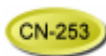


## Chapter 24: Medical - Table of Contents

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How do I determine if a medical support obligation needs to be established?

How do I determine the order's medical insurance premium limit?

How do I establish an administrative order just for medical support?

What if the child, CP, or NCP has a tribal affiliation?

[Chart](#) - Medical Support Determination

[Chart](#) - Medical Assistance and Medical Support Information

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What does the NMSN, Part A, Notice to Withhold for Health Care Coverage, tell the employer?

What does the Cover Letter for the NMSN, Part B, Medical Support Notice to Plan Administrator, DSHS 18-620, tell the plan administrator?

What does the NMSN, Part B, Medical Support Notice to Plan Administrator tell the plan administrator?

[Matrix](#) - NMSN Single-Case Decision

[Matrix](#) - NMSN Multiple-Case Decision

## 24.020 Sending a National Medical Support Notice

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What if the child, CP, or NCP has a tribal affiliation?

[Flow Chart #1](#) - Determining When the NMSN is Sent

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When is the employer not required to respond to DCS regarding the National Medical Support Notice (NMSN)?

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What do I do if the employer does not respond to the NMSN?

[Flow Chart #2](#) - NMSN 50% Withhold Limits

## 24.030 Plan Administrator Responses to a National Medical Support Notice

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What do I do when the plan administrator marks Box 2 - *The participant (employee) and alternate recipient(s) child(ren) are to be enrolled in the following family coverage?*

What do I do when the plan administrator marks Box 3 - *There is more than one option available under the plan and the participant is not enrolled?*

What do I do when the plan administrator marks Box 4 - *The participant is subject to a waiting period of \_(blank days)\_\_\_?*

What do I do when the plan administrator marks Box 5 - *This Notice does not constitute a "qualified medical child support order" because: the name or address of the children or participant is missing?"*

What if the plan administrator does not respond to the NMSN because of Health Insurance Portability and Accountability Act (HIPAA)?

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[Flow Chart #3](#) - Determining if Child is Eligible for Coverage

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When do I use Review Code 60 for medical support obligations?

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How do I update the Medical Insurance (MI) screen?

What if I cannot find the carrier code for the insurance company that was given?

How can I find cases to review and send a NMSN?

### **24.045 Medical Noncompliance**

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What do I do if the plan administrator does not respond to the NMSN?

What do I do if the out-of-state employer or plan administrator does not respond to the NMSN?

What if the employer refuses to comply?

[Flow Chart](#) - Medical Noncompliance Actions Against Employers

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[DCS Home](#) [Director Field Ops Policy / Legal Central Services SEMS MAPS Fiscal Ops](#)  
[Communications /CRU Training Personnel Tribal Facilities](#)  
[Seattle Tacoma Everett Yakima Spokane Olympia Wenatchee Vancouver Fife Kennewick](#)

Chapter 24: Medical

This Section has been replaced by [CN 253, Section III](#)

Section 24.000: Establishment of a Medical Support Obligation

This section describes how to establish a medical support obligation.

Contents



Laws	<p><a href="#">42 CFR 433.146</a> medical assignment</p> <p><a href="#">45 CFR 302.80</a> enforcing medical support obligations</p> <p><a href="#">45 CFR 303.31</a> securing and enforcing medical support</p> <p><a href="#">RCW 26.09.105</a> health insurance requirement in support orders</p> <p><a href="#">RCW 26.23.050</a> support order contents</p> <p><a href="#">WAC 388-14A-3125</a> Notice and Finding of Medical Responsibility (NFMR)</p>
Policy	<p>Secure medical support information and establish and enforce medical support obligations as appropriate.</p> <p>Enforce medical support unless the non-Medical Assistance Only (non-MAO) nonassistance custodial parent (CP) declines medical support services in writing.</p> <p>When a court order is silent about the noncustodial parent's (NCP's) medical support obligation, or specifically relieves the NCP of a medical obligation, modify the order in Medical Enforcement Only (MEO) cases.</p> <p>Establish a medical support order administratively if no support order exists and Division of Child Support (DCS) is providing medical support services.</p> <p>Indian Health Services (IHS) is an acceptable alternative to private health insurance if the NCP is a tribal member. DCS staff must receive written verification that IHS is available to the child.</p>
Procedure	<p>If there is an existing support order, review the order for health insurance language.</p> <p>Refer existing orders with no health insurance requirement for modification.</p> <p>If no order exists, establish a medical support order administratively.</p> <p>Accept Indian Health Services (IHS) as an acceptable alternative to private health insurance if the NCP is a tribal member. DCS must receive written verification that IHS is available to the child.</p> <p>Under federal full faith and credit laws, apply the medical support premium under the laws of the state that issued the order.</p> <p>When the medical premium can not be determined, use the federal definition in <a href="#">45 CFR 303.31</a> which says employment-related insurance is considered reasonable in cost.</p>
Visual Aids	<p><a href="#">Chart - Medical Support Determination</a></p> <p><a href="#">Chart - Medical Assistance and Medical Support Information</a></p>
Automated Actions	<p>If the <a href="#">OR</a> Medical field is coded to show that the NCP has no responsibility, <a href="#">EV</a> will prompt the SEO to modify the order to include a medical insurance obligation.</p>
SEMS Screens	<p><a href="#">OR</a>, <a href="#">BC</a>, <a href="#">MI</a></p>
Forms Used	<p><a href="#">09-795</a>, <a href="#">09-729</a>, <a href="#">09-277</a>, <a href="#">18-455</a>, <a href="#">WSCSS</a>, <a href="#">09-793</a></p>
Hearing and Conference Board Rights	<p>NCP has administrative hearing rights on <a href="#">09-795</a>.</p> <p>Either party may request a conference board for issues arising from medical enforcement actions.</p>
Personal Notes	<p>You have not added any notes to this handbook section.</p>
<a href="#">[Add a note]</a>	

See Also	<p><a href="#">2.055</a> Setting up Medical Enforcement Only cases <a href="#">3.000</a> Determining Whether Paternity must be Established <a href="#">6.105</a> Determining the NCP's Medical Support Obligation <a href="#">13.055</a> Enforcing Medical Support on a Tribal Case <a href="#">Everett Interstate Guide</a> <a href="#">Economic Service Administration (ESA)</a> <a href="#">State Tribal Relations Unit (STRU)</a> <a href="#">Tribal IV-D and TANF programs</a> <b>The Division of Child Support's Role in Providing Medical Insurance Coverage for Children,</b> DSHS <a href="#">18-628</a></p>
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## Procedures

**Note:** This section is intended as a summary of medical establishment options. For a comprehensive review, see Section [6.105](#).

### 1. When might I need to establish a support order that imposes only a medical support obligation?

1. Most support orders contain a medical support obligation as part of the noncustodial parent's (NCP's) support obligation.
  1. The order directs the noncustodial parent (NCP) to provide medical, dental, or health insurance coverage for a dependent child through an employer or union.
  2. The order determines the maximum amount of the medical insurance premium that the Division of Child Support (DCS) can enforce.

**Note:** If a support order sets any kind of a support obligation whatsoever for the NCP, it establishes the NCP's entire support obligation. You must modify the order to add a medical support obligation to an existing support order. See Section [16.035](#).

2. Establish medical support whenever you are establishing child support administratively.
3. If there is no order setting the NCP's support obligation, consider a support establishment notice, which will include cash support and medical support. See Section [6.086](#).
4. If the Medical Assistance Only (MAO) custodial parent (CP) does not want cash support, use the **Notice and Finding of Medical Responsibility**, DSHS [09-795](#). See Section [6.105](#).

### 2. How do I determine if a medical support obligation needs to be established?

1. Verify the child is not former and the case is not arrears only. See Section [6.105](#).
2. Verify the Basic Case screen (BC) is set to Enforcement Services code **2** (*Child Support/Medical*) or code **3** (*Medical Only*). See Section [2.055](#).
3. If the order requires payments through Washington State Support Registry (WSSR) and has automatic medical enforcement language, the Division of Child Support (DCS) does not have to serve the noncustodial parent (NCP).

Note: The NCP should get the **Responsible Parent Introduction to the Registry**, DSHS [18-439](#) when the case is opened.

1. For Medical Enforcement Only (MEO) cases with no order, serve the **Notice and Finding of Medical Responsibility**, DSHS [09-795](#). See Section [6.105](#).
2. For Medical Enforcement Only (MEO) cases with an existing order that requires service, serve the **Notice of Intent to Enforce Health Insurance**, DSHS [09-729](#). See Section [6.105](#).
3. For MEO cases, use the effective date of the Medicaid opening associated with the referral for Medical Assistance Only (MAO) cases.
4. If the CP originally requested Medical Enforcement Only (MEO) and requests Full Enforcement Services later, use the date that DCS received the full enforcement services application.
  1. Keep the case **Type 7** (Medicaid), but change Enforcement Services field on the [BC](#) to **2** (Child Support/Medical).
  2. If DCS has already served a DSHS [09-729](#), serve the appropriate support establishment notice. Do not apply the sixty-day rule. See Section [6.086](#).
  3. For Full Enforcement Services cases based on an existing order, serve the NCP a **Notice of Support Debt and Demand for Payment**, DSHS [09-272](#) or a **Notice of Support Owed**, DSHS [09-711](#). See Sections [6.105](#) on fixed dollar amounts and [6.050](#) for variable amounts.
  4. For Full Enforcement Services cases with no order or where paternity is conclusively presumed, serve the **Notice and Finding of Financial Responsibility**, DSHS [09-275](#). See Section [6.086](#).
  5. For Full Enforcement Services cases where paternity is not conclusively presumed, serve the **Notice and Finding of Parental Responsibility**, DSHS [09-710](#). See Section [6.086](#).
  6. When the existing order requires payments through Washington State Support Registry (WSSR) but does not have automatic medical enforcement language, serve the **Notice of Intent to Enforce Health Insurance**, DSHS [09-729](#). See Section [6.105](#).

### 3. How do I determine the order's medical insurance premium limit?

1. Premium limits are determined by the order's language, state laws of the issuing tribunal, and the filed date for Washington State orders.

2. Review the order and the Order Record ([OR](#)) screen Premium field to determine if the amount of the insurance premium limit has been determined. See Section [24.040 E](#).
3. If the NCP's medical insurance premium limit must be calculated, gather income information since the income of the parties determines the premium amount. See Section [6.090](#).
4. Prepare a **WSCSS worksheet** based on the combined income of both parties.
  1. Calculate the NCP's premium obligation as 25% of the NCP's *Basic Support Obligation*, line 7, on the WSCSS worksheet.
  2. This is the amount to use as the NCP's medical support obligation in the notice.

#### 4. How do I establish an administrative order just for medical support?

1. Serve a **Notice and Finding of Medical Responsibility**, DSHS [09-795](#).
  1. Determine the NCP's medical support obligation per [24.000 C4](#) above.
  2. Both parties have hearing rights. See Section [6.086](#) for response time.
  3. Apply full party procedures. If either party requests a hearing, see Section [6.110](#).

**Note:** DCS must have personal jurisdiction over the NCP to establish support administratively if the NCP lives out-of-state.

4. When the administrative order is final, enter the order information on the Order Record (OR) screen. See Section [24.040 E](#).
5. Take medical enforcement action if appropriate. See Section [24.015](#).

#### 5. What if the child, CP, or NCP has a tribal affiliation?

- o Consult your [Regional Tribal Liaison](#). See Section [13.055](#) and the State Tribal Relations Unit (STRU) Tribal IV-D and TANF programs [Web site](#).

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Revised June 27, 2006

## Chapter 24: Medical

### Section 24.005: Enforcing a Medical Support Obligation

This section describes when and how to collect health insurance from an NCP.

