

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB702

Hearing Date: Friday January 26, 2018
Committee On: Health and Human Services
Introducer: Kolterman
One Liner: Change provisions relating to children's health care coverage and Nebraska IV-D child support program modification procedures

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Crawford, Erdman, Howard, Linehan, Riepe, Williams, Kolterman
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents: Senator Mark Kolterman Director Matt Wallen	Representing: Introducer DHHS
Opponents:	Representing:
Neutral:	Representing:

Summary of purpose and/or changes:

LB 702 reduces the time an incarcerated individual is considered to have an involuntary reduction of income from one year to one hundred and eighty days. Strikes exception of criminal non-support for voluntary reduction allowances. Strikes mandate on Department, county attorney, or authorized attorney to not be responsible for reviewing or filing an application to modify child support for an incarcerated individual.

SECTION BY SECTION:

Section 1: Amends Section 42-369 to change "health care insurance" to "health care coverage" for an order, decree, or judgement for child support.

Section 2: Amends Section 43-512.15 to reduce the time an individual incarcerated is considered to have an involuntary reduction of income from one year to one hundred and eighty days. Strikes exception of criminal non-support for voluntary reduction allowances. Strikes mandate on Department, county attorney, or authorized attorney to not be responsible for reviewing or filing an application to modify child support for an incarcerated individual.

Section 3: Amends Section 44-3,144. Strikes "other than public medical assistance programs" from the definition of health care coverage under the Child Support Enforcement Program.

Section 4: Repeals Sections 42-369, 43-512.15, and 44-3,144.

Explanation of amendments:

SECTION BY SECTION:

Section 1: Amends Section 42-369 to change "health care insurance" to "health care coverage" for an order, decree, or judgement for child support.

Section 2: Amends Section 43-512.12 to add that after the Department of Health and Human Services learns a non-custodial parent shall be incarcerated for more than 180 calendar days, the Department shall send, within 15 business days, notice to both parents informing them of the right to request the State to review and, if appropriate, adjust the order.

Section 3: Amends Section 43-512.15 to state incarceration may not be treated as voluntary unemployment in establishing or modifying support orders. Strikes language regarding guidelines for voluntary reduction of net monthly income for an individual incarcerated for a period of one year or more in a county or city jail or a federal or state correctional facility and strikes exception of criminal non-support for voluntary reduction allowances. Strikes mandate on Department, county attorney, or authorized attorney to not be responsible for reviewing or filing an application to modify child support for an incarcerated individual.

Section 4: Amends Section 44-3,144. Strikes "other than public medical assistance programs" from the definition of health care coverage under the Child Support Enforcement Program.

Section 5: Repeals Sections 42-369, 43-512.15, and 44-3,144.

Merv Riepe, Chairperson