

252E.1A Establishing and modifying orders for medical support.

1. This section shall apply to all initial or modified orders for support entered under chapter 234, 252A, 252C, 252F, 252H, 598, 600B, or any other applicable chapter. If an action to establish or modify an order for support is initiated by the child support recovery unit, section 252E.1B shall also apply.

2. An order or judgment that provides for temporary or permanent support for a child shall include a provision for medical support for the child as provided in this section.

3. The court shall order as medical support for the child health care coverage if a health benefit plan other than public coverage is available to either parent at the time the order is entered or modified. A health benefit plan is available if the plan is accessible and the cost of the plan is reasonable.

a. The cost of a health benefit plan is considered reasonable, and such amount shall be stated in the order, if one of the following applies:

(1) The premium cost for a child to the parent ordered to provide coverage does not exceed five percent of that parent's gross income or the child support guidelines established pursuant to section 598.21B specifically provide an alternative income-based numeric standard for determining the reasonable cost of the premium, in which case the reasonable cost of the premium as determined by the standard specified by the child support guidelines shall apply.

(2) The premium cost for a child exceeds the amount specified in subparagraph (1) and that parent consents or does not object to entry of that order.

b. For purposes of this section, "family coverage" means coverage that covers multiple individuals and covers or could cover the child or children subject to the child support order.

c. For purposes of this section, "gross income" has the same meaning as gross income for calculation of support under the guidelines established under section 598.21B.

d. For purposes of this section, "the premium cost for a child to the parent" ordered to provide coverage means the amount of the premium cost for family coverage to the parent which is in excess of the premium cost for single coverage, regardless of the number of individuals covered under the plan.

4. If a health benefit plan other than public coverage is not available to either parent at the time of the entry of the order, and the custodial parent does not have public coverage for the child, the court shall order cash medical support in an amount which shall be stated in the order. This subsection shall not apply in any of the following circumstances:

a. If the parent's monthly support obligation established pursuant to the child support guidelines prescribed by the supreme court pursuant to section 598.21B is the minimum obligation amount. If this paragraph applies, the court shall order the parent to provide health care coverage when a plan becomes available for which there is no premium cost for a child to the parent.

b. If the noncustodial parent does not have income which may be subject to income withholding for collection of cash medical support at the time of the entry of the order. If this paragraph applies, the court shall order the noncustodial parent to provide health care coverage when a health benefit plan becomes available at a reasonable cost, and the order shall specify the amount of the reasonable cost as specified in subsection 3, paragraph "a", subparagraph (1).

c. If the noncustodial parent is receiving assistance or is residing with any child receiving assistance as provided in section 252E.2A, subsection 1, paragraph "c", subparagraph (3) or

(4). If this paragraph applies, the court shall order the noncustodial parent to provide health care coverage when a health benefit plan becomes available for which there is no premium cost for a child to the parent.

5. If a health benefit plan other than public coverage is not available to either parent at the time of the entry of the order, and the custodial parent has public coverage for the child, the court shall order the custodial parent to provide health care coverage, and the court shall order the noncustodial parent to pay cash medical support, which amount shall be stated in the order, unless an exception under subsection 4 applies.

6. Notwithstanding the requirements of this section, the court may order provisions in the alternative to those provided in this section to address the health care needs of the child if the

court determines that extreme circumstances so require and documents the court's written findings in the order.

7. An order, decree, or judgment entered before October 1, 2018, that provides for the support of a child may be modified in accordance with [this section](#).

[2007 Acts, ch 218, §164, 187; 2008 Acts, ch 1019, §11 – 14, 18, 20; 2018 Acts, ch 1111, §3, 10](#)

Referred to in §252B.5, 252E.1B, 598.21B, 598.21C