

## As Passed by the House

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REPRESENTATIVES Reidelbach, G. Smith, Britton, McGregor, R. Miller,  
D. Miller, Williams, Kilbane, Kearns, Jolivette, Hughes, Otterman, Schmidt,  
Patton, Coates, Cates, Willamowski, Ogg, Latell, Flowers, Rhine, Roman,  
Fessler

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### A B I L L

To amend sections 1349.01, 2151.231, 2151.33, 2151.49,	1
3111.81, 3113.07, 3119.01, 3119.30, 3119.301,	2
3119.31, 3119.33, 3119.34, 3119.35, 3119.38,	3
3119.40, 3119.46, 3119.47, 3119.48, 3119.49,	4
3119.491, 3119.50, 3119.52, 3119.53, 3119.54,	5
3119.56, 3119.57, 3119.58, 3119.76, 3121.03,	6
3121.035, 3121.27, 3121.58, 3121.67, 3121.896,	7
3123.01, 3123.03, 3123.031, 3123.04, 3123.05,	8
3123.06, 3123.062, 3123.17, 3123.25, 3123.42,	9
3123.53, 3123.62, 3123.66, 3123.67, 3123.92,	10
3924.48, 3924.49, and 4705.021; to amend, for the	11
purpose of adopting new section numbers as	12
indicated in parentheses, sections 3119.31	13
(3119.32), 3119.33 (3119.46), 3119.34 (3119.47),	14
3119.35 (3119.48), 3119.37 (3119.49), 3119.38	15
(3119.50), 3119.40 (3119.43), 3119.46 (3119.352),	16
3119.47 (3119.42), 3119.48 (3119.361), 3119.49	17
(3119.362), 3119.491 (3119.363), 3119.50	18
(3119.364), 3119.52 (3119.421), 3119.53 (3119.422),	19
3119.57 (3119.44), 3119.58 (3119.45), 3123.031	20
(3123.033), and 3123.062 (3123.07); to enact new	21
sections 3119.31, 3119.33, 3119.34, 3119.35,	22

3119.37, 3119.38, 3119.40, 3119.41, 3119.51, 23  
3123.031, 3123.061, and 3123.18 and sections 24  
3119.29, 3119.291, 3119.351, 3119.36, 3119.39, 25  
3123.021, 3123.022, 3123.023, 3123.032, 3123.034, 26  
3123.171, 3123.181, 3123.182, and 3123.183; and to 27  
repeal sections 3119.41, 3119.43, 3119.44, 3119.45, 28  
3119.51, 3123.061, 3123.07, 3123.071, and 3123.18 29  
of the Revised Code to revise the law governing 30  
child support enforcement and to declare an 31  
emergency. 32

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1349.01, 2151.231, 2151.33, 2151.49, 33  
3111.81, 3113.07, 3119.01, 3119.30, 3119.301, 3119.31, 3119.33, 34  
3119.34, 3119.35, 3119.38, 3119.40, 3119.46, 3119.47, 3119.48, 35  
3119.49, 3119.491, 3119.50, 3119.52, 3119.53, 3119.54, 3119.56, 36  
3119.57, 3119.58, 3119.76, 3121.03, 3121.035, 3121.27, 3121.58, 37  
3121.67, 3121.896, 3123.01, 3123.03, 3123.031, 3123.04, 3123.05, 38  
3123.06, 3123.062, 3123.17, 3123.25, 3123.42, 3123.53, 3123.62, 39  
3123.66, 3123.67, 3123.92, 3924.48, 3924.49, and 4705.021 be 40  
amended, sections 3119.31 (3119.32), 3119.33 (3119.46), 3119.34 41  
(3119.47), 3119.35 (3119.48), 3119.37 (3119.49), 3119.38 42  
(3119.50), 3119.40 (3119.43), 3119.46 (3119.352), 3119.47 43  
(3119.42), 3119.48 (3119.361), 3119.49 (3119.362), 3119.491 44  
(3119.363), 3119.50 (3119.364), 3119.52 (3119.421), 3119.53 45  
(3119.422), 3119.57 (3119.44), 3119.58 (3119.45), 3123.031 46  
(3123.033), and 3123.062 (3123.07) be amended for the purpose of 47  
adopting new section numbers as indicated in parentheses, and new 48  
sections 3119.31, 3119.33, 3119.34, 3119.35, 3119.37, 3119.38, 49  
3119.40, 3119.41, 3119.51, 3123.031, 3123.061, and 3123.18 and 50  
sections 3119.29, 3119.291, 3319.351, 3119.36, 3119.39, 3123.021, 51  
3123.022, 3123.023, 3123.032, 3123.034, 3123.171, 3123.181, 52

3123.182, and 3123.183 of the Revised Code be enacted to read as 53  
follows: 54

**Sec. 1349.01.** (A) As used in this section: 55

(1) "Consumer reporting agency" has the same meaning as in 56  
the "Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 1681a. 57

(2) "Court" means the division of the court of common pleas 58  
having jurisdiction over actions for divorce, annulment, 59  
dissolution of marriage, legal separation, child support, or 60  
spousal support. 61

(3) "Health insurance coverage" means hospital, surgical, or 62  
medical expense coverage provided under any health insurance or 63  
health care policy, contract, or plan or any other health benefits 64  
arrangement. 65

(4) "Provider" has the same meaning as in section 3902.11 of 66  
the Revised Code. 67

(B) If, pursuant to an action for divorce, annulment, 68  
dissolution of marriage, or legal separation, the court determines 69  
that a party who is a resident of this state is responsible for 70  
obtaining health insurance coverage for the party's former spouse 71  
or children or if, pursuant to a child support order issued in 72  
accordance with sections ~~3119.30~~ 3119.29 to ~~3119.58~~ 3119.56 of the 73  
Revised Code, the court requires a party who is a resident of this 74  
state to obtain health insurance coverage for the children who are 75  
the subject of the child support order, and the party fails to 76  
obtain such coverage, no provider or collection agency shall 77  
collect or attempt to collect from the former spouse, children, or 78  
person responsible for the children, any reimbursement of any 79  
hospital, surgical, or medical expenses incurred by the provider 80  
for services rendered to the former spouse or children, which 81  
expenses would have been covered but for the failure of the party 82

to obtain the coverage, if the former spouse, any of the children, 83  
or a person responsible for the children, provides the following 84  
to the provider or collection agency: 85

(1) A copy of the court order requiring the party to obtain 86  
health insurance coverage for the former spouse or children. 87

(2) Reasonable assistance in locating the party and obtaining 88  
information about the party's health insurance coverage. 89

(C) If the requirements of divisions (B)(1) and (2) of this 90  
section are not met, the provider or collection agency may collect 91  
the hospital, surgical, or medical expenses both from the former 92  
spouse or person responsible for the children and from the party 93  
who failed to obtain the coverage. If the requirements of 94  
divisions (B)(1) and (2) are met, the provider or collection 95  
agency may collect or attempt to collect the expenses only from 96  
the party. 97

A party required to obtain health insurance coverage for a 98  
former spouse or children who fails to obtain the coverage is 99  
liable to the provider for the hospital, surgical, or medical 100  
expenses incurred by the provider as a result of the failure to 101  
obtain the coverage. This section does not prohibit a former 102  
spouse or person responsible for the children from initiating an 103  
action to enforce the order requiring the party to obtain health 104  
insurance for the former spouse or children or to collect any 105  
amounts the former spouse or person responsible for the children 106  
pays for hospital, surgical, or medical expenses for which the 107  
party is responsible under the order requiring the party to obtain 108  
health insurance for the former spouse or children. 109

(D)(1) If the requirements of divisions (B)(1) and (2) of 110  
this section are met, both of the following restrictions shall 111  
apply: 112

(a) No collection agency or provider of hospital, surgical, 114  
or medical services may report to a consumer reporting agency, for 115  
inclusion in the credit file or credit report of the former spouse 116  
or person responsible for the children, any information relative 117  
to the nonpayment of expenses for the services incurred by the 118  
provider, if the nonpayment is the result of the failure of the 119  
party responsible for obtaining health insurance coverage to 120  
obtain health insurance coverage. 121

(b) No consumer reporting agency shall include in the credit 122  
file or credit report of the former spouse or person responsible 123  
for the children, any information relative to the nonpayment of 124  
any hospital, surgical, or medical expenses incurred by a provider 125  
as a result of the party's failure to obtain the coverage. 126

(2) If the requirements of divisions (B)(1) and (2) of this 127  
section are not met, both of the following provisions shall apply: 128

(a) A provider of hospital, surgical, or medical services, or 129  
a collection agency, may report to a consumer reporting agency, 130  
for inclusion in the credit file or credit report of the former 131  
spouse or person responsible for the children, any information 132  
relative to the nonpayment of expenses for the services incurred 133  
by the provider, if the nonpayment is the result of the failure of 134  
the party responsible for obtaining health insurance coverage to 135  
obtain such coverage. 136

(b) A consumer reporting agency may include in the credit 137  
file or credit report of the former spouse or person responsible 138  
for the children, any information relative to the nonpayment of 139  
any hospital, surgical, or medical expenses incurred by the 140  
provider, if the nonpayment is the result of the failure of the 141  
party responsible for obtaining health insurance coverage to 142  
obtain such coverage. 143

(3)(a) A provider of hospital, surgical, or medical services, 144

or a collection agency, may report to a consumer reporting agency,  
for inclusion in the credit file or credit report of that party,  
any information relative to the nonpayment of expenses for the  
services incurred by the provider, if the nonpayment is the result  
of the failure of the party responsible for obtaining health  
insurance coverage to obtain such coverage.

(b) A consumer reporting agency may include in the credit  
file or credit report of the party responsible for obtaining  
health insurance coverage, any information relative to the  
nonpayment of any hospital, surgical, or medical expenses incurred  
by a provider, if the nonpayment is the result of the failure of  
that party to obtain health insurance coverage.

(4) If any information described in division (D)(2) of this  
section is placed in the credit file or credit report of the  
former spouse or person responsible for the children, the consumer  
reporting agency shall remove the information from the credit file  
and credit report if the former spouse or person responsible for  
the children provides the agency with the information required in  
divisions (B)(1) and (2) of this section. If the agency fails to  
remove the information from the credit file or credit report  
pursuant to the terms of the "Fair Credit Reporting Act," 84 Stat.  
1128, 15 U.S.C. 1681a, within a reasonable time after receiving  
the information required by divisions (B)(1) and (2) of this  
section, the former spouse may initiate an action to require the  
agency to remove the information.

If any information described in division (D)(3) of this  
section is placed in the party's credit file or credit report, the  
party has the burden of proving that the party is not responsible  
for obtaining the health insurance coverage or, if responsible,  
that the expenses incurred are not covered expenses. If the party  
meets that burden, the agency shall remove the information from  
the party's credit file and credit report immediately. If the

agency fails to remove the information from the credit file or 177  
credit report immediately after the party meets the burden, the 178  
party may initiate an action to require the agency to remove the 179  
information. 180

**Sec. 2151.231.** The parent, guardian, or custodian of a child, 181  
the person with whom a child resides, or the child support 182  
enforcement agency of the county in which the child, parent, 183  
guardian, or custodian of the child resides may bring an action in 184  
a juvenile court or other court with jurisdiction under section 185  
2101.022 or 2301.03 of the Revised Code under this section 186  
requesting the court to issue an order requiring a parent of the 187  
child to pay an amount for the support of the child without regard 188  
to the marital status of the child's parents. No action may be 189  
brought under this section against a person presumed to be the 190  
parent of a child based on an acknowledgment of paternity that has 191  
not yet become final under former section 3111.211 or 5101.314 or 192  
section 2151.232, 3111.25, or 3111.821 of the Revised Code. 193

The parties to an action under this section may raise the 194  
issue of the existence or nonexistence of a parent-child 195  
relationship, unless a final and enforceable determination of the 196  
issue has been made with respect to the parties pursuant to 197  
Chapter 3111. of the Revised Code or an acknowledgment of 198  
paternity signed by the child's parents has become final pursuant 199  
to former section 3111.211 or 5101.314 or section 2151.232, 200  
3111.25, or 3111.821 of the Revised Code. If a complaint is filed 201  
under this section and an issue concerning the existence or 202  
nonexistence of a parent-child relationship is raised, the court 203  
shall treat the action as an action pursuant to sections 3111.01 204  
to 3111.18 of the Revised Code. An order issued in an action under 205  
this section does not preclude a party to the action from bringing 206  
a subsequent action pursuant to sections 3111.01 to 3111.18 of the 207  
Revised Code if the issue concerning the existence or nonexistence 208

of the parent-child relationship was not determined with respect  
to the party pursuant to a proceeding under this section, a  
proceeding under Chapter 3111. of the Revised Code, or an  
acknowledgment of paternity that has become final under former  
section 3111.211 or 5101.314 or section 2151.232, 3111.25, or  
3111.821 of the Revised Code. An order issued pursuant to this  
section shall remain effective until an order is issued pursuant  
to sections 3111.01 to 3111.18 of the Revised Code that a  
parent-child relationship does not exist between the alleged  
father of the child and the child or until the occurrence of an  
event described in section 3119.88 of the Revised Code that would  
require the order to terminate.

