

ACT No. 253

2016 Regular Session

HOUSE BILL NO. 484

BY REPRESENTATIVE ROBERT JOHNSON

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AN ACT

To amend and reenact R.S. 9:315.4(B) and R.S. 46:236.1.1(2), and 236.1.2(L), relative to child support; to provide with respect to obligations to provide health insurance; to provide for cash medical support payments in certain cases; to provide for the collection of payments to the Department of Children and Family Services under certain circumstances; to provide definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:315.4(B) is hereby amended and reenacted to read as follows:

§315.4. Health insurance premiums; addition to basic obligation

* * *

B. In any case in which the department is providing support enforcement services, the child support order shall require one or both of the parties to provide medical support for the child in accordance with R.S. 46:236.1.2(L).

Section 2. R.S. 46:236.1.1(2), and 236.1.2(L) are hereby amended and reenacted to read as follows:

1 §236.1.1. Family and child support programs; definitions

2 For the purposes of this Subpart, the following items shall mean:

3 * * *

4 (2) "Cash medical support" means an amount ordered to be paid ~~in a child~~
5 ~~support order~~ toward the cost of health insurance provided by a public entity, another
6 parent, or person with whom the child resides, through employment or otherwise, or
7 for other medical costs not covered by insurance.

8 * * *

9 §236.1.2. Family and child support programs; responsibilities

10 * * *

11 L.(1) The department, when providing support enforcement services, shall
12 pursue an order to require one or both parties to provide medical support for the child
13 ~~or children~~ pursuant to R.S. 9:315.4. If private ~~or public~~ health insurance is not
14 available to either parent at a reasonable cost at the time the order is rendered, the
15 court shall order the party responsible for providing medical support to provide
16 private health insurance as soon as it becomes available at a reasonable rate cost. If
17 ~~health insurance is not available to either parent at a reasonable cost, the court shall~~
18 ~~order the noncustodial parent to provide cash medical support to the domiciliary~~
19 ~~party.~~

20 (2) The court may order the noncustodial parent to provide cash medical
21 support until such time as health insurance is provided by the noncustodial parent.

22 Cash medical support ~~may~~ shall be set at an amount not to exceed five percent of the
23 noncustodial parent's gross income. An award for cash medical support shall be
24 separate from the child support order and shall not be included in the child support
25 calculations. ~~When a child support order has been established, the court may order~~
26 ~~each party to pay a percentage of the extraordinary medical expenses as provided in~~
27 ~~R.S. 9:315.5 as cash medical support. If no child support order has been established,~~
28 ~~the court may order each party to pay a percentage of the total medical expenses not~~
29 ~~covered by insurance as cash medical support.~~

1 (3) Cash medical support payments shall be collected by the department and
2 distributed in accordance with the Code of Federal Regulations and the Louisiana
3 Administrative Code.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____