#### Contents

CN-247

PCM  
06-005

Laws	<p><a href="#">42 USC 666(a)(19)</a> requires use of the National Medical Support Notice (NMSN)</p> <p><a href="#">45 CFR 302.80</a> health insurance requirement</p> <p><a href="#">45 CFR 303.30</a>, <a href="#">31</a> and <a href="#">32</a> health insurance enforcement</p> <p><a href="#">RCW 26.18.170</a> health insurance enforcement</p> <p><a href="#">RCW 26.19.071</a> determination of net income</p> <p><a href="#">WAC 388-14A-4100 - 4120</a>, <a href="#">4160</a>, <a href="#">4165</a> and <a href="#">4170</a> noncustodial parent (NCP) National Medical Support Notice (NMSN), DSHS 09-727, enforcement content</p>
Policy	<p>Enforce medical support obligations as appropriate.</p> <p>Federal regulations do not allow a custodial parent (CP) to decline medical support enforcement services when the child does not have insurance coverage.</p> <p>Division of Child Support (DCS) will allow a nonassistance CP to decline these services only when she/he provides a written request and proof of health insurance coverage for the children, such as a copy of the child's insurance card or a statement of enrollment from the CP's or other subscriber's employer.</p> <p>Once a child is enrolled in insurance due to a <b>National Medical Support Notice (NMSN)</b>, the child may not be removed until DCS sends a <b>Release</b>, DSHS <a href="#">09-298</a>, the NCP terminates employment, or the employer eliminates family health coverage for all of its employees.</p>
Procedure	<p>Send the <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a>, with the <b>Order to Withhold Income (OWI)</b>, DSHS <a href="#">09-857</a>, unless:</p> <ul style="list-style-type: none"> <li>o The DSHS <a href="#">09-857</a> is to adjust an existing wage withholding action (and the health insurance coverage is unaffected); or,</li> <li>o It is known the employer does not provide medical insurance.</li> </ul> <p>Send the <b>NMSN</b>, DSHS <a href="#">09-727</a>, to the employer without notice to the NCP when:</p> <ul style="list-style-type: none"> <li>o A court or administrative order requires the NCP to provide insurance coverage for a dependent child;</li> <li>o The NCP fails to provide health insurance (either by not covering the child or by letting the coverage lapse) or fails to provide proof of coverage;</li> <li>o DCS has reason to believe that coverage is available through the NCP's employer or union. Send the NMSN within two (2) days of new hire reporting.</li> <li>o When the NCP has multiple cases, send a separate NMSN for each case on which there is a current requirement for the NCP to provide insurance.</li> </ul>
Visual Aids	
Automated Actions	<p>The Medical field on <a href="#">OR</a> shows who is responsible to provide medical. It drives the <a href="#">MI</a> screen and the DSHS 09-727.</p> <p>If the <a href="#">OR</a> is coded to show that the NCP has no responsibility, EV will prompt the SEO to modify the order to include medical.</p> <p>EV suggests medical forms by comparing the MI Coverage field to the employer's IA 03 Insurance field. The Premium field on OR shows the NCP's medical premium cost limit. This field links to the DSHS 09-727.</p>
SEMS Screens	<a href="#">BC</a> , <a href="#">OR</a> , <a href="#">MI</a> , <a href="#">CC</a> , <a href="#">IA</a> , <a href="#">FT</a>
Forms Used	<a href="#">09-727</a> , <a href="#">09-728</a>
Hearing and Conference Board Rights	Conference board for issues arising from medical enforcement actions.
Personal Notes	You have not added any notes to this handbook section.
<a href="#">[Add a note]</a>	

See Also

[6.105](#) Determining the NCP's Medical Support Obligation  
[7.090](#) Notice and Finding of Medical Responsibility Hearing Rights  
[9.045](#) Medical Enforcement Limitations  
[13.055](#) Enforcing Medical Support on a Tribal Case  
[15.035](#) Direct Medical Enforcement When the NCP is Out-of-state  
[Medical Support Coordinators](#)

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## Procedures

### 1. When do I enforce a medical support obligation?

1. When the noncustodial parent (NCP) is not providing insurance coverage as ordered and employment-related health insurance may be available to the NCP.
2. When the child receives Medicaid or DCS is providing full services.

### 2. How do I enforce a medical support obligation?

1. Send the National Medical Support Notice (NMSN), DSHS [09-727](#), to employers. See Section 24.015.
2. Consult your Regional Tribal Liaison if the child, custodial parent (CP), or noncustodial parent (NCP) has a tribal affiliation. See Section [13.055](#) and the State Tribal Relations Unit (STRU) Tribal IV-D and TANF programs Web page.

### 3. When do I not enforce a medical support obligation?

1. The nonassistance custodial parent (CP) declined medical enforcement services in writing and provided Division of Child Support (DCS) with proof of insurance coverage for the children. **Example:** A copy of the child's insurance card or a statement of enrollment from the CP's or other subscriber's employer.
2. The order is for arrears only.
3. The case has a pending good cause claim or the community service office (CSO) has determined good cause level A.
4. All mailing and home addresses on the CP's Individual Address screen (IA) are former and the child does not receive Medicaid. **Note:** Document in a Case Comment (CC) code **60** that medical is not being enforced because DCS has no current address for the CP. The support enforcement officer (SEO) should take action to locate the CP.
5. The NCP provides Chore Services to a DSHS client.
6. When it is known the NCP's employer does not offer insurance to its employees. **Note:** Document in a **CC** code **60** that the NMSN is not being sent to the employer (specify the employer's name) because the employer has recently told DCS that it does not offer insurance to its employees.
7. The health insurance premium exceeds the premium limit specified in the order.
8. The NCP's total current support obligation plus the total premium for children on the DCS case exceeds 50% of the NCP's net income when the NCP's principle place of employment is Washington State. **Note:** When collecting an amount on arrears, reduce the arrears amount if it will allow for medical enforcement. Federal law requires some amount on arrears unless the NCP is enrolled in a qualifying job-training program. See Section [11.025](#).

## Chapter 24: Medical

### Section 24.010: NCP Responses to Enforcement of a Medical Support Obligation

This section describes common responses to medical enforcement.

#### Contents

Laws	<p><a href="#">42 USC 666(a)(19)</a> requires use of the National Medical Support Notice (NMSN)</p> <p><a href="#">RCW 48.01.235 (4) (a)</a> reasons why insurer cannot deny enrollment; no open enrollment wait</p> <p><a href="#">WAC 388-14A-3125</a> Notice and Finding of Medical Responsibility (NFMR)</p> <p><a href="#">WAC 388-14A-4100 - 4175</a> Medical enforcement and proof of coverage to DCS and CP</p>
Policy	<p>Secure medical support information. Enforce medical support obligations as appropriate.</p> <p>Once a child is enrolled in insurance due to a <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a>, the child may not be removed until:</p> <ul style="list-style-type: none"> <li>▪ DCS sends a release, DSHS <a href="#">09-298</a>,</li> <li>▪ The noncustodial parent (NCP) terminates employment, or</li> <li>▪ The employer eliminates family health coverage for <b>all</b> of its employees.</li> </ul>
Procedure	<p>Send the <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a>, with the <b>Order to Withhold Income (OWI)</b>, DSHS <a href="#">09-857</a>, unless:</p> <ul style="list-style-type: none"> <li>▪ The <a href="#">09-857</a> is to adjust an existing wage withholding action (and the health insurance coverage is unaffected).</li> <li>▪ It is known the employer does not provide medical insurance. <b>Or</b></li> <li>▪ <b>The child is a dependent of an active duty or retired military NCP.</b></li> </ul> <p>When the NCP has multiple cases, send a separate <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a> for each case on which there is a current requirement for the NCP to provide insurance.</p>
Visual Aids	
Automated Actions	<p>Posting the <b>FT</b> code <b>19</b> (No Medical Insurance) response to the DSHS <a href="#">09-727</a> automatically changes the medical insurance indicator on the employer's IA <b>03</b> address from <b>Y</b> to <b>N</b>.</p> <p><a href="#">EV</a> determines whether to suggest medical forms by comparing the medical insurance screen (MI) Coverage <a href="#">field</a> to the employer's IA <b>03</b> Insurance field.</p>
SEMS Screens	<a href="#">BC</a> , <a href="#">OR</a> , <a href="#">CC</a> , <a href="#">MI</a> , <a href="#">IA</a> , <a href="#">FT</a>
Forms Used	<a href="#">09-727</a> , <a href="#">09-728</a> , <a href="#">09-730</a> , <a href="#">18-455</a> , <a href="#">18-525</a>
Hearing and Conference Board Rights	Conference board for issues arising from medical enforcement actions.
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	<p><a href="#">6.105</a> Determining the NCP's Medical Support Obligation</p> <p><a href="#">9.045</a> Medical Enforcement Limitations</p> <p><a href="#">24.045</a> Medical Noncompliance</p> <p><a href="#">13.055</a> Enforcing Medical Support on a Tribal Case</p> <p><a href="#">15.035</a> Direct Medical Enforcement When the NCP is Out-of-state</p> <p><a href="#">24.020</a> Sending a National Medical Support Notice</p> <p><a href="#">DEERS enrollment sites</a></p> <p>OCSE <a href="#">PIO-06-02</a> <b>Guidance for Sending the National Medical Support Notice to the Defense Manpower Data Center</b></p>

## Procedures

### 1. How does the NCP give DCS information about medical coverage?

1. The noncustodial parent (NCP) can fill out the **Health Insurance Information**, DSHS [18-455](#), verifying health insurance coverage in response to receiving any of the following:
  1. **Responsible Parent Introduction to the Registry**, DSHS [18-439](#);
  2. **Notice of Intent to Enforce Health Insurance**, DSHS [09-729](#);
  3. **Notice and Finding of Financial Responsibility**, DSHS [09-275](#);
  4. **Notice and Finding of Parental Responsibility**, DSHS [09-710](#);
  5. **Notice of Support Owed**, DSHS [09-711](#);
  6. **Notice and Finding of Medical Responsibility**, DSHS [09-795](#); or,
  7. **Health Insurance Information**, DSHS [18-455](#), independently sent by the Support Enforcement Officer (SEO).
2. The NCP may phone with the information.
3. Update the Medical Insurance ([MI](#)) screen with:
  1. The insurance carrier code,
  2. Number of policies,
  3. Group number,
  4. Policy number,
  5. Effective date,
  6. Subscriber's name, and
  7. Code the children with coverage code **C** (covered), **P** (partial) or **N** (not covered).
  8. See Section [24.040](#).
4. Make a Case Comment ([CC](#)) code **60**. See Section [24.040](#).

### 2. What if the NCP is unable to enroll the children in DEERS?

1. The NCP may need copies of the following documents in order to enroll the children in Defense Enrollment Eligibility Reporting System (DEERS). The custodial parent (CP) will need to show the following documents in order to enroll the children.
  1. When the CP and NCP are still married: Copy of marriage certificate and copy of the children's birth certificates.
  2. When the CP and NCP are divorced: Copy of marriage certificate, copy of the divorce decree, and copy of the children's birth certificates.
  3. Paternity case: Copy of the paternity judgment (court order) or administrative order and copy of the child's birth certificate or a copy of the acknowledgment of paternity or paternity affidavit.
2. When the children are eligible to be enrolled in DEERS but the NCP refuses to enroll the children, the CP may go to the nearest military ID card-issuing facility with the appropriate documents to get the children enrolled.
  1. The SEO can go to the [Rapids Site Locator](#) to find military facilities located close to the CP.
  2. The SEO will have to provide this information to the CP because the CP cannot access the site. Only military and government agencies can access the site.
3. The Division of Child Support (DCS) cannot compel the children to be enrolled into medical coverage when the NCP is employed by the military. Either the NCP or CP must enroll the children.
  1. If the NCP refuses to take the steps necessary to get the children enrolled, the SEO may send the NCP's commanding officer the **Request for DEERS Enrollment**, DSHS [18-494](#).
  2. If the CP is on Medicaid with the children, the CP may be sent a **Notice of Noncooperation**, DSHS [01-115](#), for not trying to get the children enrolled. See Section [5.005](#).
  3. If the case is nonassistance and neither party will add the children, then document in a case

comment (CC) code 60.