The court, in accordance with sections ~~3119.30~~ 3119.29 to  
~~3119.58~~ 3119.56 of the Revised Code, shall include in each support  
order made under this section the requirement that one or both of  
the parents provide for the health care needs of the child to the  
satisfaction of the court.

**Sec. 2151.33.** (A) Pending hearing of a complaint filed under  
section 2151.27 of the Revised Code or a motion filed or made  
under division (B) of this section and the service of citations,  
the juvenile court may make any temporary disposition of any child  
that it considers necessary to protect the best interest of the  
child and that can be made pursuant to division (B) of this  
section. Upon the certificate of one or more reputable practicing  
physicians, the court may summarily provide for emergency medical  
and surgical treatment that appears to be immediately necessary to  
preserve the health and well-being of any child concerning whom a  
complaint or an application for care has been filed, pending the  
service of a citation upon the child's parents, guardian, or  
custodian. The court may order the parents, guardian, or  
custodian, if the court finds the parents, guardian, or custodian  
able to do so, to reimburse the court for the expense involved in



providing the emergency medical or surgical treatment. Any person 241  
who disobeys the order for reimbursement may be adjudged in 242  
contempt of court and punished accordingly. 243

If the emergency medical or surgical treatment is furnished 244  
to a child who is found at the hearing to be a nonresident of the 245  
county in which the court is located and if the expense of the 246  
medical or surgical treatment cannot be recovered from the 247  
parents, legal guardian, or custodian of the child, the board of 248  
county commissioners of the county in which the child has a legal 249  
settlement shall reimburse the court for the reasonable cost of 250  
the emergency medical or surgical treatment out of its general 251  
fund. 252

(B)(1) After a complaint, petition, writ, or other document 253  
initiating a case dealing with an alleged or adjudicated abused, 254  
neglected, or dependent child is filed and upon the filing or 255  
making of a motion pursuant to division (C) of this section, the 256  
court, prior to the final disposition of the case, may issue any 257  
of the following temporary orders to protect the best interest of 258  
the child: 259

(a) An order granting temporary custody of the child to a 260  
particular party; 261

(b) An order for the taking of the child into custody 262  
pursuant to section 2151.31 of the Revised Code pending the 263  
outcome of the adjudicatory and dispositional hearings; 264

(c) An order granting, limiting, or eliminating parenting 265  
time or visitation rights with respect to the child; 266

(d) An order requiring a party to vacate a residence that 267  
will be lawfully occupied by the child; 268

(e) An order requiring a party to attend an appropriate 269  
counseling program that is reasonably available to that party; 270

(f) Any other order that restrains or otherwise controls the 271  
conduct of any party which conduct would not be in the best 272  
interest of the child. 273

(2) Prior to the final disposition of a case subject to 274  
division (B)(1) of this section, the court shall do both of the 275  
following: 276

(a) Issue an order pursuant to Chapters 3119. to 3125. of the 277  
Revised Code requiring the parents, guardian, or person charged 278  
with the child's support to pay support for the child. 279

(b) Issue an order requiring the parents, guardian, or person 280  
charged with the child's support to continue to maintain any 281  
health insurance coverage for the child that existed at the time 282  
of the filing of the complaint, petition, writ, or other document, 283  
or to obtain health insurance coverage in accordance with sections 284  
~~3119.30~~ 3119.29 to ~~3119.58~~ 3119.56 of the Revised Code. 285  
286

(C)(1) A court may issue an order pursuant to division (B) of 287  
this section upon its own motion or if a party files a written 288  
motion or makes an oral motion requesting the issuance of the 289  
order and stating the reasons for it. Any notice sent by the court 290  
as a result of a motion pursuant to this division shall contain a 291  
notice that any party to a juvenile proceeding has the right to be 292  
represented by counsel and to have appointed counsel if the person 293  
is indigent. 294

(2) If a child is taken into custody pursuant to section 295  
2151.31 of the Revised Code and placed in shelter care, the public 296  
children services agency or private child placing agency with 297  
which the child is placed in shelter care shall file or make a 298  
motion as described in division (C)(1) of this section before the 299  
end of the next day immediately after the date on which the child 300  
was taken into custody and, at a minimum, shall request an order 301

for temporary custody under division (B)(1)(a) of this section.

(3) A court that issues an order pursuant to division (B)(1)(b) of this section shall comply with section 2151.419 of the Revised Code.

(D) The court may grant an ex parte order upon its own motion or a motion filed or made pursuant to division (C) of this section requesting such an order if it appears to the court that the best interest and the welfare of the child require that the court issue the order immediately. The court, if acting on its own motion, or the person requesting the granting of an ex parte order, to the extent possible, shall give notice of its intent or of the request to the parents, guardian, or custodian of the child who is the subject of the request. If the court issues an ex parte order, the court shall hold a hearing to review the order within seventy-two hours after it is issued or before the end of the next day after the day on which it is issued, whichever occurs first. The court shall give written notice of the hearing to all parties to the action and shall appoint a guardian ad litem for the child prior to the hearing.

The written notice shall be given by all means that are reasonably likely to result in the party receiving actual notice and shall include all of the following:

(1) The date, time, and location of the hearing;

(2) The issues to be addressed at the hearing;

(3) A statement that every party to the hearing has a right to counsel and to court-appointed counsel, if the party is indigent;

(4) The name, telephone number, and address of the person requesting the order;

(5) A copy of the order, except when it is not possible to

obtain it because of the exigent circumstances in the case.

If the court does not grant an ex parte order pursuant to a motion filed or made pursuant to division (C) of this section or its own motion, the court shall hold a shelter care hearing on the motion within ten days after the motion is filed. The court shall give notice of the hearing to all affected parties in the same manner as set forth in the Juvenile Rules.

(E) The court, pending the outcome of the adjudicatory and dispositional hearings, shall not issue an order granting temporary custody of a child to a public children services agency or private child placing agency pursuant to this section, unless the court determines and specifically states in the order that the continued residence of the child in the child's current home will be contrary to the child's best interest and welfare and the court complies with section 2151.419 of the Revised Code.

(F) Each public children services agency and private child placing agency that receives temporary custody of a child pursuant to this section shall maintain in the child's case record written documentation that it has placed the child, to the extent that it is consistent with the best interest, welfare, and special needs of the child, in the most family-like setting available and in close proximity to the home of the parents, custodian, or guardian of the child.

(G) For good cause shown, any court order that is issued pursuant to this section may be reviewed by the court at any time upon motion of any party to the action or upon the motion of the court.

**Sec. 2151.49.** In every case of conviction under sections 2151.01 to 2151.54 of the Revised Code, where imprisonment is imposed as part of the punishment, the juvenile judge may suspend sentence, before or during commitment, upon such condition as the

juvenile judge imposes. In the case of conviction for nonsupport 363  
of a child who is receiving aid under Chapter 5107. or 5115. of 364  
the Revised Code, if the juvenile judge suspends sentence on 365  
condition that the person make payments for support, the payment 366  
shall be made to the county department of job and family services 367  
rather than to the child or custodian of the child. 368

The court, in accordance with sections ~~3119.30~~ 3119.29 to 369  
~~3119.58~~ 3119.56 of the Revised Code, shall include in each support 370  
order made under this section the requirement that one or both of 371  
the parents provide for the health care needs of the child to the 372  
satisfaction of the court. 373

**Sec. 3111.81.** After the hearing under section 3111.80 of the 374  
Revised Code is completed, the administrative officer may issue an 375  
administrative order for the payment of support and provision for 376  
the child's health care. The order shall do all of the following: 377

(A) Require periodic payments of support that may vary in 378  
amount, except that, if it is in the best interest of the child, 379  
the administrative officer may order the purchase of an annuity in 380  
lieu of periodic payments of support if the purchase agreement 381  
provides that any ~~remaining principal~~ remaining principal will be 382  
transferred to the ownership and control of the child on the 383  
child's attainment of the age of majority; 384

(B) Require the parents to provide for the health care needs 385  
of the child in accordance with sections ~~3119.30~~ 3119.29 to 386  
~~3119.58~~ 3119.56 of the Revised Code; 387

(C) Include a notice that contains the information described 388  
in section 3111.84 of the Revised Code informing the mother and 389  
the father of the right to object to the order by bringing an 390  
action for the payment of support and provision of the child's 391  
health care under section 2151.231 of the Revised Code and the 392

effect of a failure to timely bring the action. 393

**Sec. 3113.07.** As used in this section, "executive director" 394  
has the same meaning as in section 5153.01 of the Revised Code. 395

Sentence may be suspended, if a person, after conviction 396  
under section 3113.06 of the Revised Code and before sentence 397  
thereunder, appears before the court of common pleas in which such 398  
conviction took place and enters into bond to the state in a sum 399  
fixed by the court at not less than five hundred dollars, with 400  
sureties approved by such court, conditioned that such person will 401  
pay, so long as the child remains a ward of the public children 402  
services agency or a recipient of aid pursuant to Chapter 5107. or 403  
5115. of the Revised Code, to the executive director thereof or to 404  
a trustee to be named by the court, for the benefit of such agency 405  
or if the child is a recipient of aid pursuant to Chapter 5107. or 406  
5115. of the Revised Code, to the county department of job and 407  
family services, the reasonable cost of keeping such child. The 408  
amount of such costs and the time of payment shall be fixed by the 409  
court. 410

The court, in accordance with sections ~~3119.30~~ 3119.29 to 411  
~~3119.58~~ 3119.56 of the Revised Code, shall include in each support 412  
order made under this section the requirement that one or both of 413  
the parents provide for the health care needs of the child to the 414  
satisfaction of the court. 415

**Sec. 3119.01.** (A) As used in the Revised Code, "child support 416  
enforcement agency" means a child support enforcement agency 417  
designated under former section 2301.35 of the Revised Code prior 418  
to October 1, 1997, or a private or government entity designated 419  
as a child support enforcement agency under section 307.981 of the 420  
Revised Code. 421

(B) As used in this chapter and Chapters 3121., 3123., and 422

3125. of the Revised Code: 423

(1) "Administrative child support order" means any order 424  
issued by a child support enforcement agency for the support of a 425  
child pursuant to section 3109.19 or 3111.81 of the Revised Code 426  
or former section 3111.211 of the Revised Code, section 3111.21 of 427  
the Revised Code as that section existed prior to January 1, 1998, 428  
or section 3111.20 or 3111.22 of the Revised Code as those 429  
sections existed prior to ~~the effective date of this section~~ March 430  
22, 2001. 431

(2) "Child support order" means either a court child support 432  
order or an administrative child support order. 433

(3) "Obligee" means the person who is entitled to receive the 434  
support payments under a support order. 435

(4) "Obligor" means the person who is required to pay support 436  
under a support order. 437

(5) "Support order" means either an administrative child 438  
support order or a court support order. 439

(C) As used in this chapter: 440

(1) "Combined gross income" means the combined gross income 441  
of both parents. 442

(2) "Court child support order" means any order issued by a 443  
court for the support of a child pursuant to Chapter 3115. of the 444  
Revised Code, section 2151.23, 2151.231, 2151.232, 2151.33, 445  
2151.36, 2151.361, 2151.49, 3105.21, 3109.05, 3109.19, 3111.13, 446  
3113.04, 3113.07, 3113.31, 3119.65, or 3119.70, ~~or 3123.07~~ of the 447  
Revised Code, or division (B) of former section 3113.21 of the 448  
Revised Code. 449

(3) "Court support order" means either a court child support 450  
order or an order for the support of a spouse or former spouse 451  
issued pursuant to Chapter 3115. of the Revised Code, section 452

3105.18, 3105.65, or 3113.31, ~~or 3123.07~~ of the Revised Code, or 453  
division (B) of former section 3113.21 of the Revised Code. 454

(4) "Extraordinary medical expenses" means any uninsured 455  
medical expenses incurred for a child during a calendar year that 456  
exceed one hundred dollars. 457

(5) "Income" means either of the following: 458

(a) For a parent who is employed to full capacity, the gross 459  
income of the parent; 460

