



## Ohio Administrative Code

### Rule 5101:12-47-02 Medical support provisions.

Effective: January 15, 2020

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(A) In any action or proceeding in which a child support enforcement agency (CSEA) issues or modifies a child support order, each party to the child support order is required to provide a list of any available group health insurance policies, contracts, or plans to the CSEA. Based on information provided by the parties, the CSEA shall issue medical support provisions in accordance with this rule.

(B) In accordance with division (B) of section 3119.30 of the Revised Code, the obligee is presumed to be the appropriate parent to provide health insurance coverage for the children subject to the child support order, unless rebutted by one of the following:

(1) It is appropriate to order the obligor to provide health insurance coverage when:

(a) The obligor already has health insurance coverage for the children that is reasonable in cost; or

(b) The obligor already has health insurance coverage in place for the children that is not reasonable in cost, but agrees to be named the health insurance obligor and provide coverage under division (A)(2)(a) of section 3119.302 of the Revised Code; or

(c) The obligor can obtain health insurance coverage for the children that is reasonable in cost through an employer or other source. For employer-based coverage, the CSEA shall consider the length of time the obligor has worked with the employer and the stability of the insurance; or

(2) The obligor is the appropriate parent to provide health insurance coverage when the obligee is a non-parent individual or agency that has no duty to provide medical support and the obligor meets one of the conditions listed in paragraph (B)(1) of this rule.

(C) It is appropriate to order both parents to provide health insurance coverage for the children when both parents wish to be named the health insurance obligor and already have health insurance



coverage in place or have health insurance coverage available for the children.

(D) Unless the obligee is a non-parent individual or agency that has no duty to provide medical support, when health insurance coverage for the children is not available at reasonable cost to the obligor or obligee at the time the CSEA issues or modifies an order, the order shall specify that the obligee obtain health care coverage for the children not later than thirty days after it becomes available at a reasonable cost, and to inform the CSEA when health care coverage for the children has been obtained.

(E) When the CSEA issues or modifies a child support order, the CSEA shall include a requirement that when health insurance coverage becomes available at a reasonable cost, the obligor shall inform the CSEA and may seek a modification of health care coverage from the court with respect to a court support order, or from the agency with respect to an administrative support order.

(F) Both parents may be ordered to provide health care coverage and pay cash medical support if the obligee is a nonparent individual or agency that has no duty to provide medical support.

(G) In accordance with sections 3119.30 and 3119.32 of the Revised Code, in any action or proceeding in which the CSEA is issuing or modifying a child support order, the CSEA shall order or recommend the medical support provision for the shared responsibility of uncovered healthcare expenses.

(H) When a child support order is issued or modified, the order shall include a cash medical amount in accordance with rules 5101:12-1-17 and 5101:12-45-10 of the Administrative Code.

(I) In accordance with section 3119.302 of the Revised Code, notwithstanding division (B) of section 3119.29 of the Revised Code, the CSEA may do either of the following:

(1) Permit primary care services to be farther than thirty miles if residents in part or all of the immediate geographic area customarily travel farther distances; or

(2) Require primary care services be accessible by public transportation if public transportation is the obligee's only source of transportation.



(J) When the CSEA makes either accessibility determination in paragraph (I) of this rule, the CSEA shall include this determination in the child support order.