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Health Care Costs and Reimbursement Procedures

IF YOU HAVE A CHILD SUPPORT ORDER THAT INCLUDES A PROVISION FOR THE REIMBURSEMENT OF A PORTION OF THE CHILD'S OR CHILDREN'S HEALTH CARE COSTS AND THOSE COSTS ARE NOT PAID FOR BY INSURANCE, THE LAW SAYS:

1. NOTICE. You must give the other parent an itemized statement of the charges that have been billed for any health care costs that are not paid for by insurance. You must give this statement to the other parent within a reasonable time, but no longer than 30 days after those costs were given to you.

2. PROOF OF FULL PAYMENT. If you have already paid all of the uninsured costs, you must (1) provide the other parent with proof that you have paid those costs, and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. PROOF OF PARTIAL PAYMENT. If you have only paid your share of the uninsured costs, you must (1) provide the other parent with proof that you have paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health care provider, and (3) provide the other parent with the information necessary for that parent to be able to pay the bill.

4. PAYMENT BY NOTIFIED PARENT. If you receive notice from a parent that an uninsured health care cost has been incurred, you must pay your share of that cost within the time the court orders, or if the court has not specified a period of time, you must make payment either (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health care provider, (3) according to a schedule agreed to in writing by yourself and the other parent, or (4) according to a schedule adopted by the court.

5. DISPUTED CHARGES. If you dispute a charge, you may file a motion in court to resolve the dispute, but only if you pay that charge before filing your motion. If you claim that the other party has failed to reimburse you for a payment, or the other party has failed to make a payment to the provider after proper notice has been given, you may file a motion in court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable. The court may award attorney fees against a party who has been unreasonable.

6. COURT-ORDERED INSURANCE COVERAGE. If a parent provides health care insurance pursuant to a court order, that insurance shall be used at all times to the extent that it is available for health care costs.

a. Burden to prove. The burden to prove to the court that the coverage is inadequate to meet the child(ren)'s needs is upon the party claiming that inadequacy.

b. Cost of additional coverage. If a parent purchases health care insurance in addition to that being ordered, the purchasing parent shall pay for all the costs of the additional coverage. In addition, if the parent uses the alternative coverage, that parent shall pay for all costs that exceed what would have been incurred under the coverage provided by court order.

7. PREFERRED HEALTH PROVIDERS. If the court ordered coverage designates a preferred health care provider, that provider shall be used at all times consistent with the terms of the health insurance policy. When any party uses a health care provider other than the preferred provider, any health care costs that would have been paid by the preferred health provider had that provider been used shall be the sole responsibility of the party incurring those costs.