(b) For a parent who is unemployed or underemployed, the sum 461  
of the gross income of the parent and any potential income of the 462  
parent. 463

(6) "Insurer" means any person authorized under Title XXXIX 464  
of the Revised Code to engage in the business of insurance in this 465  
state, any health insuring corporation, and any legal entity that 466  
is self-insured and provides benefits to its employees or members. 467

(7) "Gross income" means, except as excluded in division 468  
(C)(7) of this section, the total of all earned and unearned 469  
income from all sources during a calendar year, whether or not the 470  
income is taxable, and includes income from salaries, wages, 471  
overtime pay, and bonuses to the extent described in division (D) 472  
of section 3119.05 of the Revised Code; commissions; royalties; 473  
tips; rents; dividends; severance pay; pensions; interest; trust 474  
income; annuities; social security benefits, including retirement, 475  
disability, and survivor benefits that are not means-tested; 476  
workers' compensation benefits; unemployment insurance benefits; 477  
disability insurance benefits; benefits that are not means-tested 478  
and that are received by and in the possession of the veteran who 479  
is the beneficiary for any service-connected disability under a 480  
program or law administered by the United States department of 481  
veterans' affairs or veterans' administration; spousal support 482  
actually received; and all other sources of income. "Gross income" 483



includes income of members of any branch of the United States 484  
armed services or national guard, including, amounts representing 485  
base pay, basic allowance for quarters, basic allowance for 486  
subsistence, supplemental subsistence allowance, cost of living 487  
adjustment, specialty pay, variable housing allowance, and pay for 488  
training or other types of required drills; self-generated income; 489  
and potential cash flow from any source. 490

"Gross income" does not include any of the following: 491

(a) Benefits received from means-tested government 492  
administered programs, including Ohio works first; prevention, 493  
retention, and contingency; means-tested veterans' benefits; 494  
supplemental security income; food stamps; disability assistance; 495  
or other assistance for which eligibility is determined on the 496  
basis of income or assets; 497

(b) Benefits for any service-connected disability under a 498  
program or law administered by the United States department of 499  
veterans' affairs or veterans' administration that are not 500  
means-tested, that have not been distributed to the veteran who is 501  
the beneficiary of the benefits, and that are in the possession of 502  
the United States department of veterans' affairs or veterans' 503  
administration; 504

(c) Child support received for children who were not born or 505  
adopted during the marriage at issue; 506

(d) Amounts paid for mandatory deductions from wages such as 507  
union dues but not taxes, social security, or retirement in lieu 508  
of social security; 509

(e) Nonrecurring or unsustainable income or cash flow items; 510

(f) Adoption assistance and foster care maintenance payments 511  
made pursuant to Title IV-E of the "Social Security Act," 94 Stat. 512  
501, 42 U.S.C.A. 670 (1980), as amended. 513

(8) "Nonrecurring or unsustainable income or cash flow item" 514  
means an income or cash flow item the parent receives in any year 515  
or for any number of years not to exceed three years that the 516  
parent does not expect to continue to receive on a regular basis. 517  
"Nonrecurring or unsustainable income or cash flow item" does not 518  
include a lottery prize award that is not paid in a lump sum or 519  
any other item of income or cash flow that the parent receives or 520  
expects to receive for each year for a period of more than three 521  
years or that the parent receives and invests or otherwise uses to 522  
produce income or cash flow for a period of more than three years. 523

(9)(a) "Ordinary and necessary expenses incurred in 524  
generating gross receipts" means actual cash items expended by the 525  
parent or the parent's business and includes depreciation expenses 526  
of business equipment as shown on the books of a business entity. 527

(b) Except as specifically included in "ordinary and 528  
necessary expenses incurred in generating gross receipts" by 529  
division (C)(9)(a) of this section, "ordinary and necessary 530  
expenses incurred in generating gross receipts" does not include 531  
depreciation expenses and other noncash items that are allowed as 532  
deductions on any federal tax return of the parent or the parent's 533  
business. 534

(10) "Personal earnings" means compensation paid or payable 535  
for personal services, however denominated, and includes wages, 536  
salary, commissions, bonuses, draws against commissions, profit 537  
sharing, vacation pay, or any other compensation. 538

(11) "Potential income" means both of the following for a 539  
parent who the court pursuant to a court support order, or a child 540  
support enforcement agency pursuant to an administrative child 541  
support order, determines is voluntarily unemployed or voluntarily 542  
underemployed: 543

(a) Imputed income that the court or agency determines the 544

parent would have earned if fully employed as determined from the 545  
following criteria: 546

- (i) The parent's prior employment experience; 547
- (ii) The parent's education; 548
- (iii) The parent's physical and mental disabilities, if any; 549
- (iv) The availability of employment in the geographic area in 550  
which the parent resides; 551
- (v) The prevailing wage and salary levels in the geographic 552  
area in which the parent resides; 553
- (vi) The parent's special skills and training; 554
- (vii) Whether there is evidence that the parent has the 555  
ability to earn the imputed income; 556
- (viii) The age and special needs of the child for whom child 557  
support is being calculated under this section; 558
- (ix) The parent's increased earning capacity because of 559  
experience; 560
- (x) Any other relevant factor. 561

(b) Imputed income from any nonincome-producing assets of a 562  
parent, as determined from the local passbook savings rate or 563  
another appropriate rate as determined by the court or agency, not 564  
to exceed the rate of interest specified in division (A) of 565  
section 1343.03 of the Revised Code, if the income is significant. 566

(12) "Schedule" means the basic child support schedule set 567  
forth in section 3119.021 of the Revised Code. 568

(13) "Self-generated income" means gross receipts received by 569  
a parent from self-employment, proprietorship of a business, joint 570  
ownership of a partnership or closely held corporation, and rents 571  
minus ordinary and necessary expenses incurred by the parent in 572  
generating the gross receipts. "Self-generated income" includes 573

expense reimbursements or in-kind payments received by a parent  
from self-employment, the operation of a business, or rents,  
including company cars, free housing, reimbursed meals, and other  
benefits, if the reimbursements are significant and reduce  
personal living expenses.

(14) "Split parental rights and responsibilities" means a  
situation in which there is more than one child who is the subject  
of an allocation of parental rights and responsibilities and each  
parent is the residential parent and legal custodian of at least  
one of those children.

(15) "Worksheet" means the applicable worksheet that is used  
to calculate a parent's child support obligation as set forth in  
sections 3119.022 and 3119.023 of the Revised Code.

Sec. 3119.29. As used in this section and sections 3119.30 to  
3119.56 of the Revised Code:

(A) "Health plan administrator" means any entity authorized  
under Title XXXIX of the Revised Code to engage in the business of  
insurance in this state, any health insuring corporation, any  
legal entity that is self-insured and provides benefits to its  
employees or members, and the administrator of any such entity or  
corporation.

(B) "National medical support notice" means a form required  
by the "Child Support Performance and Incentive Act of 1998," P.L.  
105-200, 112 Stat. 659, 42 U.S.C. 666(a)(19), as amended, and  
jointly developed and promulgated by the secretary of health and  
human services and the secretary of labor in federal regulations  
adopted under that act as modified by the department of job and  
family services under section 3119.291 of the Revised Code.

(C) "Person required to provide health insurance coverage"  
means the obligor, obligee, or both, required by the court under a

court child support order or by the child support enforcement  
agency under an administrative child support order to provide  
health insurance coverage pursuant to section 3119.30 of the  
Revised Code.

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Sec. 3119.291. The department of job and family services  
shall modify the national medical support notice, as necessary, to  
make the notice and its instructions apply to the person required  
to provide health insurance coverage for the children who are the  
subject of an order issued under section 3119.30 of the Revised  
Code.

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Sec. 3119.30. In any action or proceeding in which a child  
support order is issued or modified, the court, with respect to  
court child support orders, and the child support enforcement  
agency, with respect to administrative child support orders, shall  
determine the ~~parent~~ person responsible for the health care of the  
children subject to the child support order ~~and. The determination~~  
shall be based on information provided to the court or to the  
child support enforcement agency under section 3119.31 of the  
Revised Code. The order shall include ~~in the order~~ one of the  
following:

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(A) A requirement that the obligor under the child support  
order obtain health insurance coverage for the children if  
coverage is available at a reasonable cost through a group policy,  
contract, or plan offered by the obligor's employer or through any  
other group policy, contract, or plan available to the obligor and  
is not available for a more reasonable cost through a group  
policy, contract, or plan available to the obligee;

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(B) A requirement that the obligee obtain health insurance  
coverage for the children if coverage is available through a group  
policy, contract, or plan offered by the obligee's employer or

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through any other group policy, contract, or plan available to the 635  
obligee and is available at a more reasonable cost than coverage 636  
is available to the obligor; 637

(C) If health insurance coverage for the children is not 638  
available at a reasonable cost through a group policy, contract, 639  
or plan offered by the obligor's or obligee's employer or through 640  
any other group policy, contract, or plan available to the obligor 641  
or the obligee, a requirement that the obligor and the obligee 642  
share liability for the cost of the medical and health care needs 643  
of the children, under an equitable formula established by the 644  
court, with respect to a court child support order, or the child 645  
support enforcement agency, with respect to an administrative 646  
child support order, and a requirement that if, after the issuance 647  
of the order, health insurance coverage for the children becomes 648  
available at a reasonable cost through a group policy, contract, 649  
or plan offered by the obligor's or obligee's employer or through 650  
any other group policy, contract, or plan available to the obligor 651  
or obligee, the obligor or obligee to whom the coverage becomes 652  
available immediately inform the court, with respect to a court 653  
child support order, or the child support enforcement agency, with 654  
respect to an administrative child support order; 655

(D) A requirement that both the obligor and the obligee 656  
obtain health insurance coverage for the children if coverage is 657  
available for the children at a reasonable cost to both the 658  
obligor and the obligee and dual coverage ~~by both parents~~ would 659  
provide for coordination of medical benefits without unnecessary 660  
duplication of coverage. 661

**Sec. 3119.301.** An order issued pursuant to former section 662  
3111.241 or 3113.217 of the Revised Code as those sections existed 663  
prior to January 1, 1998, that was not terminated on or after that 664  
date, and that provides for the health care needs of children 665

subject to a child support order shall be considered to be a 666  
requirement included as part of the child support order. The child 667  
support order shall be considered to have been issued in 668  
accordance with former section 3111.241 or 3113.217 of the Revised 669  
Code as those sections existed on and after January 1, 1998, and 670  
prior to ~~the effective date of this section~~ March 22, 2001. A 671  
child support order issued in accordance with, or any notice 672  
issued under, former section 3111.241 or 3113.217 of the Revised 673  
Code as those sections existed prior to ~~the effective date of this~~ 674  
~~section~~ March 22, 2001, that was not terminated on or after that 675  
date shall be subject to sections ~~3119.30~~ 3119.29 to ~~3119.58~~ 676  
3119.56 of the Revised Code on and after that date. 677

Sec. 3119.31. In any action or proceeding in which a court or 678  
child support enforcement agency is determining the person 679  
responsible for the health care of the children who are or will be 680  
the subject of a child support order, each party shall provide to 681  
the court or child support enforcement agency a list of any group 682  
health insurance policies, contracts, or plans available to the 683  
party. 684

Sec. ~~3119.31~~ 3119.32. A child support order shall contain all 685  
of the following: 686

(A) If the obligor, obligee, or both ~~the~~ obligor and obligee, 687  
are required under section 3119.30 of the Revised Code to provide 688  
health insurance coverage for the children, a requirement that 689  
whoever is required to ~~obtain the~~ provide health insurance 690  
~~covered~~ do all of the following: 691

~~(1) Provide~~ provide to the other with, not later than thirty 692  
days after the issuance of the order, information regarding the 693  
benefits, limitations, and exclusions of the coverage, copies of 694  
any insurance forms necessary to receive reimbursement, payment, 695

or other benefits under the coverage, and a copy of any necessary  
insurance cards;

~~(2) Submit a copy of the child support order issued pursuant  
to section 3119.30 of the Revised Code to the insurer at the time  
of making application to enroll the children under the health  
insurance policy, contract, or plan;~~

~~(3) Furnish written proof to the child support enforcement  
agency of compliance with this division.~~

~~(B) A list of the group health insurance policies, contracts,  
and plans that the court, with respect to a court child support  
order, or the child support enforcement agency, with respect to an  
administrative child support order, determines are available at a  
reasonable cost to the obligor or to the obligee and the name of  
the insurer that issues each policy, contract, or plan;~~

