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Title 22@ Social Security

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Division 13@ Department of Child Support Services

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Chapter 6@ Enforcement Actions

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Subchapter 6.1@ Immediate Enforcement Actions

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Article 2@ Medical Support Enforcement

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Section 116114@ General Requirements

116114 General Requirements

(a)

When a local child support agency determines that an existing support order for current support does not contain a health insurance coverage provision, except as provided in Subsection (b), the local child support agency shall concurrently: (1) File a notice of motion or order to show cause with the court to include a health insurance coverage provision in the support order. (2) Serve by first class mail, a blank form "Dependent's Health Insurance Information," CSS 4330, dated 04/02, incorporated by reference herein, on the obligor, along with written notification that the form shall be completed by the obligor and returned to the local child support agency within 20 days of the date of the notification. (3) If an obligor's employer is known, serve by first class mail, a blank form "Employees' Dependent Health Insurance Information," CSS 4333, dated 04/02, incorporated by reference herein, on the employer, along with written notification that the form shall be completed by the employer and returned to the local child support agency within 30 days of the date of the notification.

(1)

File a notice of motion or order to show cause with the court to include a health insurance coverage provision in the support order.

(2)

Serve by first class mail, a blank form "Dependent's Health Insurance Information," CSS

4330, dated 04/02, incorporated by reference herein, on the obligor, along with written notification that the form shall be completed by the obligor and returned to the local child support agency within 20 days of the date of the notification.

(3)

If an obligor's employer is known, serve by first class mail, a blank form "Employees' Dependent Health Insurance Information," CSS 4333, dated 04/02, incorporated by reference herein, on the employer, along with written notification that the form shall be completed by the employer and returned to the local child support agency within 30 days of the date of the notification.

(b)

If an obligee in a non-Title IV-A case informs the local child support agency that there is private health insurance coverage for his or her child(ren) and does not want enforcement services for health insurance coverage, a local child support agency shall: (1) Obtain health insurance coverage documentation pursuant to Section 116122, subsection (b)(1), (2), and (4) which shows that the minor child(ren) is currently covered by private health insurance. (2) Document the evidence of health insurance coverage for the minor child(ren) in the case file.

(1)

Obtain health insurance coverage documentation pursuant to Section 116122, subsection (b)(1), (2), and (4) which shows that the minor child(ren) is currently covered by private health insurance.

(2)

Document the evidence of health insurance coverage for the minor child(ren) in the case file.

(c)

Upon receipt of a support order requiring an obligor to provide health insurance

coverage, a local child support agency shall take the following actions: (1) If health insurance coverage is available at a reasonable cost to the obligor's minor child(ren), a local child support agency shall: (A) Comply with the requirements of Section 116116 for employment-related group health insurance coverage, or (B) Comply with the requirements of Section 116122 for other group health insurance coverage. (2) If health insurance coverage is not available at a reasonable cost to an obligor's minor child(ren), a local child support agency shall monitor the case for changes in the obligor's employment status, and/or availability of employment-related health insurance coverage, or other group health insurance. (A) If information is received that the status of the obligor's employment has changed, or that employment-related health insurance coverage is available, a local child support agency shall serve the National Medical Support Notice, as specified in Section 116116. (B) If information is received that other group health insurance may be available to an obligor, a local child support agency shall obtain proof of health insurance coverage for the child(ren), as specified in Section 116122.

(1)

If health insurance coverage is available at a reasonable cost to the obligor's minor child(ren), a local child support agency shall: (A) Comply with the requirements of Section 116116 for employment-related group health insurance coverage, or (B) Comply with the requirements of Section 116122 for other group health insurance coverage.

(A)

Comply with the requirements of Section 116116 for employment-related group health insurance coverage, or

(B)

Comply with the requirements of Section 116122 for other group health insurance coverage.

(2)

If health insurance coverage is not available at a reasonable cost to an obligor's minor child(ren), a local child support agency shall monitor the case for changes in the obligor's employment status, and/or availability of employment-related health insurance coverage, or other group health insurance. (A) If information is received that the status of the obligor's employment has changed, or that employment-related health insurance coverage is available, a local child support agency shall serve the National Medical Support Notice, as specified in Section 116116. (B) If information is received that other group health insurance may be available to an obligor, a local child support agency shall obtain proof of health insurance coverage for the child(ren), as specified in Section 116122.

(A)

If information is received that the status of the obligor's employment has changed, or that employment-related health insurance coverage is available, a local child support agency shall serve the National Medical Support Notice, as specified in Section 116116.

(B)

If information is received that other group health insurance may be available to an obligor, a local child support agency shall obtain proof of health insurance coverage for the child(ren), as specified in Section 116122.

(d)

A local child support agency shall complete a "Medical Insurance Form," DHS 6110 for all Title IV-A or IV-E cases as required by Title 22, California Code of Regulations, Section 50765, and forward the form to the Department of Health Services, Third Party Liability Branch, within 10 business days of the date health insurance coverage enrollment information for the minor child(ren) has been

received by the local child support agency.

(e)

A local child support agency shall update the "Medical Insurance Form," DHS 6110 specified in subsection (d), and forward the form to the Department of Health Services, Third Party Liability Branch, within 10 business days of the date of notification of any of the following affecting a recipient of Title IV-A or IV-E services: (1) Any health insurance coverage has lapsed. (2) Any health insurance coverage provider has changed. (3) Any term of the health insurance coverage has changed. (4) Any health insurance coverage has been terminated. (5) Any medical support order or assignment order has been quashed or set aside by court order.

(1)

Any health insurance coverage has lapsed.

(2)

Any health insurance coverage provider has changed.

(3)

Any term of the health insurance coverage has changed.

(4)

Any health insurance coverage has been terminated.

(5)

Any medical support order or assignment order has been quashed or set aside by court order.

(f)

The local child support agency shall forward any health insurance policy information received from a Plan Administrator to the obligee within 10 business days of the receipt of such information. Health insurance policy information shall include the information specified in Section 116122(b).

(g)

A local child support agency shall document the case record and include copies of the forms and notices required by this Article.