### 3. What if the NCP states the children are covered by DEERS, TRICARE, CHAMPUS or CHAMPVA?

1. Based on the federal Office of Child Support Enforcement (OCSE) [PIQ-06-02](#), DCS **cannot** send the **National Medical Support Notice (NMSN)**, DSHS [09-727](#), to the Military when the child is a dependent of an active duty or retired military member.
  - Continue to send the DSHS 09-727 for civilian Military employees. See Section [24.020](#).
2. Upon verification, the children are enrolled. Update the Medical Insurance screen (MI) and send the custodian the **Notice of Insurance Coverage**, DSHS [09-730](#).
3. Make a Case Comment (CC) code **60**. See Section [24.040](#).

### 4. What if the NCP states the children have coverage through Indian Health Services?

1. If the NCP did not provide written proof of Indian Health Services (IHS) availability for the children, send the NCP an **Indian Health Services Notice**, DSHS [18-525](#).
  1. Check Box 1 (NCP must prove that children are enrolled).
  2. Set a Review Code 3 for two weeks.
  3. Make a CC code **60**.
2. Upon written verification that the IHS program is available to the children, document IHS availability in the case record by posting the following CC code **60**:

"Verification of IHS availability for children for [input period covered] received from [NCP or CP]."
3. If the support order requires health insurance, update the MI screen as follows:
  1. Enter Reason Code **7** (Indian Health coverage):
  2. Use dependent coverage code **N**.
  3. **DO NOT** enter **any** carrier code.
4. If the support order does not require health insurance or no order is being established to require health insurance, update the **MI** screen using dependent coverage code **X** (Not Required) or **N** (Not Covered).
5. Send a **Notice of Insurance Coverage**, DSHS [09-730](#), to the custodian to inform the custodial parent of IHS availability for the children.
  - To generate the DSHS [09-730](#),
    1. Change the children's coverage codes to **C** (*covered*), and
    2. Then change them back to **N** (*not covered*), or **X** (*not required*).

**Exception:** Do not send the DSHS [09-730](#) if the custodial parent provided the Indian Health Services (IHS) verification to DCS.

### 5. What if the NCP states the children are covered by the CP or the CP's new spouse?

1. This does not relieve the NCP's responsibility to provide medical support. Continue enforcement.
2. DCS will stop medical enforcement upon request from the nonassistance CP if:
  1. The nonassistance CP provides DCS a written request not to enforce the medical support obligation; **and**,
  2. The nonassistance CP provides written proof that the children have health insurance coverage (not Medicaid).
  3. Proof of coverage may include a copy of the child's insurance card or a statement of enrollment from the CP's or other subscriber's employer.
3. See Section [14.000](#).

*Revised September 5, 2006*

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## Chapter 24: Medical

### Section 24.015: National Medical Support Notice

This section describes the National Medical Support Notice (NMSN), Part A to employers, Part B to plan administrators and their respective DCS cover letters.

#### Contents



Laws	<p><a href="#">42 USC 666</a>(a)(19) requires use of the National Medical Support Notice (NMSN)</p> <p><a href="#">45 CFR 303.30</a>, <a href="#">31</a> and <a href="#">32</a> health insurance enforcement</p> <p><a href="#">RCW 48.01.235 (4) (a)</a> reasons why insurer cannot deny enrollment; no open enrollment wait</p> <p><a href="#">WAC 388-14A-4120</a> - <a href="#">4175</a> NMSN cover letter contents</p>
Policy	<p>The plan administrator or employer can provide specific insurance information to DCS in the <b>Addendum</b>, DSHS <a href="#">09-728</a>.</p> <p>Once a child is enrolled in insurance due to a <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a>, the child may be removed only when DCS sends a <b>Release</b>, DSHS <a href="#">09-298</a>, the NCP terminates employment, or the employer eliminates family health coverage for all of its employees.</p>
Procedure	<p>Send the <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a>, with the <b>Order to Withhold Income (OWI)</b>, DSHS <a href="#">09-857</a>, unless:</p> <ol style="list-style-type: none"> <li>1. The <b>OWI</b>, DSHS <a href="#">09-857</a>, is to adjust an existing wage withholding action (and the health insurance coverage is unaffected); or,</li> <li>2. It is known the employer does not provide medical insurance.</li> </ol> <p>Send the <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a> within two (2) days of new hire reporting.</p> <p>When the NCP has multiple cases, send a separate <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a> for each case on which there is a current requirement for the NCP to provide insurance.</p>
Visual Aids	<p><a href="#">Matrix</a> - NMSN Single-Case Decision</p> <p><a href="#">Matrix</a> - NMSN Multiple-Case Decision</p>
Automated Actions	EV determines whether to suggest medical forms by comparing the MI Coverage field to the employer's IA 03 Insurance field.
SEMS Screens	<a href="#">FG</a> , <a href="#">MI</a> , <a href="#">FT</a>
Forms Used	<a href="#">09-727</a> , <a href="#">09-728</a> , <a href="#">18-619</a> , <a href="#">18-620</a>
Hearing and Conference Board Rights	Conference board for issues arising from medical enforcement actions.
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	<p><a href="#">9.045</a> Medical Enforcement Limitations</p> <p><a href="#">13.055</a> Enforcing Medical Support on a Tribal Case</p> <p><a href="#">15.035</a> Direct Medical Enforcement When the NCP is Out-of-state</p> <p><a href="#">OCSE DCL 03-40</a> Compliance Guide For Qualified Medical Child Support Orders</p>

## Procedures

### 1. What is the National Medical Support Notice (NMSN)?

1. The **National Medical Support Notice (NMSN)**, DSHS [09-727](#) is a federally-mandated form which IV-D agencies cannot edit or revise.
  1. The NMSN compels employers to enroll specified children into health insurance programs under specific conditions.
  2. The NMSN is considered a Qualified Medical Child Support Order (QMCSO) when properly completed.
2. Division of Child Support (DCS) sends cover letters for Part A and Part B of the NMSN to provide additional information to employers and plan administrators respectively regarding Washington State's procedures.
3. DCS sends the Washington State Addendum to Box 2 of Plan Administrator Response, DSHS 09-728, for the plan administrator or employer to provide specific insurance information.

### 2. What do the cover letters tell the employer and plan administrator about applying health insurance premiums against wage withholding limits?

1. When the employee is already enrolled, and the employer or plan administrator adds only the children, then only the children's portion of the health insurance premium applies to the 50% limitation.
2. When the employee is not already enrolled, and must be enrolled in order to enroll the children, then both the employee and children's health insurance premium applies to the 50% limitation.
3. The premium amount listed on the NMSN applies only to additional costs to add the children to the plan. It does not include the cost the employee has to pay for employee only coverage.

### 3. What does the Cover Letter to the NMSN, Part A, Notice to Withhold for Health Care Coverage, DSHS 18-619, tell the employer?

1. The **National Medical Support Notice (NMSN)**, DSHS [09-727](#) contains confidential information and the employer is not to give address information to anyone.
2. The employer must send the **Cover Letter for the National Medical Support Notice-Part B-Medical Support Notice to Plan Admin**, DSHS [18-620](#), and the Washington State Addendum to Box 2, DSHS 09-728 to the employer's health care plan administrators.
3. The employer must forward **Cover Letter for the National Medical Support Notice-Part B-Medical Support Notice to Plan Admin** and Addendum to the union's third party administrator when the NCP's insurance coverage is available through a union.
4. When the noncustodial parent (NCP) has multiple cases, DCS sends a separate NMSN for each case.
5. Washington State has special rules regarding limitations on withholding and provides the employer with additional information regarding the children's insurance premium.

### 4. What does the NMSN, Part A, Notice to Withhold for Health Care Coverage, tell the employer?

1. The employer must return the Part A - Employer Response to DCS within twenty (20) business days after the date on the notice when:
  1. The employer does not maintain or contribute to plans providing dependent or family health care coverage.
  2. The NCP is among a class of employees that are not eligible for family health coverage under any group health plan maintained by the employer or to which the employer contributes.
  3. The NCP is no longer employed by the employer.
2. The employer must transfer a copy of **Cover Letter for the National Medical Support Notice-Part B-Medical Support Notice to Plan Admin** to the appropriate administrators within twenty (20) business days after the date on the notice when family health care coverage is available for which the children may be eligible.
3. Upon notification from the plan administrator that the children are enrolled, the employer must:

1. Withhold from the NCP's income any employee contribution required under each group health plan; or,
  2. Notify DCS, by completing item 4 of the Part A - Employer Response, that enrollment cannot be completed because of prioritization or limitations on withholding.
4. The plan administrator will notify the employer if the NCP is subject to a waiting period that expires more than ninety (90) days from the date the administrator received Part B of the notice, or if the waiting period is determined by a measure other than the passage of time (such as number of hours worked). The employer must notify the plan administrator when the NCP is eligible to enroll in the plan and advise the plan administrator to enroll the children based on the Notice.
  5. The maximum amount the employer can withhold for both cash and medical support.
  6. The priority of withholdings (current support, health insurance premium, past-due support) and continuance of the withholding until notified by DCS to stop.
  7. The employer must continue to withhold premiums and keep the children on coverage until notified by DCS to stop or the employer eliminates family health coverage for all of its employees.
  8. The employer must promptly notify DCS when the NCP's employment terminates.
  9. The liability of the NCP for any employee contribution that is required for the enrollment of the children.
  10. If the NCP contests the withholding under the Notice, the NCP should contact DCS.
  11. The employer may be subject to sanctions or penalties imposed under State law and/or Employee Retirement Income Security Act of 1974 (ERISA).
5. **What does the Cover Letter for the NMSN, Part B, Medical Support Notice to Plan Administrator, DSHS 18-620, tell the plan administrator?**
1. The **National Medical Support Notice (NMSN)**, DSHS [09-727](#) contains confidential information and the plan administrator is not to give address information to anyone.
  2. For federal audit purposes, DCS must have specific insurance information in the case files. The plan administrator can provide the information on the Addendum or by attaching any preprinted documents that give the insurance information.
  3. How to apply premium amounts listed on the Part A Cover Letter and in the NMSN, and how to apply withholding limits depending on whether or not the NCP is already enrolled.
6. **What does the NMSN, Part B, Medical Support Notice to Plan Administrator tell the plan administrator?**
1. The plan administrator must return the Part B - Plan Administrator Response to DCS within forty (40) business days after the date on the notice when:
    1. The children are enrolled.
    2. The NCP is not enrolled and there is more than one option available under the plan. DCS must select the plan in which to enroll both the NCP and child.
    3. The NCP is subject to a waiting period that expires more than ninety (90) days from the date of receipt of the Notice, or has not completed a waiting period which is determined by some measure other than the passage of time, such as the completion of a certain number of hours worked.
    4. The **National Medical Support Notice (NMSN)**, DSHS [09-727](#) is lacking information necessary for it to be a Qualified Medical Child Support Order (QMCSO), or a particular child is at or above an age at which dependents are no longer eligible for coverage under the plan.
  2. The plan administrator cannot deny enrollment of a child on the grounds that:
    1. The child was born out-of-wedlock.
    2. The child is not claimed as a dependent on the NCP's Federal Income Tax Return.
    3. The child does not reside with the NCP or live in the plan's service area.
    4. The child is receiving benefits or is eligible to receive benefits under Medicaid.
    5. If the plan requires the NCP to be enrolled in order for the children to be enrolled, and the NCP is not currently enrolled, the plan administrator must enroll both the NCP and children.
    6. All enrollments are to be made without regard to open enrollment restrictions.

