### -What medical insurance provisions must be in child support orders? -

**The court must include in an order for support the social security number of the obligor. McKinney= s Domestic Relations Law ' 240, Family Court Act ' 416, as. The purpose of this requirement is to facilitate enforcement of the order.**

**In addition, the order directing the payment of support must provide that if either parent currently, or at any time in the future, has "health insurance benefits" available through an employer or organization that may be extended to cover the child, that parent is required to exercise the option of additional coverage in favor of the child and execute and deliver any forms, notices, documents or instruments necessary to assure timely payment of any health insurance claims for the child. McKinney= s Domestic Relations Law ' 240, 1. (a). McKinney= s Family Court Act ' 416, (a). McKinney= s Domestic Relations Law ' 240, 1. (b). McKinney= s Family Court Act ' 416, (b).**

**The court must consider the availability of health insurance benefits to all parties to the order and direct in the order of support that either or both parties obtain health insurance and allocate the costs for the helath insurance consistent with obtaining the insurance for the child or children at reasonable cost to the parties. In making it= s determination, the court must determine the extent and type of health insurance benefits available, if any, to each party. McKinney= s Domestic Relations Law ' 240, 1. (c). McKinney= s Family Court Act ' 416, (c). McKinney= s Domestic Relations Law ' 240, 1. (c). McKinney= s Family Court Act ' 416, (c).**

**Where the court determines that employer or organization health insurance benefits are available, the court must provide in the order of support that the legally responsible relative immediately enroll the eligible dependents named in the order who are otherwise eligible for the benefits without regard to any seasonal enrollment restrictions. The order must also direct the legally responsible relative to maintain the benefits as long as they remain available to that relative, and direct the legally responsible relative to assign all insurance reimbursement payments for health care expenses incurred for his or her eligible dependents to the provider of the services or the party actually having incurred and satisfied the expenses, as appropriate. McKinney= s Domestic Relations Law ' 240, 1. (d). McKinney= s Family Court Act ' 416, (d).**

**If the court finds that a legally responsible relative wilfully failed to obtain health insurance benefits in violation of a court order, that relative will be presumptively liable for all health care expenses incurred on behalf of the dependents from the first date the dependents were eligible to be enrolled to receive health insurance benefits after the issuance of the order of support directing the acquisition of such coverage. McKinney= s Domestic Relations Law ' 240, 1. (g). McKinney= s Family Court Act ' 416, (g).**

**When the court issues an order of child support or combined child and spousal support on behalf of persons in receipt of public assistance or in receipt of services pursuant to section one hundred eleven g of the social services law, the order must further direct that the provision of health care benefits shall be immediately enforced pursuant to section fifty two hundred forty one of the civil practice law and rules. McKinney= s Domestic Relations Law ' 240, 1. (e). McKinney= s Family Court Act ' 416, (e).**

**29 USC 1169). The order must: (i) clearly state that it creates or recognizes the existence of the right of the named dependent to be enrolled and to receive benefits for which the legally responsible relative is eligible under the available group health plans, and shall clearly specify the name, social security number and mailing address of the legally responsible relative, and of each dependent to be covered by the order; (ii) provide a clear description of the type of coverage to be provided by the group health plan to each such dependent or the manner in which the type of coverage is to be determined; and (iii) specify the period of time to which the order applies. The court mayl not require the group health plan to provide any type or form of benefit or option not otherwise provided under the group health plan except to the extent necessary to meet the requirements of the law relating to medical child support described in section one thousand three hundred and ninety six g of title forty two of the United States code. McKinney= s Domestic Relations Law ' 240, 1. (f). McKinney= s Family Court Act ' 416, (f).**