

Medical Coverage

A GUIDE TO ADDRESSING FREQUENTLY ASKED QUESTIONS



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Where can I get more information?

If you need additional information about your case or services available, contact your CSEA support specialist.

Mailing Address

P.O. Box 80598
Akron, Ohio 44308-0598

Street Address

175 S. Main Street,
Akron, Ohio 44308

Hours of Operation

8:00 a.m. – 4:30 p.m.
(Monday – Friday)

Telephone

(330) 643-2765

Toll Free (800) 726-2765

Fax

(330) 643-2745

Website

<http://www.co.summit.oh.us/prosecutor/childsupt.htm>

To obtain a listing of Ohio County Child Support Agencies and phone numbers, please visit:
<http://www.ifs.ohio.gov/county/cntydir.stm>

To view a listing of all States Child Support Agencies and phone numbers, please visit:
<http://ocse.acf.hhs.gov/int/directories/index.cfm?fuseaction=main.extivdlist>

Medical Insurance Facts to Remember . . .

The Summit County Child Support Enforcement Agency (CSEA) is required under Federal Law to obtain medical insurance coverage for the child(ren) on a child support order. This includes establishment of a medical insurance order and verification of enrollment by the party ordered to provide medical coverage.

- Medical Insurance is ordered to be obtained by the party who has access to the best available policy, making them the **Medical Obligor**.
- The order may give the Medical Obligor the option of alternative insurance, such as coverage through a union or current spouse rather than through their employer.
- Medicaid and Healthy Start are NOT valid substitutions for Court or Administrative Orders for private medical insurance.
- CSEA may arrange to have Summary Plan Descriptions, medical cards, booklets, and pamphlets sent to the Obligee.
- Shared Liability for medical expenses is not a medical insurance order. Rather it divides medical expenses between the parties, as stated in the order
- CSEA is unable to assist in the collection of out-of-pocket expenses incurred, unless a court action for non-payment of child support is completed at the same time. The Custodial Parent must provide the CSEA with the required information upon making his/her request.
- When expenses are shared, the Obligee may or may not be required to pay the out-of-pocket expenses.

CSEA enforces the original terms of the medical order and does NOT honor private agreements between the parties. Medical orders can ONLY be changed by the entity who issued the original order.

What is the National Medical Support Notice?

With House Bill 657, included a newly enacted code section which provides for the generation and use of the National Medical Support Notice (NMSN). The NMSN is a ten page form used to notify an employer of a newly hired employee's court ordered responsibility to provide health insurance coverage for children who are the subject of a child support order.

Upon receipt of the notice, the employer is required to complete the form and provide the requested information regarding health insurance availability to the CSEA. Employers are then required to enroll the children under the available plan and to withhold employee contributions necessary for coverage. The employee will also receive notice in which they may make a written request for an administrative hearing to determine whether a Mistake of Fact exists.

During the Mistake of Fact hearing, the two issues addressed are: Correct identification of the party responsible for health insurance coverage; and correct identification of the children covered under the health insurance plan.

How do I establish a medical support order?

The first step to establishing a child and/or medical support order is to establish paternity. This must be done one in three ways; by genetic testing, acknowledgement of paternity, or the child having been born within a marriage (in which case paternity is presumed).

After paternity has been established, a set support hearing is scheduled. Both parties, Custodial Parent (CP) and Absent Parent (AP), will receive support hearing information, including date and time of hearing, information to be brought to the hearing, etc. Hearings are held in our Legal Division on the first floor. Both parties appear in front of a hearing officer with their required information, including copies of their income information.

It takes approximately four to six weeks to process the hearing's outcome. Support orders are then mailed to both parties. Medical orders are usually addressed within the support orders, but a medical only order may also be an option.

Both parties are given thirty business days to request an appeal through Domestic Relations Court against the hearing decision made. If no appeal is filed, the order will be put on the enforcement system and assigned to a support specialist, who will take necessary steps to enforce the medical order.

More detailed information about the NMSN can be found at the ODJFS Office of Child Support Website: <http://jfs.ohio.gov/ocs/employers.stm>

How does CSEA enforce my medical support order?

Once it is determined that an order for medical support exists, the CSEA will notify the health insurance obligor and his or her employer of this order by issuing the National Medical Support Notice (NMSN). This form requires the employer to enroll the child identified in the order in the company's health insurance program, when available. If insurance is available, the CSEA will assist in obtaining insurance cards if they have not been provided by the employer, the insurance company or the health insurance obligor.

The CSEA will not issue the NMSN when it is determined that the health insurance obligor is an active member of the military. If an eligible child is not enrolled in the military health plan, the CSEA will notify the custodial parent of the steps that need to be taken in order to ensure enrollment.

It is important to know that Medicaid does not satisfy the requirement of the health insurance obligor to provide medical support.

What health insurance costs are considered "reasonable?"

Federal regulations identify "reasonable costs" for health insurance as the costs of any plan "available through an employer."

In addition, Ohio regulations require an employer to ensure that the amount of child support and the amount of health insurance premium do not surpass the limits established under the Consumer Credit Protection Act. This limit can equal as much as 65% of net disposable earnings.

When must the employer provide medical coverage?

Per court order, employers must provide medical insurance coverage to an employee's child when:

- The employer offers family care coverage as part of its benefit plan, AND
- The employee is eligible for the family care coverage.
- If an employer does not offer family care coverage, it is not required to obtain it simply to comply with a medical support order.

The employee may object through the CSEA to the NMSN based on a mistake of fact. The employee may present testimony and evidence at an administrative hearing only in regard to whether a mistake of fact has been made in the NMSN. If the employee disagrees with the results of the administrative hearing, (s)he may file a written motion with the court to determine if a mistake of fact still exists in the NMSN. However, the hearing rights do not stop the withholding for premiums unless/until the employee wins his/her appeal.