



## Ohio Revised Code

### Section 3119.302 Private health insurance - cash medical support.

Effective: March 28, 2019

Legislation: House Bill 366 - 132nd General Assembly

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(A) When the court, with respect to a court child support order, or the child support enforcement agency, with respect to an administrative child support order, determines the person or persons responsible for the health care of the children subject to the order pursuant to section 3119.30 of the Revised Code, all of the following apply:

(1) The court or agency shall consider any private health insurance in which the obligor, obligee, or children, are enrolled at the time the court or agency issues the order.

(2) If the cost of private health insurance to either parent exceeds a reasonable cost, that parent shall not be ordered to provide private health insurance for the child except as follows:

(a) When the parent requests to obtain or maintain the private health insurance that exceeds a reasonable cost;

(b) When the court determines that it is in the best interest of the children for a parent to obtain and maintain private health insurance that exceeds a reasonable cost and the cost will not impose an undue financial burden on either parent. If the court makes such a determination, the court must include the facts and circumstances of the determination in the child support order.

(3) If private health insurance is available at a reasonable cost to either parent through a group policy, contract, or plan, and the court determines that it is not in the best interest of the children to utilize the available private health insurance, the court shall state the facts and circumstances of the determination in the child support order.

(4) Notwithstanding division (C) of section 3119.29 of the Revised Code, the court or agency may do either of the following:

(a) Permit primary care services to be farther than thirty miles if residents in part or all of the



immediate geographic area customarily travel farther distances ;

(b) Require primary care services be accessible by public transportation if public transportation is the obligee's only source of transportation.

If the court or agency makes either accessibility determination, it shall include this accessibility determination in the child support order.

(B) The director of job and family services shall periodically update the amount of the cash medical support obligation to be paid pursuant to division (C) of section 3119.30 of the Revised Code. The updates shall be made in consideration of the medical expenditure panel survey, conducted by the United States department of health and human services for health care research and quality. The amount shall be based on the most recent survey year data available and shall be calculated by multiplying the total amount expended for health services for children by the percentage that is out-of-pocket divided by the number of individuals less than eighteen years of age that have any private insurance.