative to adults, the cost to insure children is minor. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Is that correct? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: The cost of healthcare, yeah. I mean, you know, the average numbers are around \$2,400 to just under \$3,000 a year. And, you know, when you think about it, that's what the cost of medical for the kids. That includes insurance. But, you know, when you think about adults and you...you can imagine like Medicaid costs, you can even look this up, it's going to more like \$14,000 a year. You know, children just are generally healthy. They don't have cancer yet relative to adults. They don't have heart disease. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: And they don't have a lot of prescription medications. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Exactly. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: One advantage I see of us, say, adopting a \$250 rule is that the custodial parent isn't going to be having to come back to the other parent time and time again for a relatively healthy child and say, you know, I bought a bottle of aspirin, you know, you owe me \$2; I bought a package of Band-Aids, you owe me \$3. If you leave

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that \$250 in, for a lot of kids and a lot of years, the custodial parent won't use up that \$250 perhaps. And the other parent won't be having to, you know, write checks for small amounts repeatedly for relatively minor medical or healthcare needs of the child. Is that a consideration we might want to look at? Maybe that's one of the reasons that was in there to begin with. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOH: Yeah. It probably would be, yeah, similar to the \$480 amount. And it's precisely that same reason, otherwise you're sharing a receipt over and over again. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Do we have, anybody, any thoughts on a motion on one of these various matters? [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'll make a motion that we adjust the guidelines to include a \$250 per child per year sum that the custodial parent would be responsible for before they go to the cost sharing. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: I'd second that. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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KARIN NOAKES: I don't feel like I've had enough time to think about this. No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: No. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I'm not sure you called me. Did you? [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: I'm sorry. I actually did skip you. William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: So the \$250 would have...the reason behind the \$250 was to more accurately reflect what the actual expenses are. So \$480 being theoretically too much, \$250 being closer to the right number, I think that's...at least that's my thinking. So, well, then I make a motion that we keep the \$480. [CHILD SUPPORT ADVISORY COMMISSION]

\_\_\_\_\_: What was the vote tally? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: No, it passed. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: The vote tally was one, two, three, four, five to...five to five. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: I'm sorry. It did not...I'm sorry, the motion failed. So I would make a motion that we stay at \$480. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Second. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: No. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: No. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: No. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: All right. So that failed. (Laughter) [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Okay. I think, this is Paul Merritt, I think that healthcare since we...it doesn't appear that we have any...and, Dr. Venohr, maybe I'm wrong on this, but it doesn't appear that we have anything we can hang our hat on for any specific amount of money that is...would be factored in to be included for child support. As a result of it, I think it should be zero and then I think that the percentages will be allocated between the parties. I appreciate what Mr. MacKenzie said about Band-Aids and things like that,

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and hopefully we could cover that if we need to in the guidelines themselves with coming up to a definition that shows that things like Band-Aids and aspirins are not included, that we're talking about, you know, I would hope we could address what we're talking about here as far as out-of-pocket expenses go between the parties. And I just...I move that we go with subparagraph A, which is zero in the tables. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Well, to make a comment, a lot of... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Well, just a second. Do we have a second? [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I'll second. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. Now you can make a comment. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: A lot of copays are \$20. So then you're splitting, I mean, I get Band-Aids might be a ridiculous stretch, but you're going to have a lot of expense sharing then over small amounts, to Bill's point. And as a practitioner, we see, and I'm sure, Judge, you see this all the time too, that that's an area that invites re-litigation or postdecree modifications. Parties have a difficult time reimbursing each other. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, maybe you don't see it but you might. Because if that \$480 is gone and it's zero,... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Right. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: ...you're going to maybe create a new problem. I appreciate the Judge's comments because I think we were kind of the lone wolf out there with the \$480. But I am concerned that by setting it at zero, unless the guidelines address it in some other manner, you're going to see these text messages going back and forth starting January 2. You know, Timmy fell and, you know, and he needed Tylenol or he needed bandages from Walgreens. And you know, and that kind of stuff starts...you know, can start up and the other parent may feel...I won't say nicked-and-dimed, but may feel, my goodness, you know, I wish the guidelines would have addressed that in some manner. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Dr. Venohr, you said that the USDA itemizes the medical expenditures. Is there a number? So if we were to adopt the USDA as a table, do you feel like the medical is appropriately addressed under that model? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I need to think about that. I have some reservations about the low end. I mean, one thing I'm thinking about is running both A and B, but that ends up being six tables for you guys. That might be a lot to digest. Because right now we have USDA, BR4 adjusted for Nebraska, and BR4 not adjusted. Any reactions to that? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So this is Eric Thompson. I thought at this point we were just trying to gather information. It seems like in the process of deciding what information to gather we may be foreclosing our options later, and that concerns me. I feel like by deciding what information to gather we're making a decision, and it seems too early to do that. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I think the biggest problem I have is that you have a December, end of December deadline. I don't know if I have...I can get anything other than zero, \$250, or all done before then. I can with the USDA, but just with the amount of programming that



