



CSSD Policy			
Subject:	Medical Insurance Unavailable – Child 18 Years of Age	Number	2008-22
Approval Date::		Pages:	1 of 3
Approved By:	Benidia A. Rice, Director		FINAL

I. **PURPOSE:** To advise CSSD personnel on the revised policy and procedures for processing medical support cases when employer related health insurance becomes unavailable when a child (ren) becomes 18 years old.

II. **AGENCY IMPACT:** This policy directly affects the Medical Support Unit and Legal Services Section.

III. **REFERENCES:** 45 C.F.R. § 303.30, Securing Medical Support Information; 45 C.F.R. §303.31, Securing and Enforcing Medical Support Obligations; 45 C.F.R. §303.32, National Medical Support Notice; Public Law (Pub. L.) 105–200, Child Support Performance and Incentives Act of 1998 (CSPIA); Pub. L. 103–66, Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); Pub. L.104–193, Omnibus Budget Reconciliation Act of 1993 (OBRA); D.C. Law 15-130, Medical Support Establishment and Enforcement Amendment Act of 2004; PIQ-03-08, Medical Support Enforcement Policy Clarifications; Child Support Compliance Amendment Act of 2007.

IV. **DEFINITIONS:**

Health Insurance Coverage - Benefits consisting of amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or amounts paid for the purpose of affecting any structure or function of the body (provided directly, through insurance or reimbursement, or otherwise, and includes items and services) under any hospital or medical service policy or certificate, hospital, or medical service plan contract, or health maintenance organization contract offered by a health insurer that is available to either parent, under which medical services could be provided to a dependent child.

Support Order - A judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or an administrative agency of competent jurisdiction, for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing state, or a child and the parent with whom the child is living, which provides for monetary support, health care, arrearages, or reimbursement and which may include related costs and fees, interest and penalties, income withholding, attorneys' fees, and other relief..

Reasonable Cost - Health insurance coverage shall be considered reasonable in cost if the cost to the obligated parent of providing coverage for the children subject to the support order pursuant to § 16-916.01(i)(3) does not exceed 5 per cent of the parent's gross income.

Accessible Health Insurance Coverage - Health insurance coverage shall be considered accessible if, based on the work history of the parent providing the coverage, it will be available for at least one year, and if the child lives within the geographic area covered by the plan or within 30 minutes or 30 miles of primary care services.

V. **INQUIRIES:** Direct all inquiries to Policy and Training Unit, (202) 724-2131 Medical Support Unit (202) 724-8128 and the Legal Services Section (202) 724-6529.

VI. **POLICY:**

CSSD will submit a medical support notice to an employer to enforce a support order when the Court orders a parent to provide health insurance coverage for a child that is reasonable, accessible and comprehensible through their employer.

The age of majority for child support and medical support coverage in the District is 21 years old. If an employer provides a health insurance plan that limits medical coverage when a child becomes 18 years old, the health plan administrator should inform the employer, CSSD and both parents that health care coverage will terminate.

The worker must enter Case Action code M09 - INSURER RESP INSURANCE TERMINATES AT 18 on the Case Action screen when notice is received from an employer or insurer indicating that medical insurance will terminate and not be available after the child becomes 18 years old.

This Case Action code automatically generates forms FNCPH3 - NCP OBLIGATED LTR and FCPNH3 - CP COURTESY LETTER. It also sends diary 573 - NCP MED ENF PENDING to the Medical Support supervisor and the Medical Support Unit task list for follow up. This diary has a 30 business day time frame associated with it. On the 31st day, if the NCP has not provided insurance information to the worker, the case will appear on the management report for further action.

The worker must also update the current medical non-monetary disposition status and status date on the DCCSES NON-MONETARY DISPOSITION screen if the NCP was ordered to maintain or obtain health insurance. If the current medical non-monetary disposition status is active, it should be changed to status NA – MED INS NOT AVAILABLE. The date the worker received notice from an employer or insurer that medical insurance is not available should also be updated on the NON-MONETARY DISPOSITION screen.

The NCP OBLIGATED LETTTER is sent to the NCP to notify her/him that even though insurance coverage will terminate when the child becomes 18 years old, s/he is still under court order to provide medical insurance coverage, cash medical support, or both until the child becomes 21 years of age.

The NCP is also informed the s(he) may be subjected to contempt action if additional medical coverage is not obtain and health insurance information is not provided to CSSD within 30 business days. The worker should mail these forms to the CP and NCP.

If the NCP responds and provides proof of health insurance enrollment within 30 business days, the worker should follow standard procedures for issuing the NMSN provided in Section I, below.

If the NCP does not respond or provide proof of health insurance enrollment within the required 30 business days, the worker should make an additional attempt to contact the NCP by telephone. If the NCP cannot be contacted, then, the case should be referred to LSS for contempt action. (See Section IX – Enforcement: Enforcement Against the NCP).

The CP COURTESY LETTER is sent to the CP to inform s(he) that the NCP's employer has informed CSSD that health insurance coverage will terminate when the child becomes 18 years old. This letter also informs the CP that s(he) may request a modification of the current medical support order if s(he) believes that the child(ren)'s medical needs should be addressed in another way.

If the CP responds to the courtesy letter and makes a request to have his/her medical support order modified, the worker should refer the case to LSS. LSS will prepare a motion to modify the current medical court order and forward the motion to court for processing.