

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 70
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “reasonable” in line 16 and substitute “requiring the court, in certain cases, to include in a certain support order a provision requiring one or both parents to include the child in the parent’s health insurance coverage under certain circumstances; authorizing the court to include in a certain support order a provision requiring one or both parents to include the child in the parent’s health insurance coverage at a certain point in the future under certain circumstances; requiring the court to order one or both parents to provide cash medical support in a certain amount under certain circumstances; authorizing the court to order one or both parents to provide cash medical support in a certain amount under certain circumstances; requiring cash medical support to be added to the basic child support obligation under the child support guidelines and divided by the parents in proportion to their adjusted actual incomes; prohibiting the court from ordering the obligee to pay cash medical support under certain circumstances”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 14 on page 3 through line 20 on page 4, inclusive, and substitute:

“(b) [The] **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,** THE court may include in any support order a provision requiring either parent to include the child in the parent’s health insurance coverage if:

(1) the parent can obtain health insurance coverage through an employer or any form of group health insurance coverage; and

(Over)

(2) the child can be included at a reasonable cost to the parent in that health insurance coverage.

(C) (1) THIS SUBSECTION APPLIES ONLY TO A CHILD SUPPORT ORDER UNDER TITLE IV, PART D OF THE SOCIAL SECURITY ACT.

(2) (I) THE COURT SHALL INCLUDE IN ANY SUPPORT ORDER THAT IS ESTABLISHED OR MODIFIED A PROVISION REQUIRING ONE OR BOTH PARENTS TO INCLUDE THE CHILD IN THE PARENT'S HEALTH INSURANCE COVERAGE IF:

1. THE PARENT CAN OBTAIN HEALTH INSURANCE COVERAGE THROUGH AN EMPLOYER OR ANY FORM OF GROUP HEALTH INSURANCE COVERAGE;

2. THE CHILD CAN BE INCLUDED AT A REASONABLE COST TO THE PARENT IN THAT HEALTH INSURANCE COVERAGE; AND

3. THE HEALTH INSURANCE COVERAGE IS ACCESSIBLE TO THE CHILD.

(II) FOR PURPOSES OF SUBPARAGRAPH (I)2 OF THIS PARAGRAPH, THE COST OF HEALTH INSURANCE COVERAGE IS REASONABLE IF THE COST OF ADDING THE CHILD TO EXISTING HEALTH INSURANCE COVERAGE, OR THE DIFFERENCE BETWEEN SELF-ONLY AND FAMILY COVERAGE, DOES NOT EXCEED 5% OF THE ACTUAL INCOME OF THE PARENT ORDERED TO PAY FOR HEALTH INSURANCE COVERAGE.

(3) IF HEALTH INSURANCE COVERAGE AT A REASONABLE COST IS NOT AVAILABLE AT THE TIME A SUPPORT ORDER IS ESTABLISHED OR MODIFIED, THE COURT:

(I) MAY INCLUDE A PROVISION REQUIRING ONE OR BOTH PARENTS TO INCLUDE THE CHILD IN THE PARENT'S HEALTH INSURANCE COVERAGE AS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION IF HEALTH INSURANCE COVERAGE AT A REASONABLE COST BECOMES AVAILABLE IN THE FUTURE; AND

(II) SHALL INCLUDE A PROVISION REQUIRING ONE OR BOTH PARENTS TO PROVIDE CASH MEDICAL SUPPORT IN AN AMOUNT NOT TO EXCEED 5% OF THE ACTUAL INCOME OF THE PARENT ORDERED TO PROVIDE CASH MEDICAL SUPPORT.

(4) IN ADDITION TO REQUIRING ONE OR BOTH PARENTS TO PROVIDE HEALTH INSURANCE COVERAGE, THE COURT MAY ORDER ONE OR BOTH PARENTS TO PROVIDE CASH MEDICAL SUPPORT IN AN AMOUNT NOT TO EXCEED 5% OF THE ACTUAL INCOME OF THE PARENT ORDERED TO PROVIDE CASH MEDICAL SUPPORT.

(5) CASH MEDICAL SUPPORT ORDERED UNDER THIS SUBSECTION SHALL BE ADDED TO THE BASIC CHILD SUPPORT OBLIGATION AND DIVIDED BY THE PARENTS IN PROPORTION TO THEIR ADJUSTED ACTUAL INCOMES.

(6) THE COURT MAY NOT ORDER THE OBLIGEE TO PAY CASH MEDICAL SUPPORT TOWARD THE COST OF HEALTH INSURANCE PROVIDED BY A PUBLIC ENTITY FOR WHICH THE OBLIGEE DOES NOT PAY A PREMIUM, INCLUDING THE MARYLAND CHILDREN'S HEALTH PROGRAM UNDER TITLE 15, SUBTITLE 3 OF THE HEALTH – GENERAL ARTICLE.

(Over)

~~[(c)]~~ (D) An order of a court requiring the provision of health insurance coverage for a child may be issued separate from or in conjunction with an earnings withholding order.”.

On page 4, in line 21, strike “(G)” and substitute “(E)”.

On page 5, in line 16, strike “(H)” and substitute “(F)”; and in line 28, strike “(I)” and substitute “(G)”.

On page 6, in lines 4, 18, 29, and 32, strike “(J)”, “(K)”, “(L)”, and “(M)”, respectively, and substitute “(H)”, “(I)”, “(J)”, and “(K)”, respectively.

On page 7, in lines 1 and 6, strike “(N)” and “(O)”, respectively, and substitute “(L)” and “(M)”, respectively.