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Medical Support

What is Medical Support?

The phrase "medical support" refers to the process by which a state's child support agency (also known as the IV-D agency) establishes and enforces provisions for health care coverage, and other medical support related provisions in addition to and as part of child support orders.

Many children in the IV-D caseload receive or are eligible to receive health care through the state's Medicaid or Children's Health Insurance Program.

There are also children in the IV-D caseload who may be eligible for coverage under a parent's employer sponsored health coverage plan or a parent's private health insurance plan.

Why is Medical Support Enforced by the Child Support Program?

Federal law[i] requires state child support agencies to include provisions for health care coverage in every child support order, and to modify and enforce such provisions.

Addressing medical support in every order may include one or more of the following:

- Ordering a parent to enroll the child in employer-provided health coverage when reasonable to do so. Reasonable cost is defined in state law and guidelines.
- Obtaining an order for employer-sponsored health care coverage against parents *receiving* support.
- Ordering either parent to provide health coverage for the child through a private plan.
- If health insurance is not available through the parent paying support, requiring a parent to pay an amount towards the cost of the child's health insurance or other medical costs, often referred to as *cash medical support*.
- Including an order that reflects that the child is receiving government-paid or subsidized health care through the state's Medicaid or Children's Health Insurance Program.

When a parent is required to provide employer sponsored health care coverage, the National Medical Support Notice (NMSN) is issued to the employer requiring them to enroll the child in available, reasonable and accessible coverage. As the employee changes jobs, the NMSN can later be issued to a new employer.

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What is the Current Approach to Medical Support by the Child Support Program?

Federal law requires states, as part of their child support state plan, to have laws and procedures in effect to ensure that the medical needs of children in the state's child support caseload are addressed.

The Federal Office of Child Support Enforcement (OCSE) may review whether states are in compliance with federal regulations, and state law, as part of the State Plan review.

Medical support is required to be *addressed and included* in every child support order. For a state to be considered in compliance, medical orders should include one of the following provisions:

- An order for the child to be enrolled in the parent's employer sponsored plan if the cost is reasonable according to state guidelines, using the National Medical Support Notice (NMSN) as the vehicle to enroll;
- An order to enroll the child in the parent's private health insurance coverage,
- An order that reflects that the child is receiving government paid or subsidized health care through the state's Medicaid or Children's Health Insurance Program,
- A cash medical order which is a contribution toward the cost of the health coverage or premium, whether public or private;
- An order that reflects neither parent has the financial ability to either provide coverage or contribute via a cash medical order.

[i] 42 U.S.C. 666 (a)(19).