



Department of Job and Family Services

New Child Support Laws For Medical Support

November 2008

What has changed?

Beginning July 21, 2008, federal and state laws require all new or modified child support orders to provide some form of medical support for the child *at all times*. The new laws were created to ensure that cash is available to assist with the child's medical needs any time the child is not covered by private health insurance.

What is a medical support order?

Medical support includes private health insurance and cash medical support. (It also explains how to split uncovered medical costs between the parents.) If private health insurance is not available, cash medical support must be paid until private health insurance becomes available.

REMINDER:

If you experience a change in your child's health insurance coverage **immediately contact your CSEA.**

When Will I Be Ordered to . . .

Provide Private Health Insurance?

The mother, the father, or both parents can be ordered to provide private health insurance – but only if it is reasonable in cost and is accessible.

Generally speaking, private health insurance is **reasonable** if the annual cost (family coverage minus self-only coverage) does not exceed five percent of that parent's annual gross income. Private health insurance is **accessible** if primary care services are available within thirty miles of the child's home.

Fully subsidized coverage through Ohio Medicaid (including Healthy Start) does not meet the requirement to provide *private* health insurance.

Pay Cash Medical Support?

Cash medical support is only paid when private health insurance is not provided as ordered. The non-custodial parent will be ordered to pay cash medical support. If this parent's annual gross income is less than 150% of the federal poverty level for an individual (\$16,245.90 in 2010), he or she will not be required to pay cash medical support.

Share in Uncovered Medical Costs?

Child support orders address uncovered medical costs by dividing these costs between the parents on a percentage basis.

What else do I need to know about medical support?

- If private health insurance is not available to either parent when the child support order is issued or modified, both parents will be required to notify the Child Support Enforcement Agency (CSEA) when private health insurance becomes available.
- If private health insurance stops (for example, the coverage is through the parent's employee health plan and the parent changes jobs), the non-custodial parent must pay cash medical support until new private health insurance is provided for the child.
- When the CSEA is aware of changes that effect a parent's obligation to either pay cash medical support or provide health insurance, the CSEA will notify both parents.
- Cash medical support may be assigned (paid) to the state of Ohio when the child is receiving Medicaid benefits. When the child is not receiving Medicaid benefits, cash medical support is paid to the family.

Why are there two child support amounts in my new order?

All new child support orders will include two ordered amounts:

- An amount for child support when health insurance is provided

-or-

- An amount for child support & cash medical support when health insurance is not provided.