7. If the children are enrolled, the plan administration must do the following:
  8. Notify the NCP and custodial parent (CP) that coverage is or will become available.
  9. Furnish the custodial parent (CP) with a description of the coverage, effective date, a summary plan description, and any forms, documents, or information necessary to effectuate the coverage.
  10. Upon completion of the enrollment, transfer the applicable information on Part B - Plan Administrator Response to the employer for a determination that the necessary employee contributions are available. The employer will notify the plan administrator to remove the children from the coverage if the employer determines the actual premium exceeds the NCP's limit, or current support plus the insurance premium exceeds 50% of the NCP's net income.
3. If DCS must select the plan in which to enroll both the NCP and child:
1. The Support Enforcement Officer (SEO) has twenty (20) business days from the date the Plan Administrator Response is sent to DCS to tell the plan administrator which option to chose. **Note:** If DCS does not respond within twenty (20) business days, the NCP and child will be enrolled in the plan's default option. If there is no default option, the plan administrator will not enroll the NCP and child until advised by DCS.
  2. Separate instructions and a decision matrix are provided as a guideline for the SEO in selecting the plan. Follow the procedures in **NMSN** single-case decision matrix and **NMSN** multiple-case decision matrix.
4. The plan shall make payment for covered benefits or reimbursements directly to the party. Any of the following may file claims:
1. A child covered by a QMCSO;
  2. The child's custodial parent or legal guardian;
  3. The provider of services to the child;
  4. A state agency when the child's rights to medical have been assigned.
5. Once a child is enrolled, they may be removed from coverage if:
1. The child support order is no longer in effect;
  2. Switching coverage between plans causes no lapses in coverage;
  3. The employer eliminates family health coverage for all of its employees;
  4. Any available continuation of coverage (COBRA) is not elected or it is expired.

## Chapter 24: Medical

### Section 24.020: Sending a National Medical Support Notice

This section describes conditions to review before sending the NMSN.

#### Contents



Laws	<p><a href="#">42 USC 666(a)(19)</a> requires use of the National Medical Support Notice (NMSN)</p> <p><a href="#">RCW 48.01.235 (4) (a)</a> reasons why insurer cannot deny enrollment; no open enrollment wait</p> <p><a href="#">WAC 388-14A-3125</a> Notice and Finding of Medical Responsibility (NFMR)</p> <p><a href="#">WAC 388-14A-4100 - 4175</a> Medical enforcement and proof of coverage to DCS and CP</p>
Policy	<p>Secure medical support information and enforce medical support obligations as required in the NCP's order.</p> <p>When DCS does not have a current address for the CP and the child is on Medicaid, send the <b>NMSN</b> using the DCS-MSP address for the CP.</p> <p>Send the CP the <b>Address Release for Children's Health Insurance</b>, DSHS 00-354, before providing the CP's address on the <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a>, if any of the following apply and it has not been sent previously:</p> <ul style="list-style-type: none"> <li>■ The case was in closed status on July 30, 2002;</li> <li>■ There was no existing order on the <a href="#">OR</a> screen on July 30, 2002;</li> <li>■ The <b>Custodial Parent Introduction to the Registry</b>, DSHS <a href="#">18-440</a>, was sent between August 18, 2002, and November 18, 2003</li> </ul>
Procedure	<p>Send the <b>NMSN</b>, DSHS <a href="#">09-727</a>, with the <b>Order to Withhold Income (OWI)</b>, DSHS <a href="#">09-857</a>, unless:</p> <ul style="list-style-type: none"> <li>■ The <a href="#">09-857</a> is to adjust an existing wage withholding action (and the health insurance coverage is unaffected); or,</li> <li>■ It is known the employer does not provide medical insurance.</li> <li>■ The child is a dependent of an active duty or retired military noncustodial parent (NCP).</li> </ul> <p>Send the <b>National Medical Support Notice (NMSN)</b>, DSHS <a href="#">09-727</a> within two (2) days of new hire reporting.</p> <p>When the NCP has multiple cases, send a separate <b>NMSN</b> for each case on which there is a current requirement for the NCP to provide insurance.</p> <p>When the CP elects to use the DCS-MSP address, update the Domestic Violence (DV) indicator on the CP's Basic Individual (BI) screen to <b>1</b> (At Issue). Make a <a href="#">CC</a> code <b>60</b> and a posting to the White Board (<a href="#">WB</a>) that the DV indicator was set to 1 for purposes of the <b>NMSN</b> only.</p>
Visual Aids	<a href="#">Flow Chart #1</a> - Determining When the NMSN is Sent
Automated Actions	<p>The Medical field on <a href="#">OR</a> shows who is responsible to provide medical.</p> <p>The Premium field on OR shows the NCP's medical premium cost limit.</p> <p>EV compares the MI Coverage field to the employer's IA 03 Insurance field before suggesting medical forms.</p>
SEMS Screens	<a href="#">FG</a> , <a href="#">MI</a> , <a href="#">FT</a> , <a href="#">IA</a>

Forms Used	<a href="#">09-727</a> , <a href="#">09-728</a> , <a href="#">18-440</a>
Hearing and Conference Board Rights	Conference board for issues arising from medical enforcement actions.
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	<a href="#">9.045</a> Medical Enforcement Limitations <a href="#">13.055</a> Enforcing Medical Support on a Tribal Case <a href="#">15.035</a> Direct Medical Enforcement When the NCP is Out-of-state <a href="#">Everett Initiating Interstate Guide</a> OCSE <a href="#">PIQ-06-02</a> Guidance for Sending the National Medical Support Notice to the Defense Manpower Data Center

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## Procedures

### 1. What should I check before generating the National Medical Support Notice (NMSN), DSHS 09-727?

1. Verify that the noncustodial parent (NCP) was served automatic health insurance enforcement language in the court order or administrative order. **The Division of Child Support** (DCS) orders include:
  1. **Notice of Support Debt and Demand for Payment**, DSHS [09-272](#), See Section [6.040](#).
  2. **Notice and Finding of Financial Responsibility**, DSHS [09-275](#), See Section [6.086](#).
  3. **Notice and Finding of Parental Responsibility**, DSHS [09-710](#), See Section [6.086](#).
  4. **Notice and Finding of Medical Responsibility**, DSHS [09-795](#), See Section [6.086](#).
  5. **Notice of Intent to Enforce Health Insurance**, DSHS [09-729](#). See Section 6.125 [Chart](#) - Medical Support Determination.
2. Verify that the NCP is not providing health insurance coverage.
3. Verify that the employer has not been sent an **NMSN** for all of the children.
4. If the employer was sent a **NMSN** and the children are enrolled in a health insurance coverage program through the employer, but the custodian has changed, then send the **Change of Custodian for Dependent Health Insurance**, DSHS [09-987](#), instead of a new **NMSN**.
  1. Send the [09-987](#) to the NCP's employer. The form asks the employer to notify the plan administrator or insurance carrier of the change.
  2. Generate the [09-987](#) on the case with the new custodian. Enter the name of the previous custodian in the appropriate space.  
**Exception:** The DSHS [09-987](#) should not be sent to the Defense Manpower Data Center (DMDC) Support Office when the NCP is in the military, and the child's coverage is through DEERS, TRICARE, CHAMPUS, or CHAMPVA.
5. Send the custodial parent (CP) the **Address Release for Children's Health Insurance**, DSHS 00-354 before providing the custodial parent's (CP's) address on the **NMSN**, DSHS [09-727](#), if any of the following apply and it hasn't been sent previously:
  1. The case was in closed status on July 30, 2002;
  2. There was no existing order on the Order Record screen ([OR](#)) on July 30, 2002;
  3. The Custodial Parent Introduction to the Registry, DSHS [18-440](#), was sent between August 18, 2003 and November 18, 2003.
6. When Division of Child Support (DCS) does not have a current address for the CP and the child is on Medicaid, use the DCS-MSP address for the CP. See Section [24.020 B](#).
7. Review the order's specific language and **CC** code **60s** as necessary.  
**Example:** The NCP may be required to provide medical only if there is no cost to the NCP, or the NCP may be required to provide medical only if the employer pays all or part of the children's premium.
8. Verify the Order Record screen ([OR](#)) is accurate.
  1. Be sure orders that are no longer in effect have an ending date in the thru field on the [OR](#) screen. SEMS adds the premium amounts for all orders on a case that do not have an end date and automatically enters it onto the **NMSN**.
  2. The "Med field" (medical support language) should be set according to the language in the order, such as **04** (NCP required) or **02** (NCP/CP required). The NCP may not have an obligation for reasons **01** (Not required), **03** (CP required) or **06** (Not addressed).  
**Note:** **05** (NCP employer required) is used when the order reads "required if employer pays all or part." Follow the procedures in SEMS Manual Order Record Screen ([OR](#)) and Medical Insurance Screen (MI).

3. Premium amounts as specified in the order.
4. Premium amounts for Washington State orders entered on or after May 13, 1989 should be equal to 25% of the basic support obligation (from line 7 of the child support worksheet) unless the order states the premium can exceed 25% of the basic support obligation.
5. Premium amounts for non-Washington State orders must be calculated according to the laws of the issuing state. [The Everett Initiating Interstate Guide](#) may provide this information.
6. When a premium amount cannot be determined, DCS will use the federal definition [45 CFR 303.301 \(1\) \(a\)](#) Health insurance is considered reasonable in cost if it is employment-related or other group health insurance, regardless of service delivery mechanism. See Section [6.125](#) C.2.
  1. If using the federal definition of reasonable, update the Order Record (OR) screen by changing the Premium field to 0.00 and checking the **N/A** field.
  2. The NCP's only limit will be that current support plus the premium cannot exceed 50% of the NCP's net disposable earnings.
7. Verify that the children's dates of birth and social security numbers are on the Basic Case screen (BC) and the children's status fields are accurate. Support Enforcement Management System (SEMS) will pull the data to the NMSN automatically when the support enforcement officer (SEO) generates the form.
  1. Some plan administrators will not add the children without their social security number (SSN) or date of birth (DOB).
  2. If DCS does not have the children's SSN, check Automated Client Eligibility System (ACES) for possible medical assistance or Temporary Assistance for Needy Families (TANF).
  3. If the children are not in ACES, contact the CP.  
Note: Do not delay sending the NMSN because a child's SSN or DOB is not currently available.
8. Confirm the NCP's and CP's Individual Address Screens (IA) are accurate.

## 2. What if the CP elected to use the DCS-MSP address after receiving the Address Release for Children's Health Insurance, 00-354, or the Custodial Parent Introduction to the Registry, DSHS [18-440](#)?

1. Set the Domestic Violence (DV) Indicator on all of the CP's Basic Individual screens (BI) to 1 (At Issue) and make a Case Comment (CC) code 60 documenting the CP's request.
2. If the DV indicator is set, SEMS Forms Generation (FG) will substitute the DCS Medical Support Program (MSP) address for the CP's best known mailing address when generating the NMSN. The Medical Support Program (MSP) mailing address is:

DCS-MSP  
Division of Child Support  
PO Box 45795  
Olympia 98504-5795

## 3. Where do I send the NMSN if the NCP is employed by the military?

**Note:** Based on the federal Office of Child Support Enforcement (OCSE) [PIQ-06-02](#) DCS cannot send the National Medical Support Notice, DSHS [09-727](#), to the Military when the child is a dependent of an active duty or retired military member.

- Continue to send the DSHS [09-727](#) for civilian Military employees. See 1 and 2 below.