~~(C) A statement setting forth the name, address, and  
telephone number of the individual who is to be reimbursed for  
out-of-pocket medical, optical, hospital, dental, or prescription  
expenses paid for each child and a statement that the insurer  
health plan administrator that provides the health insurance  
coverage for the children may continue making payment for medical,  
optical, hospital, dental, or prescription services directly to  
any health care provider in accordance with the applicable health  
insurance policy, contract, or plan;~~

~~(D)(C) A requirement that the obligor and the obligee a  
person required to provide health insurance coverage for the  
children designate the children as covered dependents under any  
health insurance policy, contract, or plan for which ~~they contract~~  
the person contracts;~~

~~(E)(D) A requirement that the obligor, the obligee, or both  
of them under a formula established by the court, with respect to  
a court child support order, or the child support enforcement~~



agency, with respect to an administrative child support order, pay 727  
co-payment or deductible costs required under the health insurance 728  
policy, contract, or plan that covers the children; 729

~~(F)~~(E) A notice that the employer of the ~~obligor or obligee~~ 730  
~~person~~ required to obtain health insurance coverage is required to 731  
release to the other parent, any person subject to an order issued 732  
under section 3109.19 of the Revised Code, or the child support 733  
enforcement agency on written request any necessary information on 734  
the health insurance coverage, including the name and address of 735  
the ~~insurer~~ health plan administrator and any policy, contract, or 736  
plan number, and to otherwise comply with this section and any 737  
order or notice issued under this section; 738

~~(G)~~(F) A statement setting forth the full name and date of 739  
birth of each child who is the subject of the child support order; 740

~~(H)~~(G) A requirement that the obligor and the obligee comply 741  
with any requirement described in section 3119.30 of the Revised 742  
Code and divisions (A) and ~~(D)~~(C) of this section that is 743  
contained in an order issued in compliance with this section no 744  
later than thirty days after the issuance of the order; 745

~~(I) A notice that if the obligor or obligee fails to obtain~~ 746  
~~health insurance coverage required by a child support order, the~~ 747  
~~child support enforcement agency shall comply with sections~~ 748  
~~3119.40 and 3119.41 of the Revised Code to obtain a court order~~ 749  
~~requiring the obligor or obligee to obtain the health insurance~~ 750  
~~coverage;~~ 751

~~(J)~~(H) A notice that states the following: "If the person 752  
required to obtain health care insurance coverage for the children 753  
subject to this child support order obtains new employment ~~and the~~ 754  
~~health insurance coverage for the children is provided through the~~ 755  
~~previous employer~~, the agency shall comply with the requirements 756  
of ~~sections 3119.43 and 3119.44~~ section 3119.34 of the Revised 757  
Code, which may result in the issuance of a notice requiring the 758

new employer to take whatever action is necessary to enroll the 759  
children in health care insurance coverage provided by the new 760  
employer." 761

Sec. 3119.33. A child support enforcement agency shall send 762  
the national medical support notice to the employer of a person 763  
required to provide health insurance coverage for the children who 764  
are the subject of a child support order. The child support 765  
enforcement agency shall act in accordance with federal 766  
regulations governing the national medical support notice and 767  
rules adopted by the department of job and family services under 768  
section 3119.51 of the Revised Code. 769

Sec. 3119.34. Not later than the business day after receipt 770  
of a notice under section 3121.895 of the Revised Code of a new 771  
hire match, a child support enforcement agency shall send to a 772  
person's new employer a national medical support notice if the 773  
person is the person required to provide health insurance coverage 774  
for the children who are the subject of a child support order. 775

Sec. 3119.35. At the same time that a child support 776  
enforcement agency sends a national medical support notice under 777  
section 3119.33 or 3119.34 of the Revised Code to the employer of 778  
a person required to provide health insurance coverage for 779  
children who are the subject of a child support order, the agency 780  
shall send a notice of medical support enforcement activity to 781  
that person. 782

Sec. 3119.351. The notice of medical support enforcement 783  
activity shall contain all of the following: 784

(A) The date on which it is sent; 785

(B) A statement that the person has been designated as a 786  
person required to provide health insurance coverage for children 787

who are the subject of a child support order;

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(C) A statement that a national medical support notice has  
been sent to the person's employer;

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(D) A statement of the purpose of the national medical  
support notice, of what it will require of the person's employer  
and any applicable health plan administrator, and that amounts  
will be withheld from the person's income to pay for health  
insurance for the children;

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(E) A statement of the person's right to contest the national  
medical support notice through mistake of fact proceedings;

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(F) An explanation of the mistake of fact proceedings  
available to the person and the actions the person must take to  
pursue those proceedings.

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**Sec. 3119.46 3119.352.** The department of job and family  
services shall adopt a standard forms form for the notices notice  
of medical support enforcement activity required by section  
3119.44 3119.35 of the Revised Code. All child support enforcement  
agencies shall use the forms form in issuing notices the notice  
under that section.

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**Sec. 3119.36.** On receipt of a national medical support notice  
sent pursuant to section 3119.33 or section 3119.34 of the Revised  
Code, an employer shall do one of the following not later than  
twenty business days after the date specified in the notice:

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(A) If the person named in the national medical support  
notice is a current employee and health insurance coverage of the  
children is available through the employer, complete and comply  
with the notice in accordance with its instructions, federal  
regulations, and any rules adopted by the department of job and

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family services under section 3119.51 of the Revised Code and send  
the appropriate portion of the notice to the health plan  
administrator;

(B) If the person named in the notice is not a current  
employee, health insurance coverage of the children is not  
available through the employer, or the employer determines that  
coverage of the children would cause the total amount of income  
withholding and health insurance contributions from the person's  
income to exceed the maximum amount permitted under section 303(b)  
of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b),  
complete the notice in accordance with its instructions, federal  
regulations, and any rules adopted by the department of job and  
family services under section 3119.51 of the Revised Code and  
return the completed notice to the child support enforcement  
agency.

**Sec. ~~3119.48~~ 3119.361.** During the time that any child support  
order issued in accordance with section 3119.30 of the Revised  
Code, ~~an order issued under section 3119.41 of the Revised Code,~~  
or a notice issued pursuant to section ~~3119.44~~ 3119.33 or 3119.34  
of the Revised Code is in effect and after the employer has  
received a copy of the order or notice, the employer of the  
~~obligor or obligee~~ person required to provide health insurance  
coverage shall comply with the order or notice.

**Sec. ~~3119.49~~ 3119.362.** On written request from the other  
parent, any person subject to an order issued under section  
3109.19 of the Revised Code, or the child support enforcement  
agency, the employer of ~~the obligor or obligee~~ a person required  
to provide health insurance coverage under a child support order  
shall release to the other parent, person, and the agency all  
information about the health insurance coverage that is necessary  
to ensure compliance with section 3119.30 of the Revised Code, ~~an~~

~~order~~ a notice issued under section ~~3119.41~~ 3119.33 of the Revised 848  
Code, or a notice issued under section ~~3119.44~~ 3119.34 of the 849  
Revised Code, including the name and address of the ~~insurer~~ health 850  
plan administrator, and any policy, contract, or plan number. 851

**Sec. ~~3119.491~~ 3119.363.** Information provided by an employer 852  
pursuant to section ~~3119.49~~ 3119.362 of the Revised Code shall be 853  
used only for the purpose of the enforcement of an order issued in 854  
accordance with section 3119.30 of the Revised Code, ~~an order~~ a 855  
notice issued under section ~~3119.41~~ 3119.33 of the Revised Code, 856  
or a notice issued pursuant to section ~~3119.44~~ 3119.34 of the 857  
Revised Code. 858

**Sec. ~~3119.50~~ 3119.364.** Any employer who receives a copy of an 859  
order or notice described in section 3119.30, ~~3119.41~~ 3119.33, or 860  
~~3119.44~~ 3119.34 of the Revised Code shall notify the child support 861  
enforcement agency of any change in or the termination of the 862  
health insurance coverage that is maintained pursuant to the order 863  
or notice. 864

**Sec. 3119.37.** On receipt of a national medical support notice 865  
sent by an employer under section 3119.36 of the Revised Code, a 866  
health plan administrator shall complete and comply with the 867  
notice in accordance with its instructions, federal regulations, 868  
and any rules adopted by the department of job and family services 869  
under section 3119.51 of the Revised Code. 870

**Sec. 3119.38.** A person who receives a notice of medical 871  
support enforcement activity under section 3119.35 of the Revised 872  
Code may file a written request for an administrative hearing with 873  
the child support enforcement agency that issued it regarding 874  
whether a mistake of fact was made in the national medical support 875  
notice referred to in the notice of medical support enforcement 876

activity. The request must be filed not later than seven business 877  
days after the date on which the notice of medical support 878  
enforcement activity is sent. 879

If the person makes a timely request, the agency shall 880  
conduct an administrative hearing not later than ten days after 881  
the date on which the person files the request for the hearing. 882  
Not later than five days before the date on which the hearing is 883  
to be conducted, the agency shall send the person and any other 884  
individual the agency determines appropriate written notice of the 885  
date, time, place, and purpose of the hearing. The notice to the 886  
person and any other appropriate individual also shall indicate 887  
that the person may present testimony and evidence at the hearing 888  
only in regard to the issue of whether a mistake of fact has been 889  
made in the national medical support notice. 890

At the hearing, the agency shall determine whether there is a 891  
mistake of fact in the national medical support notice. The agency 892  
shall send its determination to the person. That agency's 893  
determination is final unless, within seven business days after 894  
the agency makes its determination, the person files a written 895  
motion with the court for a hearing to determine whether there is 896  
still a mistake of fact in the national medical support notice. 897

If an agency's determination becomes final under this 898  
section, the agency shall take further action as required by 899  
section 3119.41 of the Revised Code. 900

**Sec. 3119.39.** If a person who has received a notice of 902  
medical support enforcement activity under section 3119.35 of the 903  
Revised Code fails to make a timely request under section 3119.38 904  
of the Revised Code for an administrative hearing, the notice of 905  
medical support enforcement activity becomes a final determination 906  
of the child support enforcement agency that issued that notice 907  
that no mistake of fact exists in the national medical support 908

notice referred to in the notice of medical support enforcement activity. When an agency's determination becomes final, the agency shall take further action as required by section 3119.41 of the Revised Code.

**Sec. 3119.40.** If a person who received a notice of medical support enforcement activity files a timely written motion for a court hearing to determine whether there is still a mistake of fact in the national medical support notice referred to in the notice of medical support enforcement activity, the court shall hold a hearing as soon as possible, but not later than ten days, after the motion is filed. Not later than five days before the date the court hearing is to be held, the court shall send the person and any other individual the agency determines appropriate written notice by regular mail of the date, time, place, and purpose of that hearing. The hearing shall be limited to a determination of whether there is a mistake of fact in the national medical support notice.

At the hearing, the court shall determine whether there is a mistake of fact in the national medical support notice. On conclusion of the hearing, the court shall make its determination. The determination is final. The court shall take further action as provided in section 3119.41 of the Revised Code.

**Sec. 3119.41.** If either a court, under section 3119.40 of the Revised Code, or child support enforcement agency, under section 3119.38 or 3119.39 of the Revised Code, makes a final determination that no mistake of fact exists in a national medical support notice referred to in a notice of medical support enforcement activity sent to a person, the national medical support notice shall remain in effect. If a court or agency determines that a mistake of fact does exist under the national medical support notice, the court or agency, as appropriate, shall

take whatever action is necessary regarding the notice, which may  
include correction or termination of the notice.

If a mistake of fact proceeding is instituted under section  
3119.38 or 3119.40 of the Revised Code, withholding of amounts  
pursuant to a national medical support notice shall continue in  
accordance with the notice until the court or agency, as  
appropriate, terminates or corrects the notice. If the notice is  
corrected, withholding shall occur in accordance with the  
corrected notice.

**Sec. ~~3119.47~~ 3119.42.** A child support order issued in  
accordance with section 3119.30 of the Revised Code, ~~any order~~  
~~issued under section 3119.41 of the Revised Code,~~ or notice issued  
pursuant to section ~~3119.44~~ 3119.33 or 3119.34 of the Revised Code  
is binding on the obligor and the obligee, their employers, and  
any ~~insurer~~ health plan administrator that provides health  
insurance coverage for either of them or their children.

**Sec. ~~3119.52~~ 3119.421.** ~~An insurer~~ A health plan administrator  
that provides health insurance coverage for the children who are  
the subject of a child support order in accordance with the child  
support order, ~~an order issued under section 3119.41 of the~~  
~~Revised Code,~~ or a notice issued sent by an employer pursuant to  
section ~~3119.44~~ 3119.36 of the Revised Code, shall reimburse the  
~~parent individual~~ who is designated to receive reimbursement in  
the child support order for covered out-of-pocket medical,  
optical, hospital, dental, or prescription expenses incurred on  
behalf of the children.

