

SENATE BILL No. 214

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-14-17-1; IC 31-16-1.5.

Synopsis: Support for pregnancy and childbirth expenses. Provides, for purposes of the obligation of a father whose paternity of a child has been established to pay at least 50% of the mother's pregnancy and childbirth expenses, that pregnancy and childbirth expenses include health insurance premiums paid by the mother with respect to the mother's pregnancy and the child's birth. Establishes a duration within which a pregnancy and childbirth expense must be incurred in order for the obligation to apply to the expense. Creates a civil right of action, independent of a civil action to establish paternity, by which the mother of a child may enforce the obligation.

Effective: July 1, 2022.

Tomes

January 6, 2022, read first time and referred to Committee on Judiciary.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

SENATE BILL No. 214

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 31-14-17-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. The court shall order
3 the father to pay at least fifty percent (50%) of the reasonable and
4 necessary expenses of the mother's pregnancy and childbirth ~~including~~
5 ~~the cost of:~~ **as provided under IC 31-16-1.5.**
6 (1) prenatal care;
7 (2) delivery;
8 (3) hospitalization; and
9 (4) postnatal care.
10 SECTION 2. IC 31-16-1.5 IS ADDED TO THE INDIANA CODE
11 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2022]:
13 **Chapter 1.5. Liability for Pregnancy and Childbirth Expenses**
14 **Sec. 1. As used in this chapter, "health care facility" means:**
15 **(1) a birthing center, as defined by IC 16-18-2-36.5; or**
16 **(2) a hospital, as defined by IC 16-18-2-179(a).**
17 **Sec. 2. (a) As used in this chapter, "pregnancy and childbirth**



1 **expenses" means costs that are incurred by the mother of a child:**

2 **(1) for:**

3 **(A) prenatal care;**

4 **(B) delivery;**

5 **(C) hospitalization;**

6 **(D) postnatal care; and**

7 **(E) health insurance premiums paid by the mother;**

8 **with respect to the mother's pregnancy with the child and the**
 9 **child's birth; and**

10 **(2) during the period:**

11 **(A) beginning on the date on which the term of the**
 12 **mother's pregnancy with the child begins; and**

13 **(B) ending on the latest of:**

14 **(i) the date on which the mother is discharged from a**
 15 **health care facility at which the mother is admitted for**
 16 **purposes of the child's delivery;**

17 **(ii) the date on which the mother is discharged from a**
 18 **health care facility at which the mother is admitted for**
 19 **postnatal care not later than forty-eight (48) hours after**
 20 **the child's birth; or**

21 **(iii) forty-eight (48) hours after the child's birth.**

22 **(b) The term does not include any expenses related to an**
 23 **abortion (as defined by IC 16-18-2-1).**

24 **(c) For purposes of subsection (a)(1)(E), the amount of the**
 25 **health insurance premiums paid by the mother with respect to the**
 26 **mother's pregnancy with the child and to the child's birth equals**
 27 **the amount paid by the mother for health insurance coverage that**
 28 **is effective for the period described in subsection (a)(2), prorated**
 29 **to the duration of the period described in subsection (a)(2).**

30 **Sec. 3. An individual whose paternity of a child has been**
 31 **established as described in IC 31-14-2-1 shall pay at least fifty**
 32 **percent (50%) of the reasonable and necessary pregnancy and**
 33 **childbirth expenses with respect to the child's birth.**

34 **Sec. 4. The mother of a child may, not later than one (1) year**
 35 **after the date of the child's birth, bring a civil action against an**
 36 **individual described in section 3 of this chapter to enforce the**
 37 **individual's obligation under section 3 of this chapter with respect**
 38 **to the child's birth.**

