

WAC 388-14A-4110 If my support order requires me to provide medical support for my children, what do I have to do? (1) Once a support order is entered requiring medical support, the obligated parent must take the following actions within twenty days:

(a) Provide health care coverage; and

(b) Provide proof of coverage to the other parent and to the division of child support (DCS), such as:

(i) The name of the insurer providing the health insurance coverage or the type of public health care coverage provided by the obligated parent;

(ii) The names of the beneficiaries covered;

(iii) The policy number;

(iv) That coverage is current; and

(v) The name and address of the obligated parent's employer.

(2) If private, union or employer-provided health insurance coverage that is accessible to the children named in the order is available, the obligated parent must:

(a) Provide for coverage for the children without waiting for an open enrollment period, as provided under RCW 48.01.235 (4)(a); and

(b) Submit proof of coverage as outlined in subsection (1)(b) above.

(3) If health insurance is not immediately available to the obligated parent, as soon as health insurance becomes available, the obligated parent must:

(a) Provide for coverage for the children named in the order; and

(b) Submit proof of coverage as outlined in subsection (1)(b) above.

(4) Providing public health care coverage for the children satisfies an obligated parent's requirement to provide for health care coverage, as long as the obligated parent also covers the children under any insurance available through his or her employer or union which is provided at no cost to the obligated parent.

(5) DCS may serve a notice of support owed for medical support under WAC 388-14A-3312 to establish either or both of the following:

(a) Either parent's share of uninsured medical expenses owed to the other parent; or

(b) Either parent's monthly payment toward the premium paid for coverage by the other parent or the state, if:

(i) Health insurance coverage is not available through the parent's employer or union or is not otherwise provided; and

(ii) The support order provides for the payment of a monthly payment toward the premium when the obligated parent does not provide coverage.

(6) See WAC 388-14A-4165 for a description of what happens when the combined total of a noncustodial parent's current support obligation, arrears payment and health insurance premiums to be withheld by the employer exceeds the fifty per cent limitation for withholding.

(7) Both parents must notify DCS any time there is a change to the health care coverage for the children named in the order.

(8) WAC 388-14A-4111 and 388-14A-4112 describe when DCS may accept or decline a request to enforce a medical support obligation.

[Statutory Authority: Part I of 2018 c 150 and RCW 26.09.105, 26.18.170, 26.23.050, 34.05.220 (1)(a), 34.05.350(1), 74.08.090, and 74.20.040(9). WSR 19-02-017, § 388-14A-4110, filed 12/21/18, effective 1/21/19. Statutory Authority: RCW 26.09.105(17), 26.18.170(19), 26.23.050(8), 26.23.110(14), 34.05.020, 34.05.060, 34.05.220,

74.08.090, 74.20.040, 74.20A.055(9), and 74.20A.056(11). WSR 11-12-006, § 388-14A-4110, filed 5/19/11, effective 6/19/11. Statutory Authority: 2007 c 143, §§ 1, 2, 3, 4, 5, 7, 8, and 9. WSR 08-12-029, § 388-14A-4110, filed 5/29/08, effective 7/1/08. Statutory Authority: RCW 74.08.090, 74.20A.310, and 26.18.170, 42 U.S.C. 666 (a)(19), Child Support Performance and Incentives Act of 1998, 45 C.F.R. 303.31, and 45 C.F.R. 303.32. WSR 04-17-119, § 388-14A-4110, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 74.08.090, 26.18.170, 26.18.180, 74.20A.055. WSR 01-03-089, § 388-14A-4110, filed 1/17/01, effective 2/17/01. Formerly WAC 388-11-215.]