**Sec. ~~3119.53~~ 3119.422.** Nothing in sections ~~3119.30~~ 3119.29 to  
~~3119.58~~ 3119.56 of the Revised Code shall be construed to require  
~~an insurer~~ a health plan administrator to accept for enrollment  
any child who does not meet the underwriting standards of the



health insurance or health care policy, contract, or plan for 970  
which application is made. 971

**Sec. ~~3119.40~~ 3119.43.** If ~~an obligor or obligee~~ the person 972  
required to obtain health insurance coverage pursuant to a child 973  
support order issued in accordance with section 3119.30 of the 974  
Revised Code does not obtain the required coverage within thirty 975  
days after the order is issued, the child support enforcement 976  
agency shall notify the court that issued the court child support 977  
order or, with respect to an administrative child support order, 978  
the court of common pleas of the county in which the agency is 979  
located, in writing of the failure of the ~~obligor or obligee~~ 980  
person to comply with the child support order. 981

**Sec. ~~3119.57~~ 3119.44.** Whoever violates a court child support 982  
order issued in accordance with section 3119.30 of the Revised 983  
Code, ~~or an order issued under section 3119.41 of the Revised~~ 984  
~~Code,~~ may be punished as for contempt under Chapter 2705. of the 985  
Revised Code. 986

**Sec. ~~3119.58~~ 3119.45.** If ~~an obligor~~ a person is found in 987  
contempt under Chapter 2705. for failing to comply with a court 988  
child support order issued in accordance with section 3119.30 of 989  
the Revised Code, ~~or an order issued under section 3119.41 of the~~ 990  
~~Revised Code, to enforce a court child support order's health~~ 991  
~~insurance provisions~~ and the ~~obligor~~ person previously has been 992  
found in contempt under that chapter, the court shall consider the 993  
~~obligor's~~ failure to comply with the order as a change in 994  
circumstances for the purpose of modification of the amount of 995  
support due under the court child support order issued in 996  
accordance with section 3119.30 of the Revised Code to which the 997  
person is subject. 998

**Sec. ~~3119.33~~ 3119.46.** An obligee or obligor under a court 999  
child support order may file a motion with the court that issued 1000  
the order requesting that the court modify the order ~~to require~~ 1001  
~~the obligor to obtain~~ with regard to health insurance coverage for 1002  
the children who are the subject of the order. ~~An obligor under a~~ 1003  
~~court child support order may file a motion with the court that~~ 1004  
~~issued the order requesting that the court modify the order to~~ 1005  
~~require the obligee to obtain health insurance coverage for those~~ 1006  
~~children.~~ 1007

**Sec. ~~3119.34~~ 3119.47.** On the filing of a motion described in 1008  
section ~~3119.33~~ 3119.46 of the Revised Code, the court shall order 1009  
the child support enforcement agency to conduct an investigation 1010  
to determine whether ~~the obligor or obligee has~~ satisfactory 1011  
health insurance coverage for the children is available to the 1012  
obligor or obligee, both the obligor and obligee, or the obligor 1013  
and obligee together. Upon completion of its investigation, the 1014  
agency shall ~~inform~~ provide to the court, in writing, ~~of its~~ 1015  
~~determination~~ the information it has obtained through its 1016  
investigation, including a list of available coverage and the 1017  
costs of the coverage. 1018

**Sec. ~~3119.35~~ 3119.48.** If a motion is filed pursuant to 1019  
section 3119.46 of the Revised Code, the court ~~determines that~~ 1020  
~~neither the obligor nor the obligee has satisfactory health~~ 1021  
~~insurance coverage for the children, it shall~~ may modify the court 1022  
child support order ~~in accordance with~~ pursuant to sections 1023  
3119.30 and ~~3119.31~~ 3119.32 of the Revised Code and based on 1024  
information received from the child support enforcement agency 1025  
pursuant to section 3119.47 of the Revised Code. 1026

**Sec. ~~3119.37~~ 3119.49.** An obligor or obligee under a court 1027

child support order may file a motion with the court that issued 1028  
the order requesting that the court modify the amount of child 1029  
support required to be paid under the order because that amount 1030  
does not adequately cover the medical needs of the child. 1031

**Sec. ~~3119.38~~ 3119.50.** On the filing of a motion described in 1032  
section ~~3119.37~~ 3119.49 of the Revised Code, the court shall 1033  
determine whether the amount of child support required to be paid 1034  
under the court child support order adequately covers the medical 1035  
needs of the child and whether to modify the order. 1036

**Sec. 3119.51.** The department of job and family services shall 1037  
adopt rules in accordance with Chapter 119. of the Revised Code as 1038  
appropriate to implement the requirements of sections 3119.29 to 1039  
3119.56 of the Revised Code. 1040

**Sec. 3119.54.** If ~~an obligee under~~ either party to a child 1041  
support order issued in accordance with section 3119.30 of the 1042  
Revised Code is eligible for medical assistance under Chapter 1043  
5111. or 5115. of the Revised Code and the ~~obligor~~ other party has 1044  
obtained health insurance coverage, the ~~obligee~~ party eligible for 1045  
medical assistance shall notify any physician, hospital, or other 1046  
provider of medical services for which medical assistance is 1047  
available of the name and address of the ~~obligor's~~ other party's 1048  
insurer and of the number of the ~~obligor's~~ other party's health 1049  
insurance or health care policy, contract, or plan. Any physician, 1050  
hospital, or other provider of medical services for which medical 1051  
assistance is available under Chapter 5111. or 5115. of the 1052  
Revised Code who is notified under this division of the existence 1053  
of a health insurance or health care policy, contract, or plan 1054  
with coverage for children who are eligible for medical assistance 1055  
shall first bill the insurer for any services provided for those 1056  
children. If the insurer fails to pay all or any part of a claim 1057

filed under this section and the services for which the claim is 1058  
filed are covered by Chapter 5111. or 5115. of the Revised Code, 1059  
the physician, hospital, or other medical services provider shall 1060  
bill the remaining unpaid costs of the services in accordance with 1061  
Chapter 5111. or 5115. of the Revised Code. 1062

**Sec. 3119.56.** An obligor or obligee who fails to comply with 1063  
a child support order issued in accordance with section 3119.30 of 1064  
the Revised Code, ~~or an order issued under section 3119.41 of the~~ 1065  
~~Revised Code,~~ is liable to the obligee other for any medical 1066  
expenses incurred as a result of the failure to comply with the 1067  
order. ~~An obligee who fails to comply with a child support order~~ 1068  
~~issued in accordance with section 3119.30 of the Revised Code, or~~ 1069  
~~an order issued under section 3119.41 of the Revised Code, is~~ 1070  
~~liable to the obligor for any medical expenses incurred as a~~ 1071  
~~result of the failure to comply with the order.~~ 1072

**Sec. 3119.76.** The director of job and family services shall 1073  
adopt rules pursuant to Chapter 119. of the Revised Code 1074  
establishing a procedure for determining when existing child 1075  
support orders should be reviewed to determine whether it is 1076  
necessary and in the best interest of the children who are the 1077  
subject of the child support order to change the child support 1078  
order. The rules shall include, but are not limited to, all of the 1079  
following: 1080

(A) Any procedures necessary to comply with section 1081  
666(a)(10) of Title 42 of the U.S. Code, "Family Support Act of 1082  
1988," 102 Stat. 2346, 42 U.S.C. 666(a)(10), as amended, and any 1083  
regulations adopted pursuant to, or to enforce, that section; 1084

(B) Procedures for determining what child support orders are 1085  
to be subject to review upon the request of either the obligor or 1086  
the obligee or periodically by the child support enforcement 1087

agency administering the child support order; 1088

(C) Procedures for the child support enforcement agency to 1089  
periodically review and to review, upon the request of the obligor 1090  
or the obligee, any child support order that is subject to review 1091  
to determine whether the amount of child support paid under the 1092  
child support order should be adjusted in accordance with the 1093  
basic child support schedule set forth in section 3119.021 of the 1094  
Revised Code or whether the provisions for the child's health care 1095  
needs under the child support order should be modified in 1096  
accordance with sections ~~3119.30~~ 3119.29 to ~~3119.58~~ 3119.56 of the 1097  
Revised Code; 1098

(D) Procedures for giving obligors and obligees notice of 1099  
their right to request a review of a child support order that is 1100  
determined to be subject to review, notice of any proposed 1101  
revision of the amount of child support to be paid under the child 1102  
support order, notice of the procedures for requesting a hearing 1103  
on any proposed revision of the amount of child support to be paid 1104  
under a child support order, notice of any administrative hearing 1105  
to be held on a proposed revision of the amount of child support 1106  
to be paid under a child support order, at least forty-five days' 1107  
prior notice of any review of their child support order, and 1108  
notice that a failure to comply with any request for documents or 1109  
information to be used in the review of a child support order is 1110  
contempt of court; 1111

(E) Procedures for obtaining the necessary documents and 1112  
information necessary to review child support orders and for 1113  
holding administrative hearings on a proposed revision of the 1114  
amount of child support to be paid under a child support order; 1115

(F) Procedures for adjusting child support orders in 1116  
accordance with the basic child support schedule set forth in 1117  
section 3119.021 of the Revised Code and the applicable worksheet 1118  
in section 3119.022 or 3119.023 of the Revised Code, through the 1119

line establishing the actual annual obligation; 1120

(G) Procedures for adjusting the provisions of the child 1121  
support order governing the health care needs of the child 1122  
pursuant to sections ~~3119.30~~ 3119.29 to ~~3119.58~~ 3119.56 of the 1123  
Revised Code. 1124

**Sec. 3121.03.** If a court or child support enforcement agency 1125  
that issued or modified a support order, or the agency 1126  
administering the support order, is required by the Revised Code 1127  
to issue one or more withholding or deduction notices described in 1128  
this section or other orders described in this section, the court 1129  
or agency shall issue one or more of the following types of 1130  
notices or orders, as appropriate, for payment of the support and 1131  
also, if required by the Revised Code or the court, to pay any 1132  
arrearages: 1133

(A)(1) If the court or the child support enforcement agency 1134  
determines that the obligor is receiving income from a payor, the 1135  
court or agency shall require the payor to do all of the 1136  
following: 1137

(a) Withhold from the obligor's income a specified amount for 1138  
support in satisfaction of the support order and begin the 1139  
withholding no later than fourteen business days following the 1140  
date the notice is mailed to the payor under section 3121.035, 1141  
3121.896, 3123.021, or 3123.06 of the Revised Code and division 1142  
(A)(2) of this section or, if the payor is an employer, no later 1143  
than the first pay period that occurs after fourteen business days 1144  
following the date the notice is mailed; 1145

(b) Send the amount withheld to the office of child support 1146  
in the department of job and family services pursuant to section 1147  
3121.43 of the Revised Code immediately but not later than seven 1148  
business days after the date the obligor is paid; 1149

(c) Continue the withholding at intervals specified in the 1150  
notice until further notice from the court or child support 1151  
enforcement agency. 1152

To the extent possible, the amount specified to be withheld 1153  
shall satisfy the amount ordered for support in the support order 1154  
plus any arrearages owed by the obligor under any prior support 1155  
order that pertained to the same child or spouse, notwithstanding 1156  
any applicable limitations of sections 2329.66, 2329.70, 2716.02, 1157  
2716.041, and 2716.05 of the Revised Code. However, in no case 1158  
shall the sum of the amount to be withheld and any fee withheld by 1159  
the payor as a charge for its services exceed the maximum amount 1160  
permitted under section 303(b) of the "Consumer Credit Protection 1161  
Act," 15 U.S.C. 1673(b). 1162

(2) A court or agency that imposes an income withholding 1163  
requirement shall, within the applicable time specified in section 1164  
3119.80, 3119.81, 3121.035, 3121.896, 3123.021, or 3123.06 of the 1165  
Revised Code, send to the obligor's payor by regular mail a notice 1166  
that contains all of the information applicable to withholding 1167  
notices set forth in section 3121.037 of the Revised Code. The 1168  
notice is final and is enforceable by the court. 1169

(B)(1) If the court or child support enforcement agency 1170  
determines that the obligor has funds that are not exempt under 1171  
the laws of this state or the United States from execution, 1172  
attachment, or other legal process and are on deposit in an 1173  
account in a financial institution under the jurisdiction of the 1174  
court that issued the court support order, or in the case of an 1175  
administrative child support order, under the jurisdiction of the 1176  
common pleas court of the county in which the agency that issued 1177  
or is administering the order is located, the court or agency may 1178  
require any financial institution in which the obligor's funds are 1179  
on deposit to do all of the following: 1180

