

116TH CONGRESS
2D SESSION

H. R. 5551

To amend title XXVII of the Public Health Service Act and title 5, United States Code, to require group health plans, health insurance issuers offering group or individual health insurance coverage, and Federal Employees Health Benefits Program health benefits plans to meet certain requirements with respect to medical child support orders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2020

Ms. NORTON introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ensuring Child Health
3 Coverage Compensation in Divorce Act of 2020”.

4 **SEC. 2. MEDICAL CHILD SUPPORT ORDER REQUIREMENTS.**

5 (a) PUBLIC HEALTH SERVICE ACT REQUIRE-
6 MENTS.—Subpart II of part A of title XXVII of the Public
7 Health Service Act (42 U.S.C. 300gg–11 et seq.) is
8 amended by adding at the end the following new section:

9 **“SEC. 2730. COVERAGE PURSUANT TO MEDICAL CHILD SUP-
10 PORT ORDERS.**

11 “In any case in which a child has benefits under the
12 group health plan or health insurance coverage of a non-
13 custodial parent (including a stepparent), such plan or the
14 issuer offering such coverage shall—

15 “(1) provide such information to the custodial
16 parent as may be necessary for the child to obtain
17 benefits through such plan or such coverage;

18 “(2) permit the custodial parent (or provider,
19 with the custodial parent’s approval) to submit
20 claims for covered services without the approval of
21 the noncustodial parent; and

22 “(3) make payment on claims submitted in ac-
23 cordance with paragraph (2) directly to such custo-
24 dial parent or the provider.”.

25 (b) FEDERAL EMPLOYEES HEALTH BENEFITS PRO-
26 GRAM REQUIREMENTS.—Section 8904 of title 5, United

1 States Code, is amended by adding at the end the fol-
 2 lowing new section:

3 “(c) In any case in which a child has health coverage
 4 through the carrier of a noncustodial parent (including a
 5 stepparent) under the program established under this
 6 chapter, such carrier shall—

7 “(1) provide such information to the custodial
 8 parent as may be necessary for the child to obtain
 9 benefits through such coverage;

10 “(2) permit the custodial parent (or provider,
 11 with the custodial parent’s approval) to submit
 12 claims for covered services without the approval of
 13 the noncustodial parent; and

14 “(3) make payment on claims submitted in ac-
 15 cordance with paragraph (2) directly to such custo-
 16 dial parent or the provider.”.

17 (c) FEDERAL HEALTH CARE PROGRAMS.—Part A of
 18 title XI of the Social Security Act (42 U.S.C. 1301 et seq.)
 19 is amended by adding at the end the following new section:

20 **“SEC. 1150C. COVERAGE PURSUANT TO MEDICAL CHILD**
 21 **SUPPORT ORDERS.**

22 “In any case in which a child has benefits under a
 23 Federal health care program through a noncustodial par-
 24 ent (including a stepparent), such program shall—

1 “(1) provide such information to the custodial
2 parent as may be necessary for the child to obtain
3 benefits through such program;

4 “(2) permit the custodial parent (or provider,
5 with the custodial parent’s approval) to submit
6 claims for covered services without the approval of
7 the noncustodial parent; and

8 “(3) make payment on claims submitted in ac-
9 cordance with paragraph (2) directly to such custo-
10 dial parent, or State agency (if applicable).”.

11 (d) EFFECTIVE DATE.—The amendments made by
12 this section shall apply with respect to plan years begin-
13 ning on or after January 1, 2020.

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