



Ohio Administrative Code Rule 5101:12-55-40 Insurance claim intercept.

Effective: February 1, 2016

(A) This rule describes the insurance claim intercept program that a child support enforcement agency (CSEA) shall use to intercept insurance claims, settlements, or awards to be paid to an obligor on a IV-D case by an insurer, in accordance with sections 3123.23 and 3121.03 of the Revised Code.

(B) Claim, settlement, or award notification.

(1) Upon notification through the office of child support or by the insurance match vendor of the existence of an insurance claim, settlement, or award for an obligor in default in accordance with section 3123.06 of the Revised Code, the CSEA shall issue to the insurer a JFS 04047, "Income Withholding for Support" (effective or revised effective date as identified in rule 5101:12-10-99 of the Administrative Code), in accordance with section 3121.03 of the Revised Code.

(2) In the event that an insurer notifies the CSEA of the existence of a lump sum payment as described in the JFS 04047 the CSEA shall proceed in accordance with rule 5101:12-50-12 of the Administrative Code.

(C) The CSEA shall document case actions to pursue collections, or determinations not to pursue collections, in accordance with rule 5101:12-10-05 of the Administrative Code. In addition to documentation in the case record, the CSEA shall also document on the insurance match vendor's secure website the issuance of a JFS 04047 and if applicable the issuance of a lump sum order.

(D) Insurer immunity.

(1) Pursuant to section 3123.23 of the Revised Code, any insurer and any director, agent, or employee authorized to act on behalf of an insurer, that releases information or makes a disclosure in accordance with this rule, shall be immune from liability in a civil action for harm resulting from the disclosure.



(2) In accordance with section 3121.21 of the Revised Code, a payor shall not be subject to criminal or civil liability for compliance with a withholding or deduction notice.