(a) Deduct from the obligor's account a specified amount for 1181

support in satisfaction of the support order and begin the 1182  
deduction no later than fourteen business days following the date 1183  
the notice was mailed to the financial institution under section 1184  
3121.035 or 3123.06 of the Revised Code and division (B)(2) of 1185  
this section; 1186

(b) Send the amount deducted to the office of child support 1187  
in the department of job and family services pursuant to section 1188  
3121.43 of the Revised Code immediately but not later than seven 1189  
business days after the date the latest deduction was made; 1190

(c) Provide the date on which the amount was deducted; 1191

(d) Continue the deduction at intervals specified in the 1192  
notice until further notice from the court or child support 1193  
enforcement agency. 1194

To the extent possible, the amount to be deducted shall 1195  
satisfy the amount ordered for support in the support order plus 1196  
any arrearages that may be owed by the obligor under any prior 1197  
support order that pertained to the same child or spouse, 1198  
notwithstanding the limitations of sections 2329.66, 2329.70, and 1199  
2716.13 of the Revised Code. 1200

(2) A court or agency that imposes a deduction requirement 1201  
shall, within the applicable period of time specified in section 1202  
3119.80, 3119.81, 3121.035, or 3123.06 of the Revised Code, send 1203  
to the financial institution by regular mail a notice that 1204  
contains all of the information applicable to deduction notices 1205  
set forth in section 3121.037 of the Revised Code. The notice is 1206  
final and is enforceable by the court. 1207

(C) With respect to any court support order it issues, a 1208  
court may issue an order requiring the obligor to enter into a 1209  
cash bond with the court. The court shall issue the order as part 1210  
of the court support order or, if the court support order has 1211  
previously been issued, as a separate order. The cash bond shall 1212



be in a sum fixed by the court at not less than five hundred nor 1213  
more than ten thousand dollars, conditioned that the obligor will 1214  
make payment as previously ordered and will pay any arrearages 1215  
under any prior court support order that pertained to the same 1216  
child or spouse. 1217

The order, along with an additional order requiring the 1218  
obligor to immediately notify the child support enforcement 1219  
agency, in writing, if the obligor begins to receive income from a 1220  
payor, shall be attached to and served on the obligor at the same 1221  
time as service of the court support order or, if the court 1222  
support order has previously been issued, as soon as possible 1223  
after the issuance of the order under this section. The additional 1224  
order requiring notice by the obligor shall state all of the 1225  
following: 1226

(1) That when the obligor begins to receive income from a 1227  
payor the obligor may request that the court cancel its bond order 1228  
and instead issue a notice requiring the withholding of an amount 1229  
from income for support in accordance with this section; 1230

(2) That when the obligor begins to receive income from a 1231  
payor the court will proceed to collect on the bond if the court 1232  
determines that payments due under the court support order have 1233  
not been made and that the amount that has not been paid is at 1234  
least equal to the support owed for one month under the court 1235  
support order and will issue a notice requiring the withholding of 1236  
an amount from income for support in accordance with this section. 1237  
The notice required of the obligor shall include a description of 1238  
the nature of any new employment, the name and business address of 1239  
any new employer, and any other information reasonably required by 1240  
the court. 1241

The court shall not order an obligor to post a cash bond 1242  
under this section unless the court determines that the obligor 1243  
has the ability to do so. 1244

A child support enforcement agency may not issue a cash bond order. If a child support enforcement agency is required to issue a withholding or deduction notice under this section with respect to a court support order but the agency determines that no withholding or deduction notice would be appropriate, the agency may request that the court issue a cash bond order under this section, and upon the request, the court may issue the order.

(D)(1) If the obligor under a court support order is unemployed, has no income, and does not have an account at any financial institution, or on request of a child support enforcement agency under division (D)(1) or (2) of this section, the court shall issue an order requiring the obligor, if able to engage in employment, to seek employment or participate in a work activity to which a recipient of assistance under Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, may be assigned as specified in section 407(d) of the "Social Security Act," 42 U.S.C.A. 607(d), as amended. The court shall include in the order a requirement that the obligor notify the child support enforcement agency on obtaining employment, obtaining any income, or obtaining ownership of any asset with a value of five hundred dollars or more. The court may issue the order regardless of whether the obligee to whom the obligor owes support is a recipient of assistance under Title IV-A of the "Social Security Act." The court shall issue the order as part of a court support order or, if a court support order has previously been issued, as a separate order. If a child support enforcement agency is required to issue a withholding or deduction notice under this section with respect to a court support order but determines that no withholding or deduction notice would be appropriate, the agency may request that the court issue a court order under division (D)(1) of this section, and, on the request, the court may issue the order.

(2) If the obligor under an administrative child support 1277  
order is unemployed, has no income, and does not have an account 1278  
at any financial institution, the agency shall issue an 1279  
administrative order requiring the obligor, if able to engage in 1280  
employment, to seek employment or participate in a work activity 1281  
to which a recipient of assistance under Title IV-A of the "Social 1282  
Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, 1283  
may be assigned as specified in section 407(d) of the "Social 1284  
Security Act," 42 U.S.C.A. 607(d), as amended. The agency shall 1285  
include in the order a requirement that the obligor notify the 1286  
agency on obtaining employment or income, or ownership of any 1287  
asset with a value of five hundred dollars or more. The agency may 1288  
issue the order regardless of whether the obligee to whom the 1289  
obligor owes support is a recipient of assistance under Title IV-A 1290  
of the "Social Security Act." If an obligor fails to comply with 1291  
an administrative order issued pursuant to division (D)(2) of this 1292  
section, the agency shall submit a request to a court for the 1293  
court to issue an order under division (D)(1) of this section. 1294

**Sec. 3121.035.** Within fifteen days after an obligor under a 1295  
support order is located following issuance or modification of the 1296  
~~support order or within fifteen days after default under a support~~ 1297  
~~order, whichever is applicable,~~ the court or child support 1298  
enforcement agency that issued or modified the support order, or 1299  
the agency, pursuant to an agreement with the court with respect 1300  
to a court support order, shall do either of the following: 1301

(A) If a withholding or deduction notice described in section 1302  
3121.03 of the Revised Code is appropriate, send the notice by 1303  
regular mail to each person required to comply with it; 1304

(B) If an order described in section 3121.03, 3121.04 to 1305  
3121.08, or 3121.12 of the Revised Code is appropriate, issue and 1306  
send the appropriate order. 1307

**Sec. 3121.27.** (A) A court or child support enforcement agency 1308  
shall include in any order for support it issues a general 1309  
provision that states the following: 1310

"All support under this order shall be withheld or deducted 1311  
from the income or assets of the obligor pursuant to a withholding 1312  
or deduction notice or appropriate order issued in accordance with 1313  
Chapters 3119., 3121., 3123., and 3125. of the Revised Code or a 1314  
withdrawal directive issued pursuant to sections 3123.24 to 1315  
3123.38 of the Revised Code and shall be forwarded to the obligee 1316  
in accordance with Chapters 3119., 3121., 3123., and 3125. of the 1317  
Revised Code." 1318

(B) All support orders issued prior to ~~December 31, 1993,~~ 1319  
~~that have not been modified or subject to division (B) of former~~ 1320  
~~section 3113.21 of the Revised Code or sections 3123.02 to~~ 1321  
~~3123.071 of the Revised Code, regarding a default under the order~~ 1322  
~~on or after that date~~ March 22, 2001, shall be considered to 1323  
contain the general provision described in this section and shall 1324  
be enforced and modified in the same manner as a support order 1325  
issued on or after ~~December 31, 1993~~ that date. 1326

**Sec. 3121.58.** If an obligor fails to ~~pay the~~ make the payment 1327  
required ~~administrative charge amount with each current support~~ 1328  
~~payment due in increments specified under the support order by~~ 1329  
division (B) of section 3119.28 of the Revised Code, the office of 1330  
child support shall maintain a separate arrearage account of that 1331  
amount for the obligor. The office shall not deduct the unpaid 1332  
amount from any support payment due the obligee under the support 1333  
order. 1334

**Sec. 3121.67.** The office of child support may enter into 1335  
contracts with public entities or private vendors for the 1336  
collection of amounts due under support orders or for the 1337

performance of other administrative duties of the office. The 1338  
office may contract with a public or private entity for the 1339  
collection of arrearages owed under any child support order for 1340  
which a court or a child support enforcement agency has found the 1341  
obligor in default pursuant to a final and enforceable order 1342  
issued pursuant to sections ~~3123.02~~ 3123.01 to ~~3123.07~~ 3123.07 of 1343  
the Revised Code. Each contract shall comply with the rules 1344  
adopted pursuant to section 3121.71 of the Revised Code. 1345

**Sec. 3121.896.** Not later than the business day after receipt 1346  
of the notice described in section 3121.895 of the Revised Code, 1347  
the child support enforcement agency administering the support 1348  
order shall send a withholding notice to the employer pursuant to 1349  
section 3121.03 of the Revised Code, unless the employee's income 1350  
is not subject to withholding, and shall take any other 1351  
appropriate action under Chapters 3119., 3121., 3123., and 3125. 1352  
of the Revised Code. Identification of a default under section 1353  
3123.02 of the Revised Code does not in any way affect the 1354  
requirement that a withholding notice be sent to an employer under 1355  
this section within the time required by this section. 1356

**Sec. 3123.01.** As used in this chapter: 1357

(A) "Court support order" and "personal earnings" have the 1358  
same meanings as in section 3119.01 of the Revised Code. 1359

(B) "Default," "financial institution," "income," and "payor" 1360  
have the same meanings as in section 3121.01 of the Revised Code. 1361  
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(C) "Default notice" means the notice required by section 1363  
3123.03 of the Revised Code. 1364

(D) "Period of default" means the period beginning on the 1365  
date a default under a support order is identified and ending on 1366

the date the total arrearage amount owed under the order is paid. 1367

Sec. 3123.021. If an obligor under a support order is 1368  
identified as being in default under the order and is also 1369  
identified under section 3121.895 of the Revised Code as obtaining 1370  
employment, the withholding notice issued under section 3121.03 of 1371  
the Revised Code in accordance with section 3121.896 of the 1372  
Revised Code shall require the arrearage amount resulting from the 1373  
default to be withheld in addition to current support amounts. 1374

If an obligor under a support order is identified as being in 1375  
default under the order and is also identified through a source 1376  
other than section 3121.895 of the Revised Code as obtaining 1377  
employment, the child support enforcement agency administering the 1378  
order shall send a withholding notice to the employer pursuant to 1379  
section 3121.03 of the Revised Code, unless the employee's income 1380  
is not subject to withholding, not later than two business days 1381  
after discovery of the employment. The withholding notice shall 1382  
require the arrearage amount resulting from the default to be 1383  
withheld in addition to current support amounts. 1384

Section 3123.21 of the Revised Code applies to a withholding 1385  
notice issued in accordance with this section beginning on the 1386  
date it is issued and ending on the date the period of default 1387  
ends. 1388

Sec. 3123.022. The issuance of a withholding notice in 1389  
accordance with section 3123.021 of the Revised Code does not 1390  
affect the obligor's right to contest pursuant to sections 3123.04 1391  
and 3123.05 of the Revised Code an identification of default or 1392  
the amount of arrearages identified under the default. 1393

The timely filing of a written request or motion for an 1394  
administrative or court hearing under section 3123.04 or 3123.05 1395  
of the Revised Code does not cause the suspension of a withholding 1396

notice issued in accordance with section 3123.021 of the Revised Code.

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Sec. 3123.023. At the time it issues a withholding notice in accordance with section 3123.021 of the Revised Code the child support enforcement agency shall notify the obligee that the notice is being issued.