1. For non-uniformed civilian Coast Guard employees, send the NMSN to:

United States Coast Guard

G-PC (USCG)  
Room 4100E, CGHQ  
Department of Transportation  
Washington, D.C. 20590

2. For civilian employees in the Department of Defense, send the **NMSN** to:

Assistant General Counsel for Garnishment Operations  
Defense and Accounting Service  
Cleveland Center - Code L (DFAS - CL/L)  
PO Box 998002  
Cleveland, OH 44199-0002

1. According to OCSE, there are 73 addresses for DOD Civilian employees, based on the Personnel Office Indicator. The address provided above is temporary and subject to change. See [Obtaining Medical Support From Military Personnel](#).
2. The Office of Child Support Enforcement (OCSE) continues to work with the Department of Defense (DOD) to establish a centralized location to send the **NMSN** for civilian employees and to have the **NMSN** recognized as proof of entitlement to military medical coverage.

#### 4. What if the child, CP, or NCP has a tribal affiliation?

- Consult your [Regional Tribal Liaison](#). See Section [13.065](#) and the State Tribal Relations Unit ([STRU](#)) Tribal IV-D and TANF programs [Web page](#).

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*Revised August 15, 2006*

## Chapter 24: Medical

### Section 24.025: Employer Responses to a National Medical Support Notice

This section describes common responses from Employers regarding the NMSN.

#### Contents



Laws	<p><a href="#">42 USC 666(a)(19)</a> requires use of the National Medical Support Notice (NMSN)</p> <p><a href="#">RCW 26.18.170</a> health insurance enforcement</p> <p><a href="#">RCW 48.01.235</a> reasons why insurer cannot deny enrollment; (4)(a) no open enrollment wait</p> <p><a href="#">WAC 388-14A-4120 - 4126</a> NMSN employer contents</p> <p><a href="#">WAC 388-14A-4180</a> DCS shares medical coverage with MAA</p>
Policy	<p>Do not send medical enforcement notices when DCS already has medical coverage information.</p> <p>Do not require an employer to provide medical information when it is not needed.</p> <p>DCS shares medical information with Medical Assistance Administration's (MAA) Coordination of Benefits (COB) Section.</p>
Procedure	<p>Use CC code <b>60</b> to document medical information.</p> <p>Maintain accurate case records</p>
Visual Aids	<p><a href="#">Flow Chart #2</a> - NMSN 50% Withhold Limits</p>
Automated Actions	<p>Posting the <b>FT</b> code <b>19</b> (No Medical Insurance) response to the DSHS <a href="#">09-727</a> automatically changes the medical insurance indicator on the employer's <b>IA 03</b> address from <b>Y</b> to <b>N</b>. <a href="#">EV</a> determines whether to suggest medical forms by comparing the <a href="#">MI</a> Coverage field to the employer's <a href="#">IA 03</a> Insurance field.</p>
SEMS Screens	<p><a href="#">BC</a>, <a href="#">OR</a>, <a href="#">MI</a>, <a href="#">CC</a>, <a href="#">IA</a>, <a href="#">FT</a></p>
Forms Used	<p><a href="#">09-727</a>, <a href="#">09-728</a>, <a href="#">09-730</a></p>
Hearing and Conference Board Rights	<p>Conference board for issues arising from medical enforcement actions.</p>
Personal Notes <a href="#">[Add a note]</a>	<p>You have not added any notes to this handbook section.</p>
See Also	<p><a href="#">9.045</a> Medical Enforcement Limitations</p> <p><a href="#">24.045</a> Medical Noncompliance</p> <p>OCSE PIQ <a href="#">02-03</a> Medical Support Enforcement Policy Clarifications</p> <p>OCSE DCL <a href="#">03-40</a> Compliance Guide For Qualified Medical Child Support Orders</p>

## Procedures

### 1. When is the employer not required to respond to DCS regarding the National Medical Support Notice (NMSN)?

- The employer is not required to respond when they forward **Part B** to the plan administrator(s).

### 2. What do I do after the employer responds?

1. If an employer's response is unclear, call the employer for clarification.
2. Post a Case Comment (CC) code **60** and update Forms Table screen (FT) and Medical Insurance screen (MI) according to the employer's response.
3. Set a Review Code 60 for any follow-up actions that are needed, such as to find out if the non-custodial parent (NCP) met the minimum hours or months of employment to qualify for medical through the union or employer.

### 3. When can the employer not enroll the child?

1. The employer does not offer medical insurance. See D below.
2. The premium amount for the children on the case exceeds the limit shown on the **NMSN**. See G below.
3. The premium amount plus current support exceeds 50% of the NCP's net income for a NCP who works in Washington State. See G below.
4. The premium amount plus current support exceeds the Consumer Credit Protection Act (CCPA) limit for a NCP whose principal place of employment is not Washington State. See G below.
5. If the NCP has not worked enough hours or months to become eligible for insurance, tell the employer to enroll the child once the NCP meets the specified hours or months. Set a Review Code 60 for any follow-up actions that are needed, such as to find out if the NCP met the minimum hours or months of employment to qualify for medical through the union or employer.  
**Note:** The child's medical coverage may alternate from month to month depending on the NCP's eligibility status.

### 4. What if I disagree with the employer's calculation of the NCP's premium limit?

1. The employer may have given a premium amount for family coverage that includes the NCP and possibly a new spouse and new children not on the order. The premium costs may be employee only; employee plus spouse; employee plus one child; employee plus children; employee plus family; and employee plus family plus children on the order.
  1. If the support enforcement officer (SEO) disputes the employer's calculation, determine the cost per child by subtracting the amount for "employee only" and dividing the remaining amount by the number of individuals covered; or,
  2. If the "employee only" amount cannot be determined, then divide the total premium by the number of individuals enrolled to get a per person cost. Multiply the cost per person by the number of children on the Division of Child Support (DCS) case to determine if the cost exceeds the NCP's limit.
2. Some employers, such as The Gnome Depot, will not add the children if the cost of coverage for both the NCP and children exceeds the premium limit shown on the **NMSN**.
  1. Information was provided on the **Part A Cover Letter** to prevent this problem.
  2. Tell the employer that [RCW 26.18.170\(3\)\(b\)](#) requires the employer to withhold the amount of premium to cover the children, and that DCS, in

[WAC 388-14A-4160](#), interprets this amount to be the premium to cover the children only, not the NCP.

3. If the employer disputes this, discuss noncompliance. If needed, refer the employer to the [Medical Support Program Manager](#) in DCS Headquarters.

**5. What do I do when the employer marks Box 1 - Employer does not maintain or contribute to plans providing dependent or family health care coverage?**

1. Update the [National Medical Support Notice](#), DSHS [09-727](#) on [FT](#) with Result Code **13** (No Medical Insurance). Support Enforcement Management System (SEMS) will automatically change the employer's [IA](#) insurance field from **Y** to **N**.
2. Update the [MI](#) screen with **Reason No MI Reason Code 1** (Employer Doesn't Offer) and change children's coverage codes to **N** (Not Covered).
3. Make a [CC](#) code **60**, including the employer's name.  
Example: DSHS [09-727](#) Part A Response from Flintstone's Dry Cleaners. Box 1 checked: Employer does not offer insurance.

**6. What do I do when the employer marks Box 2 - The employee is among a class of employees (for example, part-time or non-union) that are not eligible for family health coverage under any group plan maintained by the employer or to which the employer contributes?**

1. Update the DSHS [09-727](#) on [FT](#) with Result Code **19** (No Medical Insurance). SEMS will automatically change the employer's [IA](#) Insurance field from **Y** to **N**.
2. Update the [MI](#) screen with **Reason No MI Reason Code 5** (NCP Not Eligible for Benefits) and change children's coverage codes to **N** (Not Covered).
3. Make a [CC](#) code **60**, including the employer's name.  
Example: DSHS [09-727](#) Part A Response from Nifty Lube. Box 2 checked: NCP is not eligible for insurance.

**7. What do I do when the employer marks Box 3 - Health care coverage is not available because employee is no longer employed by the employer?**

1. Update the DSHS [09-727](#) on [FT](#) with Result Code **15** (No Longer Employed).
2. Check the [MI](#) screen to verify the children's coverage codes are Not Covered or Unknown, unless coverage is provided by the NCP's current spouse.
3. Make a [CC](#) code **60**, including the employer's name and any other information provided.  
**Example:** DSHS [09-727](#) Part A Response from Central Express. Box 3 checked: NCP is no longer employed as of 06/01/2005. No other information.

**8. What do I do when the employer marks Box 4 - State or Federal withholding limitations and/or prioritization prevent the withholding from the employee's income of the amount required to obtain coverage under the terms of the plan?**

1. The SEO may have to call the employer to determine why the employer marked Box 4.  
Example: If the NCP's order has a high premium limit, which should allow for dependent enrollment, it's possible the employer is including the NCP's portion of the premium in the limit. If the employer marked Box 4 because current support, plus arrears, plus the premium exceeded 50% of the NCP's net income, it is possible that the children could be enrolled if DCS reduced the amount being withheld for arrears.

2. Update the DSHS 09-727 on FT with Result Code 19 (No Medical Insurance). SEMS will automatically change the employer's IA Insurance field from Y to N.
3. Update the MI screen with **Reason No MI Reason Code 6** (Exceeds 50% of Net) and change children's coverage codes to **N** (Not Covered).
4. Make a CC code **60**, including the employer's name.  
Example: DSHS 09-727 Part A Response from The Gnome Depot. Box 4 checked. Withholding limitations prevent enrollment.
5. Set Review Code 60 for any follow-up actions that are needed such as to find out if the employer met the minimum hours or months of employment to qualify for medical through the union or employer or an amended Order to Withhold (OWI) was received.

#### 9. What if the employer does not respond to the NMSN because of Health Insurance Portability and Accountability Act (HIPAA) ?

1. Call the employer and/or plan administrator to inform them of the following:
  1. The Privacy Rule at [45 CFR 164.512\(f\)\(1\)\(ii\)](#) permits a covered entity to disclose protected health information to a "law enforcement official" for certain written administrative requests. [45 CFR 164.501](#) defines a "law enforcement official" as an officer or employee of an IV-D agency who is acting, in accordance with state or federal law, to enforce a medical child support order.
  2. When DCS sends the NMSN to the employer and plan administrator for completion, it constitutes a written administrative request by a law enforcement official. See OCSE Policy Interpretation Question "[PIQ 04-03](#)" dated 06/24/2004.
  3. The plan administrator may reasonably rely on the NMSN as a request from a public official for the minimum information needed to meet the law enforcement purpose of the request [45 CFR 164.514\(d\)\(3\)\(iii\)\(A\)](#). Moreover, information that appears on this nationally uniform form satisfies the requirements in [45 CFR 164.514\(h\)](#) that the health plan administrator verify the identity and authority of public officials seeking protected health information who are not known to the covered entity.
2. If the employer and/or plan administrator still claims HIPAA prohibits enrollment, refer the employer or plan administrator to the [Medical Support Program Manager](#) in DCS Headquarters.

#### 10. What do I do if the employer does not respond to the NMSN?

1. Make every attempt to contact the employer or plan administrator and resolve any medical questions or issues before beginning employer medical noncompliance.
2. If you cannot resolve the problem(s), begin medical noncompliance. See Section [12.005](#).

## Chapter 24: Medical

### Section 24.030: Plan Administrator Responses to a National Medical Support Notice

This section describes common responses from Plan Administrators regarding the NMSN.

