



Cass County Friend of the Court

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INFORMATION ABOUT MEDICAL SUPPORT ENFORCEMENT

THIS INFORMATION IS PROVIDED TO YOU FOR BASIC CLARIFICATION OF MEDICAL SUPPORT ENFORCEMENT AT THE OFFICE OF THE FRIEND OF THE COURT (FOC). IF YOUR QUESTION IS NOT ADDRESSED BY THIS DOCUMENT, PLEASE WRITE THIS OFFICE WITH YOUR SPECIFIC PROBLEM.

1. All complaints about medical support enforcement must be submitted in writing to the FOC office. There are generally two kinds of complaints: 1) a parent is not providing health care insurance; or 2) a parent is not paying his or her share of the uninsured health care expenses.
2. In all cases, you must try to resolve the dispute directly with the other parent. If a parent is not providing health insurance, contact the parent, in writing, and ask that they enroll the child in an insurance program and provide you with copies of insurance cards and/or claim forms.
3. If a parent is not paying their share of uninsured health care expenses, you must first notify the other party, in writing, of the situation and provide them with a copy of all bills and insurance statements. You need to provide this information to the other parent 28 days within receiving a notice of payment/non-payment from the insurance carrier. The party from whom payments are requested should be given a reasonable opportunity to pay the expenses directly to you or to the health care provider. You should contact the FOC office only if the other parent fails to cooperate or respond to your requests.
4. The Court will not enforce any uninsured health care expenses that were incurred more than 1 year prior to submission to the FOC office.
5. Each parent should provide the other parent with:
 - a. An insurance card;
 - b. Copies of medical bills;
 - c. Copies of insurance information and forms necessary to submit claims; and,
 - d. Copies of determinations made as to coverage of submitted claims (EOB's or Explanation of Benefits).
6. “Health care” expenses include treatments, services, equipment, medicines, preventative care, similar goods and services associated with oral, visual, psychological, medical, and other related care, provided or prescribed by health care professionals for a child. Routine remedial care costs for children (e.g., first-aid supplies, cough syrup, and vitamins) do not qualify as “Health care” expenses. See Michigan Child Support Formula Manual, § 3.04.
7. If your Order requires you to maintain insurance that is offered through your employment at a reasonable cost, then you must maintain that insurance even if you must pay for such coverage.
8. Any medical bills applied to a parent’s deductible under an insurance plan or medical bills constituting a co-pay under a parent’s insurance plan are deemed uninsured health care expenses and each party will be responsible as provided by the Court’s Order regarding the percentage of payment towards uninsured health care expense.

9. You are responsible for payment of the percentage established by the Court's Order, after deduction of the annual ordinary medical amount, if any. How this works is as follows:

If your annual ordinary medical amount is \$357 for one child with each parent paying 50% of the uninsured health care expenses, and the child support recipient parent incurs \$800 in out of pocket uninsured health care expenses, this is how that expense is divided up:

$$\$800 - \$357 = \$443; \$443 \times .50 = \$221.50 \text{ owed by the child support payer}$$

The annual ordinary medical amount is deducted since a portion of each monthly support payment is the payer's share of the annual ordinary medical amount.

10. Medicaid requires copies of EOB's or Explanation of Benefits before Medicaid will consider paying a claim. Medicaid may or may not pay all or a portion of what is not paid by insurance. Any unpaid remainder is the parents' responsibility per the terms of the Order for uninsured health care expenses.
11. In all elective health care procedures (i.e. non-emergency situations), the parent obtaining health care for the child(ren) should notify the other parent in advance and in writing regarding the required care. See NOTICE REGARDING BRACES/ORTHODONTIA TREATMENT.
12. If a parent has insurance in place for the child(ren) and the other parent refuses to utilize the other parent's insurance, that parent incurring the health care expenses on behalf of the child(ren) may be liable for up to 100% of the costs incurred.
13. Both parents are required to provide each other, and the Friend of the Court, upon request, with any and all documentation necessary for each party to utilize any healthcare coverage available for a minor child, including but not limited to insurance cards, explanations or listings of benefits, and/or claim forms and instructions for filing a claim.
14. Court costs may be assessed against a parent who continually fails to pay required health care expenses, and who continually fails to maintain health care insurance as required by the Court Order.
15. Always READ your Court Order so that you are familiar with your rights and responsibilities related to medical child support enforcement.