

JAN 23 2004  
HUMAN RESOURCES

HOUSE FILE 2076  
BY CARROLL

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to insurance coverage under a medical support  
2 order.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2076

1 Section 1. Section 252E.7, Code 2003, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 7. For the purposes of this section, the  
4 insurer of the obligor includes an insurer who provides a  
5 health benefit plan under which the obligor is covered and  
6 under which the dependent is otherwise eligible to be covered  
7 and includes an insurer providing a health benefit plan to the  
8 obligor's spouse if the obligor is covered under such plan.

9 Sec. 2. Section 252E.8, Code 2003, is amended by adding  
10 the following new subsection:

11 NEW SUBSECTION. 5. For the purposes of this section, the  
12 insurer of the obligor includes an insurer who provides a  
13 health benefit plan under which the obligor is covered and  
14 under which the dependent is otherwise eligible to be covered  
15 and includes an insurer providing a health benefit plan to the  
16 obligor's spouse if the obligor is covered under such plan.

17 Sec. 3. Section 514C.9, subsection 5, Code 2003, is  
18 amended by adding the following new paragraph:

19 NEW PARAGRAPH. cc. "Insurer of the obligor" means an  
20 insurer who provides a health benefit plan under which the  
21 obligor is covered and under which the dependent is otherwise  
22 eligible to be covered and includes an insurer providing a  
23 health benefit plan to the obligor's spouse if the obligor is  
24 covered under such plan.

25 Sec. 4. Section 598.21, subsection 4, paragraph c, Code  
26 Supplement 2003, is amended to read as follows:

27 c. (1) The guidelines prescribed by the supreme court  
28 shall incorporate provisions for medical support as defined in  
29 chapter 252E to be effective on or before January 1, 1991.

30 (2) In any order of medical support issued by the court,  
31 the court shall require all of the following:

32 (a) That the signature of the custodial parent of the  
33 child shall constitute a valid authorization to the insurer  
34 for all of the following:

35 (i) For the purposes of processing an insurance payment to

1 the provider of the medical services or to the custodial  
2 parent.

3 (ii) For the purposes of providing information to the  
4 custodial parent regarding the child's health benefit plan  
5 coverages.

6 (b) That neither the custodial parent nor the noncustodial  
7 parent shall interfere with the timely processing of any  
8 insurance claim.

9 (c) If the parent or other individual entity receiving an  
10 insurance payment based on medical services provided to the  
11 child is not the parent or other individual obligated to pay  
12 for those medical services, the parent or other individual  
13 entity receiving the payment shall promptly transmit the  
14 payment to the parent or other individual obligated to pay for  
15 those medical services.

16 For the purposes of this subparagraph (2), "insurer" means  
17 any entity that provides a health benefit plan as defined in  
18 section 252E.1 to a child under a medical support order.

19 EXPLANATION

20 This bill provides that under the medical support chapter,  
21 which provides for the coverage of the medical expenses of a  
22 child under a medical support order, for the purposes of  
23 authorizing enrollment of a child in a health benefit plan and  
24 for the purposes of the release of information by the insurer,  
25 "insurer of the obligor" includes an insurer who provides a  
26 health benefit plan under which the obligor is covered and  
27 under which the dependent is otherwise eligible to be covered,  
28 and includes an insurer providing a health benefit plan to the  
29 obligor's spouse if the obligor is covered under such plan.

30 The bill also provides that in any medical support order  
31 issued by the court, the court is to require all of the  
32 following:

33 1. That the signature of the custodial parent of the  
34 insured by child constitutes a valid authorization to the  
35 insurer for all of the following:

1 a. For the purposes of processing an insurance payment to  
2 the provider of the medical services or to the custodial  
3 parent.

4 b. For the purposes of providing information to the  
5 custodial parent regarding the child's medical coverage.

6 2. That neither the custodial parent nor the noncustodial  
7 parent shall interfere with the timely processing of any  
8 insurance claim.

9 3. If the parent or other individual receiving an  
10 insurance payment based on medical services provided to the  
11 child is not the parent or other individual obligated to pay  
12 for those medical services, the parent or other individual  
13 receiving the payment shall promptly transmit the payment to  
14 the parent or other individual obligated to make the payment.

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