

What is Medical Support?

The federal government requires that all support orders include medical support. This refers to health insurance coverage, as well as unreimbursed medical expenses for the child(ren) and/or spouse.

Medical expenses are reasonably necessary unreimbursed medical services & supplies in excess of \$250 annually per person owed a duty of support.

Medical expenses include:

*Co-pays and Deductibles
Surgical
Dental
Optical & Ophthalmology Services
Orthodontics
Prescriptions*

Medical expenses do not include the following services (unless specifically directed in the court order):

*Chiropractic
Cosmetic
Psychiatric
Psychological*

Health Insurance Coverage

The non-custodial parent bears the initial responsibility of providing health care coverage for the children if it is available at a reasonable cost. (Pa R.C.P. 1010.16-6(b)(3)(i)).

What is the definition of reasonable cost?

Coverage is considered reasonable if the cost is less than 5% of the party's net monthly income and when added to the amount of basic child support plus additional expenses, does not exceed 50% of the party's net monthly income.

Establishing Medical Support

When a support order is entered, one or both parties will be ordered to provide the health insurance for the child(ren) and/or spouse based on the circumstances of the case. The cost of the premium will be allocated between the parties in proportion to their incomes, and will be reflected in the amount of the support order.

Eligible unreimbursed medical expenses will be addressed in the order by making each party responsible for a percentage of all unreimbursed expenses in proportion to the parties' incomes.

Parties may be responsible for payment of birth-related expenses as well.

Medical Assistance (ACCESS, Mercy or other state-funded medical coverage) through the Department of Public Welfare is not considered medical coverage for child support purposes; therefore the non-custodial parent will be required to provide other health insurance.

Be sure to notify the Domestic Relations Office any time there is a change in health insurance coverage.

What if you do not have insurance coverage available for your children?

The Children's Health Insurance Program (CHIP) offered through the state has been expanded to "Cover All Kids" regardless of family income. It makes medical coverage available for uninsured children up to age 19 at no cost, low cost or at the state's cost depending on the families' household income.

To be eligible for CHIP, children must:

- be Pennsylvania residents
- not be eligible for medical assistance or other health insurance
- not have been covered by health care insurance in the last 6 months (some exceptions apply)
- meet citizenship requirements

For more information on this program, ask the Domestic Relations staff, call 1-800-986-KIDS or go to the website www.chipcoverspakids.com.

Communication & Cooperation

Communication and Cooperation between the parties is essential! Parties must provide each other with the following:

1. Copy of insurance card and/or name of the health care provider & identification numbers
2. Address to mail claim forms
3. Five copies of any claim forms
4. A benefit booklet or coverage contract
5. Any other documentation needed to use the coverage

How to Get Reimbursed for Medical Payments

Parties must follow the insurance company rules. All bills must be submitted to all available insurance plans. If a claim is denied by the insurance company for failure to follow the rules, the other party cannot be made responsible for payment of any portion of the bill.

Documentation of unreimbursed medical expenses must be submitted to the other party no later than March 31st of the year following the calendar year in which the bill was received by the party seeking payment. Pa R.C.P. 1910.16-6(c)(3)

Documentation must be provided to show that the first \$250.00 per person/per calendar year has been met. During the first calendar year that the support order is entered, the deductible is prorated. For example, if the order is entered on June 1st, the deductible is \$146.57 per person until December.

The party with the medical bills must send copies of the bills and insurance statement to the other party by certified mail. The exact amount owed and to whom it is owed should be clearly stated. A medical data sheet is available through the Domestic Relations Office or website for this purpose. Please keep the mailing receipt for your records. The person responsible for paying the bill should send the payment to the other party no later than 30 days after receipt.

Enforcement of Medical Support

The Compliance Unit of the Domestic Relations Office is responsible for enforcement of medical support. If the support order requires a party to provide health insurance and the party fails to do so, the party may be held in contempt of the court order. Always contact the Domestic Relations Office if there is ANY change in health coverage.

The Compliance Unit can only assist with collection of medical bills if all instructions are followed and all submission requirements are met.

If full payment or payment arrangements have not been made within 30 days, notify the Domestic Relations Office by sending:

- Copy of the certified mail receipt and/or certificate of mailing
- Copies of the medical bills
- Completed medical data sheet
- Insurance company statements
- Verification that the \$250 per person/per calendar year deductible was made

Completed Medical Data Sheet and all supporting documentation should be mailed to:

**Attn: Compliance Unit
Domestic Relations Section
Berks County Services Center
633 Court St., 6th Floor
Reading, PA 19601-4316**



MEDICAL SUPPORT



Berks County Domestic Relations
Berks County Services Center
633 Court Street, 6th Floor
Reading, PA 19601-4316

(610) 478-2900

www.co.berks.pa.us/dr