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needs to be done. And you're absolutely right. It's kind of like the time constraint affects what you can do. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I just need to clarify one more thing. Okay. In all of these models, in the USDA, in the BR4, are medical expenses included in that already? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes, they are. And if I just took the data that we have, yeah. Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: So the issue is if you decide to use another amount, it takes a while to get the programming done. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: What other amount? When we say "other amount," what do you mean? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I have...I can run A, B, and C quickly. I can't run D quickly. And that...I mean, and I want to be clear that just because you get a table and it's...you can come back and say that we've seen these amounts, they don't make sense. We sat on this. I'm going to give you some more information on medical expenditures. And it might come down to we think that these are wrong and the assumptions that we started with to direct Dr. Venohr to run these tables were wrong and we ran out of time and we're going to recommend next review that the medical expenses be this. I mean, this could be a deal breaker, you know, for any sort of further recommendations. But for me to give you an updated table, we do need to start looking at examples of what the impact are. You know, I got to get some direction. But I totally respect the dilemma it puts you in. It's... [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Senator, I'm willing to amend my motion to include two tables' drafts: paragraph A, zero in table; and paragraph B, \$250 in the table. So we can compare apples to oranges and just sort of see. I'm willing to amend my motion. I don't know whether Judge Noakes is willing to... [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I will second the amendment. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. So we're...it's actually a new motion, but that...why don't we...okay, we have a motion and a second to use the two tables, zero and \$250. Go ahead and call the roll. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

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AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. The next item is... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: This one is a technical thing. I just want to make it clear that I can't do what Tier did when...there's some families that spend more or less than aftertax income, and there's two ways I can treat that, is A, I can just use what's in the same data set that was used to measure child-rearing costs, and that's what most states use, or I can use what District of Columbia does, which just assumes that families spend all of their aftertax income and that increases the schedule amount. So this is more of a technical issue but I can't do what Tier did just because I don't have their data. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: This is Paul Merritt. I make a motion for subparagraph A. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Second. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: That was paragraph A, subparagraph A? [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes, sir. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Uh-huh. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Low income adjustments and minimum order. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And this, again, is a technical issue and this is...if I did A, that's exactly the same assumptions that were used when that low income amounts were developed, except I'd use the 2014 federal poverty level for one person, which is \$973. And that's going to decrease the amount a little bit at low income. Now there's some states that have decided to use a higher self-support reserve. They might use 130, 135 percent of the poverty level, and that's just to be in a line with income eligibility amounts for some programs. And some states use another minimum order amount, and that's...\$50 is the mode, but that's truly a policy decision. There's nothing that says that \$50, \$100, or \$10 is any economic...there's no economic basis for that. [CHILD SUPPORT ADVISORY COMMISSION]

