

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 660 Department of Human Resources
Rule No. 660-3-18-.01
Rule Title: Definitions
 New x Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NA

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NA

Is there another, less restrictive method of regulation available that could adequately protect the public? NA

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NA

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NA

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer *Alamy C. Zuehlke*

Date 6-10-19

(DATE FILED)

(Department of Human Resources)
(Child Support)

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Human Resources

RULE NO. & TITLE: 660-3-18-.01 Definitions
660-3-18-.02 Medical Support Establishment

INTENDED ACTION: Proposed amendment to rules to comply with the Final Rule: Flexibility, Efficiency and Modernization in Child Support Enforcement Program (45 CFR §303.4 and §303.31) and to mirror amendments to Rule 32, Alabama Rules of Judicial Administration.

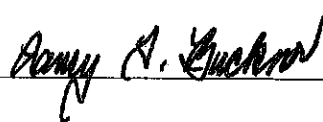
SUBSTANCE OF PROPOSED ACTION: The rule has been proposed to comply with the Final Rule: Flexibility, Efficiency and Modernization in Child Support Enforcement Program to update the definitions of medical support, private health insurance and publicly funded health care coverage. Language has also been added to include health care coverage that can be obtained for the child(ren) and to allocate the cost of coverage between the parents.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested parties may submit data, views or arguments respecting the proposed amendment by mail or in person through close of business on September 4, 2019. Persons wishing to submit data, views or arguments orally should contact the Department's Administrative Procedures Secretary between the hours of 8:00a.m. and 4:30 p. m., Monday through Friday, excluding State holidays, at (334) 242-9330 to set up an appointment for such oral/in person presentations.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: September 4, 2019

CONTACT PERSON AT AGENCY:

Gail Grobe, AP Secretary
State Department of Human Resources
Gordon Persons Building
50 Ripley Street, Suite 2122
Montgomery, Alabama 36130-4000
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Nancy T. Buckner
Commissioner

DEPARTMENT OF HUMAN RESOURCES
CHILD SUPPORT ENFORCEMENT DIVISION
ADMINISTRATIVE CODE

CHAPTER 660-3-18
MEDICAL SUPPORT

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660-3-18-.01 Definitions.

(1) As used in this Chapter, the following terms shall have the following meaning:

(a) "Accessible" - health ~~insurance~~care coverage for ordinary medical care available to the child(ren) within a 100-mile radius of their residence.

(b) "Cash Medical Support" - an amount ordered to be paid toward the cost of health insurance provided by a public entity or by ~~the~~ another parent through employment or otherwise, or for other medical costs not covered by insurance.

(c) "Health InsuranceCare Coverage" - includes any health care coverage for a child or children in a IV-D case. This includes:

~~(c) fee for service, health maintenance organization, preferred provider organization, and other types of coverage which is available to either parent, under which medical services could be provided to a dependent child or children.~~

1. Private health insurance, such as employment-based insurance and individually purchased health insurance policies including those purchased through state and federal healthcare marketplaces; and

2. Publicly funded health care coverage including Medicaid, Children's Health Insurance Program (CHIP), other state coverage plans, and coverage through Tricare or the Indian Health Service.

(d) "Medical CoverageSupport" - ~~any health care coverage provided for a child or children in a IV-D case including~~ es:
~~(d)~~

1. Health care coverage;
~~1. Private health insurance.~~
- ~~2. Publicly funded health coverage such as Medicaid or the State Child Health Insurance Program (SCHIP) which is ALL Kids in Alabama.~~
- ~~3. 2. Cash medical support, including payment of health insurance premiums and co-payments; and-~~
- ~~4. 3. Payment of medical bills, including, but not limited to dental or vision eye care.~~

~~(e) "Medical Support" - a subset of medical coverage that includes health coverage provided for a child or children in a IV-D child support case in which there is a medical support order. This includes:~~

- ~~1. Private health insurance.~~
- ~~2. Publicly funded health coverage, if a parent is ordered to provide cash medical support payments to help pay the cost of Medicaid or the State Child Health Insurance Program (SCHIP) which is ALL Kids in Alabama.~~
- ~~3. Cash medical support, including payment of health insurance premiums~~
- ~~4. Payment of medical bills, including but not limited to dental or eye care.~~

~~(f) (e) "National Medical Support Notice" - the federally approved form used by the IV-D Child Support Program to enforce the provision of health care coverage for children which is provided through an employment-related group health plan pursuant to a child support order and for whom the employer is known to the State agency.~~

~~(g) (f) "Reasonable Cost" - cash medical support or the cost of private health insurance is considered reasonable if the cost does not exceed 10% of the gross income of the obligated parent. For purposes of applying the 10% standard, the cost is the greater of the cost of adding the child to existing coverage or the difference between self only and family coverage.~~

Author: ~~Janice Grubbs~~ Clifford Smith

Statutory Authority: Code of Ala. 1975, §27-21B-10, Rule 32 Alabama Rules of Judicial Administration, 42 USC 666(a)19; 45 C.F.R. 303.31-303.32, ALABAMA STATE PLAN - CHILD SUPPORT ENFORCEMENT DIVISION.

History: New Rule: Filed August 6, 2009; effective September 10, 2009. **Amended:** Filed July 2, 2019