

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Bill No. 275, Page 55, Section 376.1578, Line 24, by  
2 inserting after said section and line the following:

3  
4 "454.600. As used in sections 454.600 to 454.645, the following terms mean:

5 (1) "Court", any circuit court establishing a support obligation pursuant to an action under this  
6 chapter, chapter 210, chapter 211 or chapter 452;

7 (2) "Director", the director of the family support division of the department of social services;

8 (3) "Division", the family support division of the department of social services;

9 (4) "Employer", any individual, organization, agency, business or corporation hiring an obligor for  
10 pay;

11 (5) "Health benefit plan", any benefit plan or combination of plans ~~other than public assistance~~  
12 ~~programs,~~ providing medical or dental care or benefits through insurance or otherwise, including but not  
13 limited to health service corporations, as defined in section 354.010; prepaid dental plans, as defined in  
14 section 354.700; health maintenance organization plans, as defined in section 354.400; and self-insurance  
15 plans, to the extent allowed by federal law;

16 (6) "Minor child", a child for whom a support obligation exists under law;

17 (7) "Obligee", a person to whom a duty of support is owed or a person, including any division of the  
18 department of social services, who has commenced a proceeding for enforcement of an alleged duty of  
19 support or for registration of a support order, regardless of whether the person to whom a duty of support is  
20 owed is a recipient of public assistance;

21 (8) "Obligor", a person owing a duty of support or against whom a proceeding for the enforcement  
22 of a duty of support or registration of a support order is commenced;

23 (9) "IV-D case", a case in which support rights have been assigned to the state of Missouri pursuant  
24 to section 208.040, or in which the family support division is providing support enforcement services  
25 pursuant to section 454.425.

26 454.603. 1. At any state of a proceeding in which the circuit court or the division has jurisdiction to  
27 establish or modify an order for child support, including but not limited to actions brought pursuant to this  
28 chapter, chapters 210, 211, and 452, the court or the division shall determine whether to require a parent to  
29 provide medical care for the child through a health benefit plan.

30 2. ~~[With or without the agreement of the parents.]~~ The court or the division may require that a child  
31 be covered under a health benefit plan that is accessible to the child. Such a requirement shall be imposed in  
32 any IV-D case. The court or division shall require that a child be covered under a private health benefit plan  
33 whenever such a health benefit plan is available at reasonable cost through a parent's employer or union ~~[or in~~  
34 ~~any IV-D case]~~. If ~~[such]~~ a private health benefit plan is not available at reasonable cost through an employer  
35 or union ~~[and the case is not a IV-D case]~~, the court in determining whether to require a parent to provide  
36 such coverage, shall consider:

37 (1) The best interests of the child;

38 (2) The child's present and anticipated needs for medical care;

39 (3) The financial ability of the parents to afford the cost of a health benefit plan; and

40 (4) The extent to which the cost of the health benefit plan is subsidized or reduced by participation

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1 on a group basis or otherwise.

2 3. To the extent that such options are available under the terms of the health benefit plan, an order  
3 may specify required terms of the health benefit plan, including:

4 (1) Minimum required policy limits;

5 (2) Minimum required coverage;

6 (3) Maximum terms for deductibles or required co-payments; or

7 (4) Other significant terms, including, but not limited to, any provision required for a health benefit  
8 plan under the federal Employee Retirement Income Security Act of 1974, as amended.

9 4. If the child is not covered by a private health benefit plan but such a plan is available to one of the  
10 parents at a reasonable cost, the court or the division shall order that coverage under the health benefit plan be  
11 provided for the child unless there is available to the other parent a private health benefit plan with  
12 comparable or better benefits at comparable or reduced cost. If private health benefit plans are available to  
13 both parents upon terms which provide comparable benefits and costs, the court or the division shall  
14 determine which health benefit plan, if any, shall be required, giving due regard to the possible advantages of  
15 each plan.

16 5. The court shall require the obligor to be liable for all or a portion of the medical or dental  
17 expenses of the minor child that are not covered by the required health benefit plan coverage if:

18 (1) The court finds that the health benefit plan coverage required to be obtained by the obligor or  
19 available to the obligee does not pay all the reasonable and necessary medical or dental expenses of the minor  
20 child; and

21 (2) The court finds that the obligor has the financial resources to contribute to the payment of these  
22 medical or dental expenses; and

23 (3) The court finds the obligee has substantially complied with the terms of the health benefit  
24 coverage.

25 6. The cost of health benefit plan employee contributions or premiums shall not be a direct offset to  
26 child support awards established pursuant to this chapter, chapters 210, 211, and 452, but it shall be  
27 considered when determining the amount of child support to be paid by the obligor.

28 7. If two or more health benefit plans are available to one or both parents that are complementary to  
29 one another or are compatible as primary and secondary coverage for the child, the court or the division may  
30 order each parent to maintain one or more health benefit plans for the child.

31 8. Prior to terminating enrollment in a health benefit plan or changing from one health benefit plan to  
32 another, consideration by the court or division shall be given to the child's medical condition and best  
33 interests and whether there is reason to believe that a new health benefit plan would omit or limit benefits  
34 because of a preexisting condition.

35 9. An abatement of a parent's child support obligation shall not automatically abate that parent's duty  
36 to provide for the child's health care needs. Unless an order of the court or the division specifically provides  
37 for abatement or termination of health care coverage, an order to maintain health benefits or otherwise  
38 provide for a child's health care needs shall continue in force until further order of the court or the division, or  
39 until the child's right to parental support terminates."; and

40  
41 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.