#### Contents

CN-247

PCM  
06-005

Laws	<p><a href="#">42 USC 666</a> (a)(19) requires use of the <b>National Medical Support Notice (NMSN)</b></p> <p><a href="#">RCW 26.18.170</a> health insurance enforcement</p> <p><a href="#">RCW 48.01.235</a> reasons why insurer cannot deny enrollment</p> <p>(4)(a) no open enrollment wait</p> <p><a href="#">WAC 388-14A-4135</a>, <a href="#">4140</a>, <a href="#">4143</a>, <a href="#">4145</a>, <a href="#">4150</a> and <a href="#">4170</a> NMSN plan administrator contents</p> <p><a href="#">WAC 388-14A-4180</a> DCS shares medical coverage with MA</p>
Policy	<p>Do not send medical enforcement notices when DCS already has medical coverage information.</p> <p>Do not require an employer to provide medical information when it is not needed.</p> <p>DCS shares medical information with DSHS Medical Assistance Administration's (MAA) Coordination of Benefits (COB) Section.</p>
Procedure	<p>Use <a href="#">CC</a> code <b>60</b> to document medical information.</p> <p>Maintain accurate case records.</p>
Visual Aids	<p><a href="#">Flow Chart #3</a> - Determining if Child is Eligible for Coverage</p> <p><a href="#">Matrix</a> - NMSN Single-Case Decision</p> <p><a href="#">Matrix</a> - NMSN Multiple-Case Decision</p>
Automated Actions	<p>Posting the <a href="#">FT</a> code <b>19</b> (No Medical Insurance) response to the DSHS <a href="#">09-727</a> automatically changes the medical insurance indicator on the employer's <a href="#">IA 03</a> address from <b>Y</b> to <b>N</b>. <a href="#">EV</a> determines whether to suggest medical forms by comparing the <a href="#">MI</a> Coverage field to the employer's <a href="#">IA 03</a> Insurance field.</p>
SEMS Screens	<p><a href="#">BC</a>, <a href="#">OR</a>, <a href="#">MI</a>, <a href="#">CC</a>, <a href="#">IA</a>, <a href="#">FT</a></p>
Forms Used	<p><a href="#">09-727</a>, <a href="#">09-728</a>, <a href="#">09-730</a></p>
Hearing and Conference Board Rights	<p>Conference board for issues arising from medical enforcement actions.</p>
Personal Notes <a href="#">[Add a note]</a>	<p>You have not added any notes to this handbook section.</p>
See Also	<p><a href="#">9.045</a> Medical Enforcement Limitations</p> <p><a href="#">24.045</a> Medical Noncompliance</p> <p>OCSE PIQ <a href="#">02-03</a> Medical Support Enforcement Policy Clarifications</p> <p>OCSE DCL <a href="#">03-40</a> Compliance Guide For Qualified Medical Child Support Orders</p>

## Procedures

### 1. What do I do after the plan administrator responds?

1. If a plan administrator's response is unclear, call the plan administrator for clarification.
2. Put a Case Comment ([CC](#)) code **60** and update Forms Table screen ([FT](#)) and Medical Insurance screen ([MI](#)) according to the plan administrator's response.
3. Set a Review Code **60** for any follow-up actions that are needed, such as to find out if the noncustodial parent (NCP) met the minimum hours or months of employment to qualify for medical through the union or employer.

### 2. What do I do when the plan administrator marks Box 1 - *This Notice was determined to be a 'qualified medical child support order' on \_(date)\_?*

1. No action is needed. However, another box should also be checked requiring support enforcement officer (SEO) action.
2. If no box is checked or the plan administrator's response is unclear, call the plan administrator for clarification.

### 3. What do I do when the plan administrator marks Box 2 - *The participant (employee) and alternate recipient(s) child(ren) are to be enrolled in the following family coverage?*

Update the **National Medical Support Notice**, DSHS 09-727, on FT with Result Code 2 (Successful).

1. Update the [MI](#) screen with the medical insurance information provided on the Washington State Addendum to Box 2 of Plan Administrator Response, DSHS 09-728 or from the plan administrator's preprinted material.  
**Note:** If the plan administrator does not provide enough information (for example, only the insurance company name and phone number) for the SEO to find a valid carrier code, the SEO must call the plan administrator or the insurance carrier to obtain the claims processing address and match it to a carrier code.
2. Make a [CC](#) code 60, including the employer's name and any additional insurance information, such as the dental, prescription drug, or vision coverage. Example: DSHS 09-728 from Hear Me Now Wireless Corp. Jessica covered. Medical with United Healthcare (UH29); dental with Washington Dental Service, PO Box 75983, Seattle 98125-0983; ph# 800-238-3107; group# 9037. Coverage effective 06/01/05.  
**Note:** If the effective date of coverage is further in the future than the first day of the next month, set a Review Code to update the [MI](#) screen with the insurance information when coverage actually goes into effect.
3. Send the Notice of Insurance Coverage, DSHS 09-730, to the CP.  
**Note:** Per Office of Child Support Enforcement (OCSE) PIQ [02-03](#) Medical Support Enforcement Policy Clarifications, Division of Child Support (DCS) has to provide the insurance information to the custodial parent (CP) in accordance with [45 CFR 303.31](#) even if the CP's address was used on the **National Medical Support Notice (NMSN)**.

### 4. What do I do when the plan administrator marks Box 3 - *There is more than one option available under the plan and the participant is not enrolled?*

1. DCS must choose the plan for the NCP and children. The plan administrator should provide information describing the available coverage, including the cost and whether there is a limited service

area.

2. Update the DSHS 09-727 on FT with Result Code 2 (Successful).
3. Make a CC code 60, including the employer's name and the date the form was signed. Example: DSHS 09-727 Part B Response from Sally-Mart dated 06/01/05. Box 3 checked: NCP not enrolled; DCS must choose the plan. The default option is Premera Blue Cross.
4. Follow the appropriate Decision Matrix to choose which plan to enroll the NCP and children:
  1. When the NCP has one case with one CP and children, follow the Single-Case Decision Matrix (See Appendix A).
  2. When the NCP has cases with more than one CP and children, follow the Multiple-Case Decision Matrix (See Appendix B).
  3. When the children receive Medicaid, use the AU Number and check the Medical Identification (ID) Card under Benefits in Automated Client Eligibility System (ACES).
    1. When the children are on Healthy Options or the Basic Health Plan Plus, the plan abbreviation is found under the HMO heading in the Medical Coverage Information section of the ID Card. Note: When the recipient has private insurance, the carrier code will show under the Insurance heading on the ID Card. (See DSHS Plans Appendix C).
    2. Healthy Options (HO) and the Basic Health Plan Plus (BHP+) are managed care plans paid for by DSHS.
    3. If the NCP has coverage available through the same insurer the children already have Medicaid coverage with, DCS will choose that insurer for the NCP and children if the plan is within the NCP's premium limit. (See DSHS Plans Appendix C).
  4. The SEO must respond within twenty (20) business days.
    1. If DCS does not respond within twenty (20) business days, the plan administrator will enroll the NCP and children in the plan's default option.
    2. If the plan does not have a default option, the children will not be enrolled until DCS selects the plan.

**5. What do I do when the plan administrator marks Box 4 - *The participant is subject to a waiting period of \_('blank' days)\_?***

1. Update the DSHS [09-727](#) on FT with Result Code **19** (No Medical Insurance).
2. Update the [MI](#) screen with **Reason No MI Reason Code 5** (NCP Not Eligible for Benefits) and change children's coverage codes to **N** (Not Covered).
3. Make a CC code **60**, including the employer's name, the reason the NCP is not eligible, and when the NCP will be eligible (if provided).
  1. **Example:** DSHS [09-727](#) Part B Response from Sally-Mart. Box 4 checked. NCP waiting period expires 06/01/05.
  2. **Example:** DSHS [09-727](#) Part B Response from Ted Meyer. Box 4 checked. NCP must work 500 hours before eligible for benefits.
4. Set a Review Code **60** for when it is known or anticipated the waiting period will end. If the waiting period is based on the number of hours worked, estimate when the NCP may become eligible.
5. Call or write the employer when the waiting period is up to remind them to notify the plan administrator to enroll the children.

**Note:** Do not send a new **NMSNN**.

6. **What do I do when the plan administrator marks Box 5 - *This Notice does not constitute a "qualified medical child support order" because the name or address of the children or participant is missing?***

1. Update the DSHS [09-727](#) on FT with Result Code **10** (Form Incomplete).
2. Make a **CC** code **60**, including the employer's name and what was missing.  
**Example:** DSHS [09-727](#) Part B Response from Ted Meyer. Box 5 checked. Children's address missing.
3. Update or leave the **MI** screen with **Reason No MI** Reason Code **0** (Unk/Not Set/Medical Provided) as a Reason No MI is not applicable, and change children's coverage code to **N** (Not Covered).
4. Send a new **NMSN** and include the missing data.

7. **What do I do when the plan administrator marks Box 5 - *This Notice does not constitute a "qualified medical child support order" because: some or all of the children are no longer eligible for coverage under the plan?***

1. If the form shows some of the children are no longer eligible for coverage and the eligible children were not enrolled.
  1. Update the DSHS [09-727](#) on FT with Result Code **10** (Form Incomplete).
  2. Make a **CC** code **60**, including the employer's name and who is not eligible. Example: DSHS [09-727](#) Part B Response from Major Schwab. Box 5 checked; Daniel is above the age limit.
  3. Update or leave the **MI** screen with **Reason No MI** Reason Code **0** (Unk/Not Set/Medical Provided) and change children's coverage codes to **N** (Not Covered).
  4. Send a new **NMSN**, listing only the eligible children.
2. If the form shows some of the children are no longer eligible for coverage and the eligible children were enrolled:
  1. Update the DSHS [09-727](#) on FT with Result Code **2** (Successful);
  2. Post a **CC** code **60**, with the employer's name, any additional insurance information, who is covered, and who is not eligible.  
**Example:** DSHS [09-728](#) from Major Schwab. Justin covered. Susan is above the age limit. Medical and dental with Regence Blue Shield (KC01) effective 06/01/05;
  3. Update the **MI** screen with the insurance information;
  4. Change the coverage codes for the covered children to **C** (Covered) and the coverage codes for the ineligible children to **N** (Not Covered); and,
  5. Send the **Notice of Insurance Coverage**, DSHS [09-730](#), to the CP.
3. If the form shows all of the children are no longer eligible for coverage:
  1. Update the DSHS [09-727](#) on FT with Result Code **19** (No Medical Insurance);
  2. Make a **CC** code **60**, including the employer's name and that all children are above the age limit for eligibility; and,
  3. Update the **MI** screen with **Reason No MI** Reason Code **9** (Child Not Eligible for Plan) and change child's coverage codes

to **N** (Not Covered), unless the child has emancipated. If emancipated, change child's coverage codes to **X** (Not Required).

**Note:** The child may have been unintentionally added to the NMSN.

## 8. What if the plan administrator does not respond to the NMSN because of Health Insurance Portability and Accountability Act (HIPAA)?

1. Call the plan administrator to inform them of the following:
  1. The Privacy Rule at [45 CFR 164.512\(f\)\(1\)\(ii\)](#) permits a covered entity to disclose protected health information to a "law enforcement official" for certain written administrative requests. [45 CFR 164.501](#) defines a "law enforcement official" as an officer or employee of an H-D agency who is acting, in accordance with state or federal law, to enforce a medical child support order;
  2. When DCS sends the NMSN to the employer and plan administrator for completion, it constitutes a written administrative request by a law enforcement official. See OCSE Policy Interpretation Question PIQ 04-01 dated 06/24/2004; and,
  3. The plan administrator may reasonably rely on the NMSN as a request from a public official for the minimum information needed to meet the law enforcement purpose of the request [45 CFR 164.514\(d\)\(3\)\(iii\)\(A\)](#). Moreover, information that appears on this nationally uniform form would be sufficient to satisfy the requirements in [45 CFR 164.514\(h\)](#) that the health plan administrator verify the identity and authority of public officials seeking protected health information who are not known to the covered entity.
2. If the plan administrator still claims HIPAA prohibits enrollment, refer the plan administrator to the [Medical Support Program Manager](#) in DCS Headquarters.

## 9. What do I do if there is no response to the NMSN within forty (40) business days?

1. Contact the employer to find out if they sent Part B to their plan administrator.
2. Obtain the name and phone number of the plan administrator from the employer.
3. Make every attempt to contact the plan administrator to resolve any medical questions or issues. Note: We cannot take noncompliance action against a plan administrator.
4. If you cannot resolve issues with the plan administrator, contact the [Medical Support Program Manager](#) in DCS Headquarters.

