

WHAT IS MEDICAL SUPPORT?

When a support order is established, the court may require that the defendant and/or plaintiff maintain health care coverage for his/her child(ren) and/or spouse, and in addition pay a percentage of unreimbursed medical expenses. It is anticipated that both parties will communicate with each other and cooperate in handling the medical provisions of the support order.

WHAT IS INCLUDED UNDER MEDICAL EXPENSES?

Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including, but not limited to, surgical, dental, all optical services and orthodontia.

Medical expenses **do not** include cosmetic, psychiatric or psychological services, or chiropractic, unless specifically directed in the support order.

PROOF OF HEALTH CARE COVERAGE

Within thirty (30) days after the entry of a support order requiring a defendant to provide health care coverage for the

child(ren) and/or spouse, the defendant shall submit to the plaintiff and the Domestic Relations Office written proof that health care coverage has been obtained or that application for coverage has been made. Proof of coverage shall consist of at a minimum:

1. The name of the health care coverage provider.
2. Insurance policy identification numbers.
3. Any cards evidencing coverage.
4. The address to which claims should be sent.
5. A description of any restrictions on usage, such as prior approval for hospital admissions and the manner of obtaining approval.
6. A copy of the benefit book or coverage contract.
7. A description of all deductibles and copayments.
8. At least five (5) copies of any claim forms.

OBLIGATION OF CUSTODIAL PARENT IN SUBMITTING CLAIMS

The custodial parent must comply with the insurance company's existing claim procedures. If an insurance claim is denied because the custodial parent did not follow the insurance company's existing claim procedures, the defendant shall not be liable for any uncovered expenses.

In order to get a claim paid, a custodial parent must comply with the insurance

company's existing claim procedures. Immediately after taking a child to a doctor, hospital, etc., the custodial parent must send the bill to the insurance company. A copy of the bill should also be kept by the custodial parent. The custodial parent must comply with the insurer's existing claim procedures and present to the insurer one of the following documents:

- a copy of a court order providing for payment of medical expenses and/or maintenance of medical insurance coverage on behalf of the child and/or spouse; or
- a release signed by the insured (defendant) permitting the insurance company to communicate directly with the custodial parent (plaintiff).
- All uncovered medical bills should be submitted to the Domestic Relations Office for reimbursement in a timely manner within approximately one (1) year of the date they are incurred.

OBLIGATIONS OF INSURANCE COMPANIES

Every insurance company doing business in the Commonwealth of Pennsylvania, and self-insured employee health benefit plans, shall be obligated as follows:

- to receive, process and pay claims to a custodial parent who has complied with the insurer's existing claim procedures in the same manner that the insurer is responsible to receive,

process and pay claims to other insureds under the policy;

- to provide copies of benefit booklets, insurance contracts and claims information to custodial parents;
- if coverage is made available for dependents of the insured, to make such coverage available to the insured's children without regard to the amount of support contributed by a parent, the amount of time the child spends in the home or the custodial arrangements for the child;
- to permit the enrollment of children under court order within thirty (30) days of the issuance of the court order; and
- to provide the custodial parent who has complied with the insurer's existing claim procedures with the same notification of termination or modification of any health care coverage due to nonpayment of premiums or other reason as is provided to other insureds under the policy.

Upon receipt of a claim, the insurance company will send a claim acceptance letter to the plaintiff indicating how much, if anything, they will pay on the claim. The plaintiff should keep this acceptance letter for his/her records.

PAYMENT OF UNCOVERED MEDICAL BILLS

For all expenses in excess of \$250.00 per year per person, if there is an amount that was not paid by the insurance company, the plaintiff must send a copy of the claim acceptance letter received from the insurance company showing how much, if anything, they paid on the bill, and a copy of the medical bill directly to the defendant. The plaintiff should include a letter requesting that the defendant pay his/her share of the uncovered medical bill directly to her/him. The defendant must be advised as to the amount he/she is specifically responsible for. The terms of the support order state if the parties must share uncovered medical expenses for their dependents, and if so, the percentage each party is responsible for.

The defendant should then send to the plaintiff **directly** a check or money order for the amount he/she owes as his/her portion of the unreimbursed medical expense. For example:

- The claim was rejected because the deductible had not been met. The defendant is responsible to send to the plaintiff directly a check for his/her portion of the uncovered medical bill in accordance with the order of support.
- The claim is paid by the insurance company at an 80% reimbursement rate. The defendant is responsible to send to the plaintiff directly a check for his/her portion of the uncovered 20%, in accordance with the order of

support, as the insurance company has already paid to the plaintiff directly the 80% that was covered.

ENFORCEMENT OF MEDICAL PROVISIONS

If the defendant fails or refuses to pay the medical bills for which he/she is responsible, the plaintiff must request enforcement of the unpaid bills through the Domestic Relations Office by providing the following:

- A copy of the letter that was sent to the defendant requesting payment of the unreimbursed medical expense.
- Copies of the medical bills and corresponding claim acceptance/rejection letter received from the insurance company.
- Completed "Request for Medical Enforcement" form available in the Domestic Relations Office.

Failure to provide the requested information will result in no action being taken to collect unpaid medical bills.

Upon receipt of this information, the Domestic Relations Office will contact the defendant about the amount for which he/she is responsible and/or schedule an enforcement conference.

Dated: 5/28/04

MEDICAL SUPPORT PROCEDURE

(Revised Effective April 1, 1999)

**Domestic Relations Section
of Schuylkill County**

Courthouse

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