



**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF WELFARE AND SUPPORTIVE SERVICES**

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DATE: August 10, 2017
TO: Guideline Review Committee
FROM: Steve H. Fisher, Administrator
RE: Committee Charge

Thank you for serving on the inaugural Committee to Review Child Support Guidelines (Committee).

Assembly Bill 278 of the 2017 Nevada Legislature tasked the Committee with a very specific responsibility to review the criteria for determining child support obligations. The objective of the Committee's review is to ensure effective, efficient and appropriate guidelines that best serve Nevada's families while ensuring compliance with federal mandates.

Federal law (42 USC 667 and 45 CFR 302.56) requires states to establish one set of guidelines for setting and modifying child support obligations based on specific descriptive and numeric criteria that result in a computation of the child support order amount. When reviewing and formulating child support guidelines, states must consider several factors including:

- Economic data on the cost of raising children.
- Labor market data including unemployment rates; employment rates by occupation and skill level for the state; as well as local job market data.
- Factors that influence employment rates among noncustodial parents and compliance with child support orders.
- The impact of guideline policies and support amounts on custodians and noncustodial parents who have family incomes below 200 percent of the Federal poverty level.

Federal law also requires child support guidelines address the following factors when ordering a child support amount:

- The noncustodial parent's earnings, income, and other evidence of ability to pay. States may elect to also consider the custodian's income.
- The basic subsistence needs of the noncustodial parent, who has a limited ability to pay, by incorporating a low-income adjustment mechanism specified in the guidelines. States may elect to also consider the custodian's subsistence needs.
- Incarceration may not be treated as voluntary unemployment.
- How the parents will provide for the child's health care needs through private or public health care coverage and/or through cash medical support.
- Imputation of income, if authorized, must consider the specific circumstances of the noncustodial parent, including such factors as the noncustodial parent's assets, residence, employment history, job skills, education, literacy, health, employment barriers and the local job market.

Any revisions of the existing guidelines recommended by the Committee must be submitted by July 1, 2018. The new guidelines will be adopted in accordance with the Nevada Administrative Procedure Act. Assembly Bill 278 provides that NRS 125B.070, 125B.085 and 125B.095 will sunset once guideline regulations have been promulgated as the subjects of those statutes should be addressed in the regulation.

During the course of the review, the Committee may identify other aspects of child support law that could benefit from revision. However, any proposed changes to child support statutes, other than the guidelines for establishing child support obligations, are not within the purview of the Committee. Further, my authority pursuant to AB 278 is limited to promulgating regulations specific to guidelines for determining child support amounts. Individual committee members may address any other recommendations through the normal legislative process.

Once again, thank you for your attention and commitment to this monumental endeavor. While the challenges will be many, so will the rewards. Your efforts will produce a modernized child support guideline methodology that will greatly benefit Nevada's children and families.