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~~Sec. 3123.03. (A) As used in this section, "period of default" means the time period beginning on the date a default under a support order is identified and ending on the date the total arrearage amount owed because of the default under the order is paid.~~

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~~(B) Within fifteen calendar days after the identification of a default under a support order, the child support enforcement agency shall send advance notice to the obligor if the default occurs prior to the date the office of child support in the department of job and family services authorizes centralized collection and disbursement of support amounts under the support order in default. On and after that date, the office shall send the advance a default notice to the obligor. The agency or office, as appropriate, shall send the advance notice to the obligor only once for each period of default. The advance default notice shall include a notice describing summary of the actions that may be taken against the obligor if the court or agency makes a final and enforceable determination that the obligor is in default. If the location of the obligor is unknown at the time of the identification of a default under the support order, the agency or office, as appropriate, shall send the advance default notice to the obligor within fifteen days after the agency locates the obligor obligor's last known address.~~

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~~(C) An advance notice to an obligor required by this section~~

1426

~~shall contain all of the following:~~

~~(1) A statement of the date on which the advance notice is sent, a statement that the obligor is in default under a support order, the amount of arrearages owed by the obligor due to the default as determined by the court or the child support enforcement agency, the types of withholding or deduction requirements and related notices described in section 3121.03 of the Revised Code or the types of court orders described in sections 3121.03, 3121.04 to 3121.08, and 3121.12 of the Revised Code that will be issued to pay support and any arrearages, and the amount that will be withheld or deducted pursuant to those requirements;~~

~~(2) A statement that any notice for the withholding or deduction of an amount from income or assets apply to all current and subsequent payors of the obligor and financial institutions in which the obligor has an account and that any withholding or deduction requirement and related notice described in section 3121.03 of the Revised Code or any court order described in sections 3121.03, 3121.04 to 3121.08, and 3121.12 of the Revised Code that is issued will not be discontinued solely because the obligor pays any arrearages;~~

~~(3) An explanation of the administrative and court action that will take place if the obligor contests the inclusion of any of the provisions;~~

~~(4) A statement that the contents of the advance notice are final and are enforceable by the court unless the obligor files with the child support enforcement agency, within seven days after the date on which the advance notice is sent, a written request for an administrative hearing to determine whether a mistake of fact was made in the notice.~~

**Sec. 3123.031.** The default notice shall contain all of the



following: 1458

(A) The date on which it is sent; 1459

(B) A statement that the obligor is in default under a 1460  
support order; 1461

(C) The amount of arrearages the obligor owes due to the 1462  
default as of the date the default notice is sent; 1463

(D) A statement that any arrearages owed by the obligor that 1464  
arise after the default notice is sent and during the period of 1465  
default will be added to the obligor's total child support 1466  
obligation and will be subject to collection efforts without 1467  
further default notice; 1468

(E) A statement of the types of withholding or deduction 1469  
requirements and related notices described in section 3121.03 of 1470  
the Revised Code or the types of court orders described in 1471  
sections 3121.03, 3121.04 to 3121.08, and 3121.12 of the Revised 1472  
Code that will be issued for payment of support and arrearages and 1473  
the amount that will be withheld or deducted pursuant to those 1474  
requirements; 1475

(F) A statement that any notice for the withholding or 1476  
deduction of an amount from income or assets applies to all 1477  
current and subsequent payors of the obligor and financial 1478  
institutions in which the obligor has an account and that any 1479  
withholding or deduction requirement and related notice described 1480  
in section 3121.03 of the Revised Code or any court order 1481  
described in sections 3121.03, 3121.04 to 3121.08, and 3121.12 of 1482  
the Revised Code that is issued will not be discontinued solely 1483  
because the obligor pays arrearages; 1484

(G) A statement that the obligor may file with the child 1485  
support enforcement agency, within seven business days after the 1486  
date on which the default notice is sent, a written request for an 1487

administrative hearing under section 3123.04 of the Revised Code; 1488

(H) A statement that, if the obligor files a timely written 1489  
request for an administrative hearing, the obligor may file with 1490  
the court, within seven business days after the agency makes its 1491  
determinations under the administrative hearing, a written motion 1492  
for a court hearing under section 3123.05 of the Revised Code; 1493

(I) An explanation of the administrative and court action 1494  
that will take place if the obligor files a timely written request 1495  
or motion for an administrative or court hearing; 1496

(J) An explanation of how a final and enforceable 1497  
determination of default and amount of arrearages is made under 1498  
sections 3123.032, 3123.04, and 3123.05 of the Revised Code; 1499

(K) A statement that a withholding notice may be issued in 1500  
accordance with section 3123.021 of the Revised Code if the child 1501  
support enforcement agency determines the obligor has obtained 1502  
employment and an explanation of the provisions of section 1503  
3123.022 of the Revised Code. 1504

**Sec. 3123.032.** (A) If an obligor who has received a default 1505  
notice under section 3123.03 of the Revised Code fails to make a 1506  
timely request for an administrative hearing under section 3123.04 1507  
of the Revised Code, the default notice becomes a final and 1508  
enforceable determination by the child support enforcement agency 1509  
that identified the default of both of the following: 1510

(1) The obligor is in default under the support order. 1511

(2) The amount of the arrearage owed as a result of the 1512  
default. 1513

(B) If an agency's determination becomes final and 1514  
enforceable under this section, the agency shall take further 1515  
action as required under section 3123.06 of the Revised Code. 1516

**Sec. ~~3123.031~~ 3123.033.** The department of job and family 1517  
services shall adopt standard forms for the ~~advance~~ default 1518  
notice. ~~All courts and child support enforcement agencies shall~~ 1519  
~~use those forms, and the support withholding and deduction notice~~ 1520  
~~forms adopted under section 3121.0310 of the Revised Code, in~~ 1521  
~~complying with this chapter.~~ 1522

**Sec. 3123.034.** An advance notice issued under section 3123.03 1523  
of the Revised Code as that section existed prior to the effective 1524  
date of this section shall be treated the same as a default notice 1525  
issued under section 3123.03 of the Revised Code as amended by 1526  
this act. If an obligor subject to an advance notice has not 1527  
exhausted the rights to contest withholding or deduction because 1528  
of a mistake of fact pursuant to sections 3123.02 to 3123.071 of 1529  
the Revised Code as those sections existed prior to the effective 1530  
date of this section, the obligor may proceed in accordance with 1531  
sections 3123.03 to 3123.06 of the Revised Code as amended by this 1532  
act at the comparable point of the proceedings. 1533

**Sec. 3123.04.** If An obligor who receives a default notice 1534  
under section 3123.03 of the Revised Code may file a written 1535  
request for an administrative hearing with the child support 1536  
enforcement agency that identified the default regarding whether a 1537  
mistake of fact was made in the notice. The request must be filed 1538  
not later than seven business days after the date on which the 1539  
default notice is sent. 1540

If the obligor ~~requests~~ makes a timely request for a hearing 1541  
regarding the advance notice in accordance with division (C)(4) of 1542  
section 3123.03 of the Revised Code, the child support enforcement 1543  
agency shall conduct an administrative hearing no later than ten 1544  
days after the date on which the obligor files the request for the 1545  
hearing. No later than five days before the date on which the 1546

hearing is to be conducted, the agency shall send the obligor and  
the obligee written notice of the date, time, place, and purpose  
of the hearing. The notice to the obligor and obligee also shall  
indicate that the obligor may present testimony and evidence at  
the hearing only in regard to the issue of whether a mistake of  
fact was made in the advance default notice.

At the hearing, the child support enforcement agency shall  
determine whether a mistake of fact was made in the advance  
default notice. ~~If it determines that a mistake of fact was made,~~  
~~the agency shall determine the provisions that should be changed~~  
~~and included in a corrected notice and shall correct the advance~~  
~~notice accordingly.~~ The agency shall send its determinations to  
the obligor. The agency's determinations are final and are  
enforceable by the court unless, within seven business days after  
the agency makes its determinations, the obligor files a written  
motion with the court for a court hearing to determine whether a  
mistake of fact still exists in the advance default notice ~~or~~  
~~corrected advance notice.~~

If an agency's determination becomes final and enforceable  
under this section, the agency shall take further action as  
required under section 3123.06 of the Revised Code.

**Sec. 3123.05.** If, ~~within not later than~~ seven business days  
after the child support enforcement agency makes its  
determinations under section 3123.04 of the Revised Code, the  
obligor files a written motion for a court hearing to determine  
whether a mistake of fact still exists in the advance default  
notice ~~or the corrected advance notice,~~ the court shall hold a  
hearing ~~on the request~~ as soon as possible, but ~~no~~ not later than  
ten days, after the request motion is filed. ~~If the obligor~~  
~~requests a court hearing, no~~ Not later than five days before the  
date on which the court hearing is to be held, the court shall  
send the obligor and the obligee written notice by regular mail of

the date, time, place, and purpose of the court hearing. The 1579  
hearing shall be limited to a determination of whether there is a 1580  
mistake of fact in the ~~advance default~~ notice ~~or the corrected~~ 1581  
~~advance notice.~~ 1582

~~If, at a hearing conducted under this section, the court~~ 1583  
~~detects a mistake of fact in the advance notice or the corrected~~ 1584  
~~advance notice, it shall immediately correct the notice.~~ 1585

At the hearing, the court shall determine whether there is a 1586  
mistake of fact in the default notice. On the conclusion of the 1587  
hearing, the court shall make its determination. The determination 1588  
is final and enforceable. The court shall take further action as 1589  
provided in section 3123.06 of the Revised Code. 1590

**Sec. 3123.06.** ~~On exhaustion of all rights of the obligor to~~ 1591  
~~contest the withholding or deduction on the basis of a mistake of~~ 1592  
~~fact and no later than the expiration of forty-five days after the~~ 1593  
~~issuance of the advance notice under section 3123.03 of the~~ 1594  
~~Revised Code (A) If either a court, under section 3123.05 of the~~ 1595  
~~Revised Code, or child support enforcement agency, under section~~ 1596  
~~3123.032 or 3123.04 of the Revised Code, makes a final and~~ 1597  
~~enforceable determination that an obligor is in default under a~~ 1598  
~~support order, one of the following shall apply:~~ 1599

(1) If no withholding notice was issued in accordance with 1600  
section 3123.021 of the Revised Code with respect to the order, 1601  
the court or ~~child support enforcement~~ agency shall issue one or 1602  
more notices requiring withholding or deduction of income or 1603  
assets of the obligor in accordance with section 3121.03 of the 1604  
Revised Code, or the court shall issue one or more court orders 1605  
imposing other appropriate requirements in accordance with 1606  
sections 3121.03, 3121.035, 3121.04 to 3121.08, and 3121.12 of the 1607  
Revised Code. 1608

(2) If a withholding notice was issued in accordance with 1609  
section 3123.021 of the Revised Code with respect to the order and 1610  
the final and enforceable determination of default altered the 1611  
arrearage amount stated in the default notice, the court or 1612  
agency, whichever made the determination, shall revise the 1613  
withholding notice and may issue, as appropriate, any of the 1614  
notices or orders described in division (A)(1) of this section. 1615

(3) If a withholding notice was issued in accordance with 1616  
section 3123.021 of the Revised Code with respect to the order but 1617  
the final and enforceable determination of default did not alter 1618  
the arrearage amount stated in the default notice, the withholding 1619  
notice shall remain in effect. The court or agency, in addition 1620  
and as appropriate, may issue any other notice or order described 1621  
in division (A)(1) of this section. 1622

(B) If a court, under section 3123.05 of the Revised Code, or 1623  
an agency, under section 3123.04 of the Revised Code, determines 1624  
that no default exists under a support order, the court or agency 1625  
shall terminate the default proceedings. If a withholding notice 1626  
was issued in accordance with section 3123.021 of the Revised Code 1627  
with respect to the order, the court or agency, whichever made the 1628  
final and enforceable determination, shall revise the withholding 1629  
notice, and may issue, as appropriate, any of the notices or 1630  
orders described in division (A)(1) of this section, to collect 1631  
current support. 1632

(C) A withholding or deduction notice issued under division 1633  
(A)(1), (2), or (3) of this section shall require the payment of 1634  
arrearages caused by the default along with any payment for 1635  
current support. A withholding or deduction notice or other 1636  
appropriate order described under this section shall be issued not 1637  
later than fifteen days after the determination of default under 1638  
the support order becomes final and enforceable. Section 3123.21 1639  
of the Revised Code applies to a withholding or deduction notice 1640

or other appropriate order described under division (A) of this 1641  
section beginning on the date it is issued and ending on the date 1642  
the period of default ends. 1643

**Sec. 3123.061.** Section 3123.21 of the Revised Code applies to 1644  
a withholding or deduction notice or other appropriate order 1645  
issued under section 3123.06 of the Revised Code as that section 1646  
existed prior to the effective date of this section beginning on 1647  
the date the notice or order was issued and ending on the date the 1648  
period of default ends. 1649

**Sec. 3123.062 3123.07.** The failure of the court or office of 1650  
child support enforcement agency in the department of job and 1651  
family services to give the default notice required by section 1652  
3123.06 3123.03 of the Revised Code does not affect the ability of 1653  
any child support enforcement agency or court to issue any notice 1654  
or order for the payment of support, does not provide any defense 1655  
to any notice or order for the payment of support, and does not 1656  
affect any obligation to pay support. 1657

**Sec. 3123.17.** (A) When a court issues or modifies a court 1658  
support order, the court shall determine the following: 1659

(1) Whether the obligor is in default under a prior court 1660  
support order or the court support order being modified; 1661

(2) If the obligor is in default, the date the court support 1662  
order went into default and the amount of support arrearages owed 1663  
pursuant to the default. 1664

If the court determines the obligor is in default under a 1665  
support order, the court shall issue a new order requiring the 1666  
obligor to pay support. If the court determines the default was 1667  
willful, the court shall may assess interest on the arrearage 1668  
amount from the date the court specifies as the date of default to 1669

the date the court issues the new order requiring the payment of  
support and, if interest is assessed, shall compute the interest  
at the rate specified in section 1343.03 of the Revised Code. The  
court shall specify in the support order the amount of interest  
the court assessed against the obligor, if any, and incorporate  
the amount of interest into the new monthly payment plan.