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PAUL MERRITT: Well, it's \$50 or 10 percent of the net which can be more, whichever is higher, which usually is above \$50 in most instances. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. Do we want... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Dr. Venohr, does that make any difference? You know, our guidelines do say the \$50 or 10 percent of a net, whichever is higher, and I would estimate that a significant number of lower income, once you get to the net, it's higher than \$50. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right, and that would be in the worksheet. This is with the table amount the way the... [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: So it doesn't affect the table analysis? [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Well, the table...that's interesting because the table amounts are going to be...I imagine right now the table amounts are sometimes less than that 10 percent. I'll have to check that. But... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. Yeah, they start at \$50 and sometimes that's appropriate if someone is in prison, for instance, or maybe is a 17-year-old kid still in high school. But the way our guidelines work, again, it's the greater of the \$50 or 10 percent. And so when we look at the worksheet, if the worksheet says they're net income is \$650 a month, then we're going to go with \$65 unless the court deviates. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. So the... [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: That's regardless of what the table says. That's what our guidelines kind of override it. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Uh-huh. That makes sense. So the table amount could be less. But I would assume you want to update to the most current federal poverty level or want to look at that. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: We do that automatically, well, every January and February our Supreme Court amends the guidelines to dovetail with the new federal poverty guidelines. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. And I guess the question then in some states that do the low-income adjustment and the worksheet, they don't have any adjustment in the table. So that it sounds like that table amount is pretty insignificant in the calculation for those low-income cases right now. It doesn't align because you're updating every year. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Right. And our table doesn't update every year. It only updates possibly every four years. But the... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right. So the question is whether you want to update the table even if...it doesn't matter to the calculation because that calculation is in the worksheet or if you want to...I don't know what you want to do. You know, you can...most states that make the calculation, the low-income calculation on the worksheet the way you described, they don't have any adjustment in the table. So... [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Well, over time the table becomes a little more out of touch or out of date at the lower income levels. But the way our guidelines read, we



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automatically adjust for the poverty guidelines changing every year. Well, they don't change every year but they change most years. So I think the way we have it now works. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Well, Dr. Venohr, it's Paul Merritt. If we take paragraph A, which all it does, as I understand it, is just goes to the current subsistence level, that will just make some adjustments at the lower end of the tables, otherwise won't make any differences with the majority of the table and our calculations will still work the way they have. We're just starting a little bit fresher, if you will, tables. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right, and to be honest with you guys, this is all preliminary stuff, you know, so if you didn't like A, this is a very easy thing for me to change in October when you see the schedules. I can do something other. But, yeah, it's not...I agree that it probably works in the work...it sounds like it works in the worksheet and I...I'm sorry, you had a more eloquent sentence and I'm not repeating it, so. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Well, we could just adopt the A and then look at it. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: It's not going to affect anything, I think, so. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: It's not going to affect anything. It just...I mean, we could talk A to death. But, I mean, we can look at the schedule, so. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Is that a Nebraska-specific number, \$973? [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: No, it's federal. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: So we adjust for Nebraska cost of living in terms of childcare costs but not for the federal poverty level. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: We adjust every year for the federal poverty level if it changes by Supreme Court rule amendment. They will do it on their own. Forty-eight of the fifty states use that figure. Alaska and Hawaii use higher figures. And, Doctor, the irony is that by the time this gets...whatever we recommend gets to the Supreme Court, it'll be next year and they'll have new poverty guideline figures that will probably be higher than \$973. So if we tell you to use \$973, it's going to be overridden by whatever, you know, comes out of Washington in January. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Right, right. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: I think the point was we're using state data in one instance and then we're using federal data in this instance. Right? [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And you would have a lower self-support reserve if you were to adjust for the Nebraska cost of living. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: It's just that Nebraska is a part, I mean, obviously a part of how they get at that \$973. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Get to the \$973, yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR CAMPBELL: It's pretty...it's a standard across, I don't know, Senator Ashford, in your world but in the HHS Committee world the federal poverty level is pretty standard. I mean, we don't adjust anything because we consider that Nebraska is, you know, a part of all the other states. So we don't adjust specifically. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: This is Paul Merritt. I move that we adopt paragraph A. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Again, it's only to prettify, I guess if you will, if that's a word, the tables so that they're more current, but recognizing that our guidelines are going to override it, like Mr. MacKenzie mentioned, by the time the Supreme Court acts on this. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yep. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY  
COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY  
COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY  
COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY  
COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY

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MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. And just to be clear, I mean, I don't know if there's any media there, but these are things that you're telling me to run the table with right now just to give me ideas of drafts for you to review. You're not adopting any or recommending any guideline changes now. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Right. All we're doing in all of this is giving you direction. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yes. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: And then we have a final...I guess October 22 isn't even the very final. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And it could be that I run more tables after you see these preliminary ones... [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Right. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: ...or you decide just to keep your current table. [CHILD SUPPORT ADVISORY COMMISSION]

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SENATOR ASHFORD: Right. I mean, we're not making a final decision but we're giving you direction. So... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Shared parenting time, we don't adjust now. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: In the table. You have something in the worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yeah, in the table. Okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I would move that we keep it as it is now, that it's not in the table, that it's an adjustment made on a worksheet. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: I agree. I would second that. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