Revised 6/9/2005

## Chapter 24: Medical

### Section 24.001: Releasing a National Medical Support Notice

This section describes when and how to release the NMSN.

Contents

CN-247

PCM  
06-005

Laws	<p><a href="#">42 USC 666</a>(a)(19) requires use of the <b>National Medical Support Notice (NMSN)</b></p> <p><a href="#">45 CFR 302.30</a> health insurance requirement</p> <p><a href="#">45 CFR 303.30</a>, <a href="#">31</a> and <a href="#">32</a> health insurance enforcement</p> <p><a href="#">RCW 26.18.170</a> health insurance enforcement</p> <p><a href="#">RCW 48.01.235</a> reasons why insurer cannot deny enrollment; (4)(a) no open enrollment wait</p> <p><a href="#">WAC 388-14A-3125</a> Notice and Finding of Medical Responsibility (NFMRP)</p> <p><a href="#">WAC 388-14A-4100</a>, <a href="#">4130</a> proof to DCS, custodial parent (CP)</p>
Policy	<p>Do not send medical enforcement notices when DCS already has medical coverage information.</p> <p>Do not require an employer to provide medical information when it is not required.</p>
Procedure	<p>Maintain accurate case records.</p> <p>Ensure <a href="#">MI</a> is coded correctly.</p>
Visual Aids	
Automated Actions	<p><a href="#">EV</a> determines whether to suggest medical forms by comparing the <a href="#">MI Coverage</a> field to the employer's <a href="#">IA Employer address Insurance</a> field.</p>
SEMS Screens	<p><a href="#">BC</a>, <a href="#">OR</a>, <a href="#">MI</a>, <a href="#">CC</a>, <a href="#">IA</a>, <a href="#">FT</a>, <a href="#">FG</a></p>
Forms Used	<p><a href="#">09-727</a>, <a href="#">09-728</a>, <a href="#">09-730</a>, <a href="#">09-298</a></p>
Hearing and Conference Board Rights	<p>Conference board for issues arising from medical enforcement actions.</p>
Personal Notes <a href="#">[Add a note]</a>	<p>You have not added any notes to this handbook section.</p>
See Also	<p><a href="#">9.045</a> Medical Enforcement Limitations</p> <p><a href="#">14.000</a> Stopping medical enforcement only services</p> <p><a href="#">24.045</a> Medical Noncompliance</p>

## Procedures

1. **What do I do when a child emancipates or the NCP no longer has an obligation to provide health insurance for a particular child?**
  1. Send the Release, DSHS [09-298](#), to terminate a child's coverage.
  2. Enter the names and birth dates of the children for whom health insurance coverage is no longer required. Note: Sending the Order/Notice to Withhold Income for Child Support, DSHS [09-857](#), with the **Terminate Order/Notice** box marked *only stops wage withholding*. This form does not end the **National Medical Support Notice (NMSN)**.
  
2. **Can the Plan Administrator automatically terminate medical coverage before the child emancipates or the NCP no longer has an obligation to provide health insurance for a particular child?**
  1. The child cannot be dropped from coverage until the plan administrator receives the Release, DSHS [09-298](#), from Division of Child Support (DCS) that the noncustodial parent (NCP) no longer has to provide coverage for the child.
  2. Many insurance companies provide coverage to children up to age twenty-one (21) or twenty-three (23) when the children are full-time students in college and may not automatically drop a child from coverage when the child turned eighteen (18) or graduated from high school.
  3. The **NMSN** is a QMCSO and the insurance company will not drop emancipated children from coverage as long as the children are eligible under the plan, even if the NCP provides the company with a copy of the child support order. Exception: The plan administrator can drop a child from coverage without the [09-298](#) only for specific reasons:
    1. The child is no longer eligible under the terms of the plan;
    2. The employer eliminates family health coverage for all of its employees;
    3. The NCP is no longer employed.

## Chapter 24: Medical

### Section 24.040: Medical Support Obligation Records Maintenance

This section describes modifying SEMS CC, OR and MI screens to maintain an accurate case record.

#### Contents

CN-247

PCM  
06-005

Laws	<a href="#">45 CFR 303.30</a> , <a href="#">31</a> and <a href="#">32</a> health insurance enforcement <a href="#">45 CFR 307.10</a> computerized support enforcement systems <a href="#">WAC 388-14A-4180</a> DCS shares medical coverage with MAA
Policy	Do not send medical enforcement notices when DCS already has medical coverage information.  Do not require an employer to provide medical information when it is not required.
Procedure	Maintain accurate case records.
Visual Aids	
Automated Actions	Posting the FT code <b>19</b> (No Medical Insurance) response to the DSHS <a href="#">09-727</a> automatically changes the medical insurance indicator on the employer's IA 03 address from Y to N. EV determines whether to suggest medical forms by comparing the MI Coverage field to the IA Employer address Insurance field.
SEMS Screens	<a href="#">CC</a> , <a href="#">OR</a> , <a href="#">MI</a> , <a href="#">IA</a> , <a href="#">FT</a>
Forms Used	<a href="#">09-728</a> , <a href="#">18-455</a>
Hearing and Conference Board Rights	
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	

## Procedures

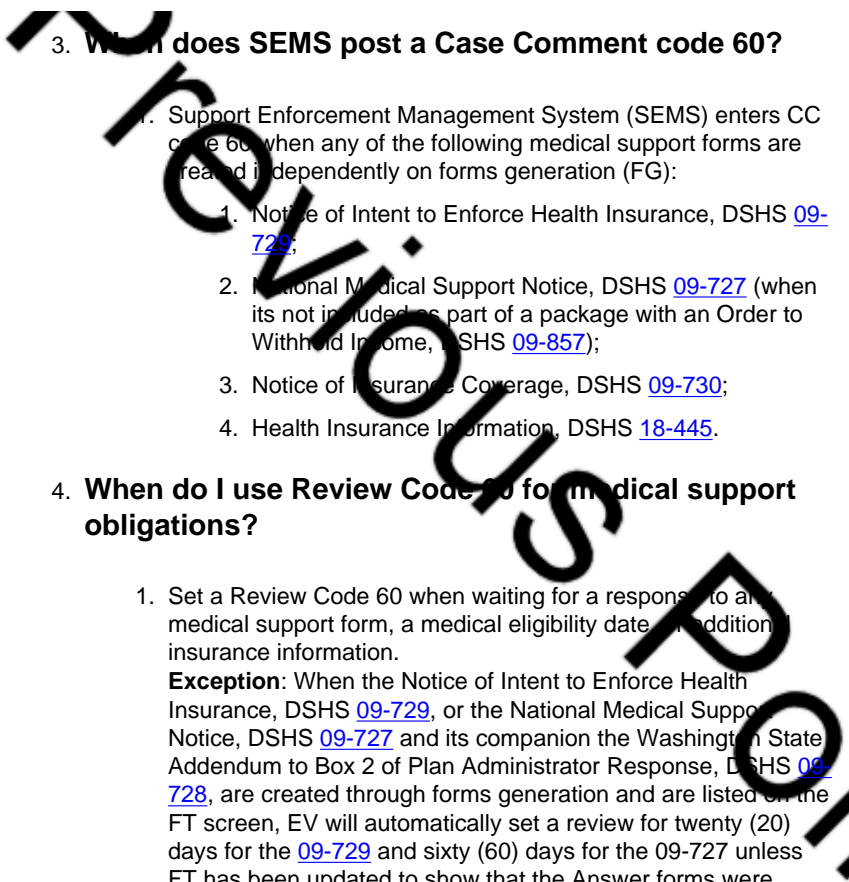
### 1. How do I document medical support obligations?

1. Use Case Comment (CC) code **60** for everything related to medical support, so the support enforcement officer (SEO) can easily review the case for medical support information.
2. Make case comment entries so there is a permanent record of the NCP's medical compliance and insurance information. Most insurance companies will process medical claims up to one year after the date of service, as long as coverage was in effect on that date.

**Note:** Case Comment (CC) code **62** is used for employer noncompliance with the National Medical Support Notice (NMSN) and child support payments. See Section 17.005 Chart - Review/CC Codes.

### 2. What information should I include in Case Comments code 60?

1. Post the name of the employer, plan administrator or agent, and their contact person and phone number, if given.
2. Post a summary of the information provided on the form or communication whether via **Washington State Addendum to Box 2 of Plan Administrator Response**, DSHS [09-728](#), **Health Insurance Information**, DSHS [18-455](#), Employer Inquiry, DSHS [18-002](#), phone call or letter from noncustodial parent (NCP), custodial parent (CP), employer, or plan administrator.
3. Post the complete name and address of insurance company when the insurer cannot be located in the carrier code files.  
**Example:** The employer gives a post office box and the carrier files have a street address. Medical Assistance Administration (MAA) Coordination of Benefits (COB) Section staff maintains the address where claims are sent in the carrier code files while the employer may give the address where payments are sent.
4. Post the complete name and address of second and third insurance carriers, or the name and carrier code of second and third insurance carriers.  
**Example:** NCP has one policy for medical and a different policy for dental - add medical to the Medical Insurance MI screen and post dental to the Case Comment CC screen.
5. Post the names of children covered by the insurance. Occasionally, not all of the children on the IV-D case are covered or the coverage is for other children in the NCP's household.
6. Post the name and social security number (SSN) of subscriber when the subscriber is someone other than the NCP. Example: NCP's spouse or an individual policy for child only.
7. Name of employer or insurance company and date insurance coverage ends or the date the NCP ends employment.
8. What the policy covers, if given. Example: medical, dental, vision, etc.
9. The effective date of coverage, if given, especially if the date is in the future. Example: Today is 05/18/05 and the employer states coverage will be effective 07/01/05.
10. The premium that the NCP pays to cover the children, if given.
11. If staff chooses to document the insurance requirement in the order, the comment should include the order date, language, and premium limit.



### 3. When does SEMS post a Case Comment code 60?

1. Support Enforcement Management System (SEMS) enters CC code 60 when any of the following medical support forms are read independently on forms generation (FG):
  1. Notice of Intent to Enforce Health Insurance, DSHS [09-729](#);
  2. National Medical Support Notice, DSHS [09-727](#) (when its not included as part of a package with an Order to Withhold Income, DSHS [09-857](#));
  3. Notice of Insurance Coverage, DSHS [09-730](#);
  4. Health Insurance Information, DSHS [18-445](#).

### 4. When do I use Review Code 60 for medical support obligations?

1. Set a Review Code 60 when waiting for a response to any medical support form, a medical eligibility date, or additional insurance information.

**Exception:** When the Notice of Intent to Enforce Health Insurance, DSHS [09-729](#), or the National Medical Support Notice, DSHS [09-727](#) and its companion the Washington State Addendum to Box 2 of Plan Administrator Response, DSHS [09-728](#), are created through forms generation and are listed on the FT screen, EV will automatically set a review for twenty (20) days for the [09-729](#) and sixty (60) days for the [09-727](#) unless FT has been updated to show that the Answer forms were received.
2. Set a Review Code 60 when waiting for the return of the Health Insurance Information, DSHS [18-455](#).
  1. The NCP has twenty (20) days to respond when the 18-455 is sent with either the Notice of Intent to Enforce Health Insurance, DSHS [09-729](#) or the Responsible Parent Introduction to the Registry, DSHS [18-439](#).
3. Set a Review Code 60 when waiting for the date the NCP has insurance benefits available.
4. Set a Review Code 60 when waiting for a response to a request for additional insurance information from an NCP or employer/plan administrator/union.