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OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. I think that's...does anyone have any other questions of Dr. Venohr or we'll let her go? [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: What are we to do with the other issues that are addressed here that are not inside the table, like the Affordable Care Act, SSDI, and incarcerated parents? Those are just for our consideration or... [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: Yeah, they're adjustments that you make to (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

AMY HOLMES: Oh, okay. [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: So we would just include it in the (inaudible). [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Dr. Venohr, I have a question. When do you think you'll be able to get back to us with your finished work product? [CHILD SUPPORT ADVISORY COMMISSION]



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JANE VENOHR: When is your next meeting? I'm just trying to back it out. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: October 17. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: October 17 and tomorrow. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: It is 22nd, isn't it? Or is it 17th? Okay. Sorry. Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I'm sorry, October 17th? [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I definitely want to get it before then but I'm not sure how many days before that. It might only be two to three days unfortunately. Some of this is going to take some time. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Perhaps if you get some of it done earlier than the rest, you could send it to us as you finish it... [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Okay. [CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: ...so we don't have the data dump on Thursday. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: I mean, ideally I like to give stuff a week in advance. What day does the 17th... [CHILD SUPPORT ADVISORY COMMISSION]

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WILLIAM MACKENZIE: It's a Friday. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Friday. I'm going to aim for that Monday. Does that sound good?  
[CHILD SUPPORT ADVISORY COMMISSION]

WILLIAM MACKENZIE: Monday is a holiday but that doesn't matter. [CHILD SUPPORT  
ADVISORY COMMISSION]

JANE VENOHR: I'm going to aim for the 13th then. I think that is...that's a Tuesday?  
[CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And I'll try to get it earlier. And if I do have pieces, I'll get it to you early.  
I apologize, but it's a very quick turnaround. [CHILD SUPPORT ADVISORY  
COMMISSION]

WILLIAM MACKENZIE: Well, we have other issues that we could discuss on the 17th  
besides what you give us. I mean, there's...we're not going to cancel the meeting if you  
can't get that to us. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: Yeah, I think I can get you something. You know, it's whether you feel  
comfortable that the 13th is enough time to look at it. [CHILD SUPPORT ADVISORY  
COMMISSION]

SENATOR ASHFORD: Well, that's what we'll have to do. [CHILD SUPPORT  
ADVISORY COMMISSION]

KARIN NOAKES: Yeah. [CHILD SUPPORT ADVISORY COMMISSION]

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JANE VENOHR: Yeah, because two weeks is a reasonable turnaround for me. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Okay. All right. Thank you. [CHILD SUPPORT ADVISORY COMMISSION]

JANE VENOHR: And if you...okay. And thank you. I know this has been tedious but it's been very good to really think about what goes into the schedule. So hopefully it's been educational too. So thank you. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: All right. Thank you. Good-bye. All right. Any other...anything else for the order? Okay. Do I have a motion to adjourn? [CHILD SUPPORT ADVISORY COMMISSION]

ANGELA DUNNE: I move to adjourn. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Second. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Ashford. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR ASHFORD: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Senator Campbell. [CHILD SUPPORT ADVISORY COMMISSION]

SENATOR CAMPBELL: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Noakes. [CHILD SUPPORT ADVISORY

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COMMISSION]

KARIN NOAKES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: William MacKenzie. [CHILD SUPPORT ADVISORY  
COMMISSION]

WILLIAM MACKENZIE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Judge Merritt. [CHILD SUPPORT ADVISORY  
COMMISSION]

PAUL MERRITT: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Angela Dunne. [CHILD SUPPORT ADVISORY  
COMMISSION]

ANGELA DUNNE: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Dr. Thompson. [CHILD SUPPORT ADVISORY  
COMMISSION]

ERIC THOMPSON: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Byron Van Patten. [CHILD SUPPORT ADVISORY  
COMMISSION]

BYRON VAN PATTEN: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Monty Shultz. [CHILD SUPPORT ADVISORY

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COMMISSION]

MONTY SHULTZ: Yes. [CHILD SUPPORT ADVISORY COMMISSION]

OLIVER VANDERVOORT: Amy Holmes. [CHILD SUPPORT ADVISORY  
COMMISSION]

AMY HOLMES: Yes. [CHILD SUPPORT ADVISORY COMMISSION]