### 5. How do I update the Order Record (OR) screen for medical support obligations?

1. Review the order and input the appropriate OR medical requirement valid codes (1-6).
  1. Follow the procedures in SEMS Manual Order Record Screen (OR) for setting the medical support language code field.
  2. When Modification Orders are silent on medical coverage, but the underlying order required coverage, code this field per the underlying order requirements.
  3. Enter the maximum medical insurance premium payment allowed per the order.
    1. If the order states "at no cost" to the NCP, enter zero.
    2. If the order contains a sum-certain or fixed premium amount, enter that amount.
    3. If a Washington State order states available at reasonable cost and was filed before May 13,



1989, enter \$25 per month (not per child).

4. If a Washington State order states available at reasonable cost and was filed after May 12, 1989, enter 25% of the Basic Support Obligation (Line 7 on the WSCSS worksheets). If no worksheets exist, use 25% of the current support obligation. Note: To exceed 25%, the order must specifically allow it.
  5. If a Washington State order dated before 5/13/89 does not state reasonable there is no limit. Leave the premium amount blank in these cases and check the N/A (Not Applicable) box.
  6. Only Washington State orders entered on or after May 13, 1989 should have a premium amount equal to 25% of the basic support obligation (from line 7 of the child support worksheet).
  7. Premium amounts for non-Washington orders must be calculated according to the laws of the issuing State. Calculate the premium amount and enter it into the premium amount field. The Everett Interstate Guide may provide this information.
  8. When a premium amount cannot be determined based on the state laws of a non-Washington State order, apply federal premium limits from the federal definition at 45 CFR 303.31(1)(a) Health insurance is considered reasonable in cost if it is employment-related or other group health insurance, regardless of service delivery mechanism. See Section 6.125 C.2.
  9. When updating the Order Record (OR) screen using the federal definition, leave or change the Premium field to 0.00 and check the N/A field. The NCP's only limit will be that current support plus the premium cannot exceed 50% of the NCP's net disposable earnings.
4. Check the N/A premium box if the medical insurance premium payment can exceed 25% of basic support obligation (amount shown on line 7 of the Washington State Child Support Schedule Worksheet) based on RCW 26.09.105(2).
    1. Select the N/A checkbox when an order entered on or after 5/13/89 states the premium can exceed 25%; or,
    2. Select the N/A checkbox when an order entered before 5/13/89 does not state reasonable.
  5. Enter the Thru dates on any orders that are no longer valid.
    1. Enter the last date the order was used to either collect current support or the end of a judgment period on arrears-only orders. Be sure that the Effective Dates and the Thru Dates do not overlap with the other orders on the case.
    2. Leave the Thru Date field blank when collecting current child support.
    3. The Auto Eval program (EV) totals the medical insurance premium amounts of all the current orders whenever a **National Medical Support**

**Notice (NMSN)**, DSHS [09-727](#) is generated.

4. The order modification review program uses this field to identify orders that are being used to collect current child support.
5. Order Record (OR) screen sets EV's scoreboard field Total Effective Orders after reviewing all orders with blank *Thru* dates or future dates.
6. When the *Thru* field contains a date, EV does not suggest a National Medical Support Notice, DSHS [09-727](#).

## 6. How do I update the Medical Insurance (MI) screen?

1. Enter the new insurance carrier data (subscriber's name, policy number, group number, effective date) and select the **Company Search** button.
  1. This will open a separate pop-up window titled **Insurance Company Search**. Enter the Address or Phone number in the designated field and select **Search**.
  2. If there are multiple possible carriers, review the list and choose the correct insurance carrier by double clicking on it or highlight the correct carrier and select the **Add** button. SEMS will automatically fill in the carrier information on the MI screen.
    1. Enter the number of policies in the **Policies** field.
      1. The number of policies means number of different insurance companies -- not the number of different types of coverage (medical, dental, vision, hospitalization, etc.).
      2. If the NCP has both a medical policy and a separate dental policy with a different insurance provider, the number of policies would be two (2).
      3. Post the medical insurance company on the MI screen. Post the dental, vision or other coverage's insurance company information as a CC code 60.
    2. Enter the policy number provided by the NCP or employer in the **Policy Number** field. If no policy number is provided, leave the field blank. Do not enter the NCP's or other subscriber's social security number (SSN) in the **Policy Number** field unless the NCP, employer, or insurer specifically tells DCS the policy number is the SSN.
    3. If the policy number is the NCP's SSN, compare it to the SSN on the MI screen. If the numbers do not match, the insurance coverage may belong to someone other than the NCP (NCP's current spouse, the child, or Joint NCP). If DCS does not have a SSN for the NCP, update the NCP's [BI](#).
    4. Double click on any of the dependents listed. This will open a separate pop-up window titled **Modify Medical Info**. Change the Reason MI Not Provided Code to 0 (Unk/Not Set/Provided). Update the Individual Coverage fields for each of the dependents as necessary.

Select the *Update* button when done.

5. Post the covered children on a [CC](#) code 60 if some children are covered and others are not.

## 7. What if I cannot find the carrier code for the insurance company that was given?

1. Attempt to locate the carrier code by following the instructions on the Medical Insurance Carrier Codes Intranet site. Contact your field office Medical Support Coordinator for assistance.
2. If unsuccessful, use carrier code 7200 (See [Case Comments](#)).
3. Post the name and address of the insurance company, phone number and any other pertinent information on a CC code **60**.  
**Note:** Medical Assistance Administration (MAA) Coordination of Benefits (COB) staff will read the case comments to verify insurance information. COB does not have access to DCS imaged documents.

## 8. How can I find cases to review and send a NMSN?

1. Access the Case Manager in SEMS Web for the Review Number Assigned to the Statistic (RX) Case function for **Reason No MI** codes **NCP Not Enrolled RX 872, Emp ERISA Fed RX 874, NCP Not Eligible for Benefits RX 875 and Ins Co Needs More Info/Signature RX 878**.
2. Review the circumstances of the case, update case records appropriately, and issue a **National Medical Support Notice**, DSHS [09-727](#), as necessary.

*Revised 6/9/2005*

## Chapter 24 Medical

### Section 24.045: Medical Noncompliance

This section describes medical noncompliance for employers and plan administrators.

#### Contents

CN-247

PCM 06-005

Laws	<p><a href="#">45 CFR 309.30</a>, <a href="#">31(c)</a> and <a href="#">32(b)</a> health insurance enforcement  <a href="#">RCW 26.18.170</a> and <a href="#">180</a> medical enforcement, employer penalties  <a href="#">RCW 26.21.452</a>, <a href="#">453</a> and <a href="#">456</a> long arm compliance for income- withholding orders, penalties for noncompliance  <a href="#">Chapter 26.23 RCW</a> State Support Registry  <a href="#">RCW 74.20A</a> Support of Dependent Children  <a href="#">WAC 388-14A-4123</a> fine for medical noncompliance</p>
Policy	<p>If an employer refuses to honor a notice of enrollment after explanation and discussion, obtain authorization from Medical Support Program Manager before you impose a fine of \$200 for the first month, \$300 for the second month, and \$500 for the third month, not to exceed \$1000 per notice.</p> <p>Do not take noncompliance action against third party administrators, unions, tribes or tribal businesses, federal employers or the military</p>
Procedure	<p>Verify that it was possible for the employer to comply with the <b>National Medical Support Notice</b>, DSHS <a href="#">09-727</a>.</p> <p>Work with the employer or health plan administrator to gain compliance.</p> <p>After negotiations, warnings, and notices, take medical noncompliance action.</p> <p>If you assess a fine for medical noncompliance, you must set up a separate case for the fine.</p>
Visual Aids	<p><a href="#">Flow Chart</a> - Medical Noncompliance Actions Against Employers</p>
Automated Actions	<p>When only after the NMSN, DSHS <a href="#">09-727</a>, is sent, <b>FT</b> posts a Review Code <b>93</b> (<i>No Response to Form</i>) if no result code was entered after sixty (60) days.</p>
SEMS Screens	<p><a href="#">OR</a>, <a href="#">CC</a>, <a href="#">FT</a>, <a href="#">IA</a>, <a href="#">MI</a></p>
Forms Used	<p><a href="#">09-727</a>, <a href="#">09-748</a>, <a href="#">09-749</a>, <a href="#">09-750</a></p>

Hearing and Conference Board Rights	Conference board for issues arising from medical enforcement actions. The employer has an administrative hearing right on Notice of Noncompliance, DSHS <a href="#">09-749</a>
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	<a href="#">7.115</a> Objections to Noncompliance Notices <a href="#">7.140</a> Conference Board Requests <a href="#">9.045</a> Medical Enforcement Limitations <a href="#">12.015</a> Assessing a Fine or Penalty for Noncompliance <a href="#">15.035</a> , <a href="#">15.040</a> , <a href="#">15.045</a> Interstate Long Arm Enforcement

## Procedures

### 1. What do I do if the employer does not respond to the National Medical Support Notice (NMSN)?

1. Make every attempt to contact the employer and resolve any medical questions or issues before beginning employer medical non-compliance.
2. If you cannot resolve the problem(s), begin medical noncompliance. See 24.035 E below.

### 2. What do I do if the plan administrator does not respond to the NMSN?

1. Contact the employer to find out if they sent Part B to their plan administrator.
2. Obtain the name and phone number of the plan administrator.
3. Make every attempt to contact the plan administrator to resolve any medical questions or issues.

**Note:** Do not take noncompliance action against a plan administrator.

4. If you cannot resolve issues with the plan administrator, contact the Medical Support Program Manager in Division of Child Support (DCS) Headquarters.

### 3. What do I do if the out-of-state employer or plan administrator does not respond to the NMSN?

1. If DCS served an Order to Withhold Income (OWI), DSHS [09-857](#) and National Medical Support Notice, DSHS [09-727](#), to a registered agent in Washington State for an out-of-state employer, which gives jurisdiction to Washington State, DCS may pursue noncompliance.
2. If there is no registered agent in Washington State to serve, DCS must use a two-state process to pursue noncompliance. See Sections [15.035](#), [15.040](#) and [15.045](#).

### 4. Which employers are exempt from medical noncompliance?

1. The military;
2. Federally recognized tribes, tribally owned enterprises, or Indian-owned businesses operating on a reservation or trust land; and,
3. Federal employers.

### 5. What if the employer refuses to comply?

1. Contact the employer to see why the employer did not answer the form or enroll the children. Work with the employer or plan administrator to try to get compliance. DCS does not want to take medical noncompliance action unless necessary.

1. Ask the employer who processes the **National Medical Support Notice**.
  2. If necessary, call the party who processes the **National Medical Support Notice** to find out why they have not responded to the notice and ask for the status of the children's enrollment.
  3. If the employer or party who processes the **National Medical Support Notice** responds that the children cannot be enrolled without the employee's signature or an NCP completed Participant Data Form, advise the employer that RCW 48.01.235(4) requires enrollment upon application by DCS if the NCP is enrolled but has failed to apply for coverage for the children.
2. If the employer does not respond to the **NMSN** sent regular mail, re-mail it Certified Mail - Return Receipt (CMRR).
  3. If the employer refuses to answer or comply, send a **Noncompliance Warning Letter**, DSHS 09-748.
  4. If the employer does not respond to the warning letter, send a **Notice of Noncompliance**, DSHS 09-749, CMRR.
  5. Before you issue a fine against an employer for noncompliance on a **NMSN**, you must get authorization from the [Medical Support Program Manager](#) in DCS Headquarters.
  6. Calculate the medical noncompliance fine per [WAC 388-14A-4123](#):
    1. \$200 the first month of noncompliance.
    2. \$300 the second month of noncompliance.
    3. \$500 the third month of noncompliance.
    4. Each notice can accrue a maximum fine of \$1000.
  7. Begin accruing the fine forty-one (41) business days after serving the **National Medical Support Notice**, DSHS [09-727](#) on the employer.
  8. You must set up a separate case for the employer if you are assessing a fine. Follow the procedures in Section [12.015](#) C4.