(B) When a court issues or modifies a court support order,  
the court may include in the support order a statement ordering  
either party to pay the costs of the action, including, but not  
limited to, attorney's fees, fees for genetic tests in contested  
actions under sections 3111.01 to 3111.18 of the Revised Code, and  
court costs.

Sec. 3123.171. Notwithstanding section 1343.03 of the Revised  
Code, interest may be charged on the amount of support arrearages  
owed pursuant to a default under a child support order only as  
provided by section 3123.17 of the Revised Code.

Sec. 3123.18. If a court or child support enforcement agency  
made a final and enforceable determination under sections 3123.02  
to 3123.071 of the Revised Code as those sections existed prior to  
the effective date of this section or makes a final and  
enforceable determination under sections 3123.01 to 3123.07 of the  
Revised Code that an obligor is in default under a support order,  
each payment or installment that was due and unpaid under the  
support order that is the basis for the default determination plus  
any arrearage amounts that accrue after the default determination  
and during the period of default shall be a final judgment which  
has the full force, effects, and attributes of a judgment entered  
by a court of this state for which execution may issue under Title  
XXIII of the Revised Code.



Sec. 3123.181. On the request of an obligor, obligee, or 1700  
authorized representative of an obligor or obligee, the child 1701  
support enforcement agency administering the order for which a 1702  
judgment under section 3123.18 of the Revised Code has arisen 1703  
shall issue to the obligor and obligee or their authorized 1704  
representatives a certified pay-off statement of the total amount 1705  
due on the judgment as of the time of the request. The certified 1706  
pay-off statement shall be valid for a period of thirty days after 1707  
the date it was issued. 1708

Sec. 3123.182. During the period a certified pay-off 1709  
statement issued under section 3123.181 of the Revised Code is 1710  
valid, the obligee under the support order for which the statement 1711  
was issued, or a child support enforcement agency on behalf of the 1712  
obligee, may bring an action to obtain execution on the certified 1713  
pay-off statement in the common pleas court that issued the 1714  
support order or, if the order is an administrative child support 1715  
order, the common pleas court of the county served by the agency 1716  
that issued the order. The court shall treat the certified pay-off 1717  
statement as a rebuttable presumption of the amount of the 1718  
judgment. The court shall not require the reduction of unpaid 1719  
support payments and installments or arrearages under the support 1720  
order for which the certified pay-off statement applies to a lump 1721  
sum for purposes of execution. 1722

Sec. 3123.183. Nothing in sections 3123.18 to 3123.182 of the 1723  
Revised Code limits the applicability of section 3123.22 of the 1724  
Revised Code. 1725

Sec. 3123.25. (A) If, as a result of information obtained 1726  
pursuant to an agreement under section 3121.74 of the Revised 1727  
Code, the office of child support in the department of job and 1728

family services finds or receives notice that identifies an 1729  
obligor in default who maintains an account with a financial 1730  
institution, the office shall, within one business day, enter the 1731  
information into the case registry established pursuant to section 1732  
3121.81 of the Revised Code. 1733

(B) If a child support enforcement agency, after examining 1734  
the case registry, determines that an obligor in default under a 1735  
support order administered by the agency maintains an account in a 1736  
financial institution, the agency shall determine whether the 1737  
obligor is subject to a final and enforceable determination of 1738  
default made under sections ~~3123.03~~ 3123.01 to ~~3123.07~~ 3123.07 of 1739  
the Revised Code. If the obligor is subject to a final and 1740  
enforceable determination of default, the agency may issue an 1741  
access restriction notice to the financial institution in which 1742  
the obligor's account is maintained. 1743

**Sec. 3123.42.** If either of the following occurs with respect 1744  
to an individual who is an obligor under a child support order, 1745  
the child support enforcement agency administering the order may 1746  
determine whether the individual holds a license issued by a board 1747  
or, if possible, whether the individual has applied for, or is 1748  
likely to apply for, a license: 1749

(A) A court or child support enforcement agency makes a final 1750  
and enforceable determination under sections ~~3123.02~~ 3123.01 to 1751  
~~3123.07~~ 3123.07 of the Revised Code that the individual is in 1752  
default under the child support order. 1753

(B) The individual fails, after receiving appropriate notice, 1754  
to comply with a subpoena or warrant issued by the court or child 1755  
support enforcement agency with respect to a proceeding to enforce 1756  
the child support order. 1757

**Sec. 3123.53.** If either of the following occurs with respect 1758

to an individual who is an obligor under a child support order, 1759  
the child support enforcement agency administering the child 1760  
support order may determine whether the individual holds a 1761  
driver's or commercial driver's license, motorcycle operator's 1762  
license or endorsement, temporary instruction permit, or 1763  
commercial driver's temporary instruction permit issued by the 1764  
registrar of motor vehicles or a deputy registrar or, if possible, 1765  
whether the individual has applied for or is likely to apply for 1766  
that license, endorsement, or permit: 1767

(A) A court or child support enforcement agency makes a final 1768  
and enforceable determination under sections ~~3123.02~~ 3123.01 to 1769  
~~3123.071~~ 3123.07 of the Revised Code that the individual is in 1770  
default under the child support order. 1771

(B) The individual fails, after receiving appropriate notice, 1772  
to comply with a subpoena or warrant issued by the court or child 1773  
support enforcement agency with respect to a proceeding to enforce 1774  
the child support order. 1775

**Sec. 3123.62.** (A) As used in this section, "recreational 1776  
license" means any license, permit, or stamp issued pursuant to 1777  
section 1533.10, 1533.11, 1533.111, 1533.112, or 1533.32 of the 1778  
Revised Code. 1779

(B) If a court or child support enforcement agency makes a 1780  
final and enforceable determination pursuant to sections ~~3123.02~~ 1781  
3123.01 to ~~3123.071~~ 3123.07 of the Revised Code that an individual 1782  
is in default under a child support order, the agency 1783  
administering the child support order may determine whether the 1784  
individual holds a recreational license or, if possible, whether 1785  
the individual has applied for, or is likely to apply for, such a 1786  
license. If the agency determines that the individual holds, has 1787  
applied for, or is likely to apply for, such a license, it shall 1788  
follow procedures that are substantively the same as those set 1789

forth in sections 3123.42 to 3123.46 of the Revised Code and the 1790  
division of wildlife shall follow procedures that are 1791  
substantively the same as those set forth in sections 3123.47 to 1792  
3123.50 of the Revised Code with respect to the license if both of 1793  
the following apply: 1794

(1) The division of wildlife has implemented a computer 1795  
system that maintains license numbers for licenses issued by the 1796  
division, the names of persons to whom licenses are issued, and 1797  
the social security numbers of persons to whom licenses are 1798  
issued. 1799

(2) The division has established safeguards that eliminate 1800  
the risk that social security numbers provided to the division for 1801  
the purpose of child support enforcement may be used for purposes 1802  
other than those permitted by federal law. 1803

**Sec. 3123.66.** If a court or a child support enforcement 1804  
agency makes a final and enforceable determination pursuant to 1805  
sections ~~3123.02~~ 3123.01 to ~~3123.071~~ 3123.07 of the Revised Code 1806  
that an obligor is in default under a support order, the agency 1807  
administering the support order may assert a lien on real and 1808  
personal property of the obligor located in this state. 1809

**Sec. 3123.67.** The amount of the arrearage due under the 1810  
support order determined to be in default pursuant to sections 1811  
~~3123.02~~ 3123.01 to ~~3123.071~~ 3123.07 of the Revised Code, and any 1812  
amounts due for current support that become an arrearage after the 1813  
date the default determination was made, shall be a lien against 1814  
all personal property, including after-acquired property, of the 1815  
obligor that is situated in this state. The lien may be filed with 1816  
the county recorder in each county of the state in which the 1817  
personal property is located. The amount of the arrearage due 1818  
under the support order determined to be in default and any 1819  
amounts due for current support that become an arrearage after the 1820

date the default determination was made, shall be a lien against 1821  
real property, including after-acquired property, of the obligor 1822  
after the lien is filed with a county recorder of this state in 1823  
which the real property is located. A lien may be filed with the 1824  
county recorder in each county of the state in which real property 1825  
of the obligor is located. In recording the lien, if registered 1826  
land is involved, the county recorder shall take all necessary 1827  
action required by Chapter 5309. of the Revised Code. The county 1828  
recorder may be compensated for liens filed under this section 1829  
pursuant to the development of unit costs that are reimbursed 1830  
under the provider contract entered into pursuant to Title IV-D of 1831  
the "Social Security Act," 88 Stat. 2351 (1975), 42 U.S.C. 651, as 1832  
amended. 1833

**Sec. 3123.92.** If a court or child support enforcement agency 1834  
makes a final and enforceable determination pursuant to sections 1835  
~~3123.02~~ 3123.01 to ~~3123.071~~ 3123.07 of the Revised Code that an 1836  
obligor is in default under a support order, the child support 1837  
enforcement agency administering the support order shall contact 1838  
at least one consumer reporting agency in this state and provide 1839  
to the consumer reporting agency the obligor's name, address, and 1840  
social security number or other identification number and any 1841  
other identifying information concerning the obligor the child 1842  
support enforcement agency has. A child support enforcement agency 1843  
shall not charge a consumer reporting agency a fee for information 1844  
provided by the child support enforcement agency pursuant to this 1845  
section. 1846

**Sec. 3924.48.** (A) If a parent of a child is required by a 1847  
court or administrative order to provide health care coverage for 1848  
the child, and if the parent is eligible for family health care 1849  
coverage provided by a health insurer, the health insurer shall do 1850  
both of the following: 1851

(1) If the child is otherwise eligible for the coverage, 1852  
permit the parent to enroll the child under the family coverage 1853  
without regard to any enrollment period restrictions; 1854

(2) If the parent is enrolled under the coverage but fails to 1855  
make application to obtain coverage for the child, enroll the 1856  
child under the family coverage upon application of the child's 1857  
other parent or pursuant to a child support order containing 1858  
provisions in compliance with sections ~~3119.30~~ 3119.29 to ~~3119.58~~ 1859  
3119.56 of the Revised Code. 1860

(B) The health insurer shall not terminate the child's 1861  
coverage unless the health insurer is provided satisfactory 1862  
written evidence of either of the following: 1863

(1) The court or administrative order is no longer in effect. 1864  
1865

(2) The child is or will be enrolled under comparable health 1866  
care coverage provided by another health insurer, which coverage 1867  
will take effect not later than the effective date of the 1868  
termination of the current coverage. 1869

(C) As used in this section, "child support order" has the 1870  
same meaning as in section 3119.01 of the Revised Code. 1871

**Sec. 3924.49.** (A) If a parent of a child is required by a 1872  
court or administrative order to provide health ~~care~~ insurance 1873  
coverage for the child, which coverage is available through an 1874  
employer doing business in this state, the employer shall do all 1875  
of the following: 1876

(1) If the child is otherwise eligible for the family 1877  
coverage, permit the parent to enroll the child under the coverage 1878  
without regard to any enrollment period restrictions; 1879

(2) If the parent is enrolled under the coverage but fails to 1880  
make application to obtain coverage for the child, enroll the 1881

child under the family coverage upon application of the child's 1882  
other parent or pursuant to a child support order containing 1883  
provisions in compliance with sections ~~3119.30~~ 3119.29 to ~~3119.58~~ 1884  
3119.56 of the Revised Code; 1885

(3) Withhold from the employee's compensation the employee's 1886  
share of premiums for the health care coverage, if any, and pay 1887  
that amount to the health insurer providing the coverage; 1888

(4) Comply with the requirements of sections 3119.36 to 1889  
3119.364 and 3119.42 of the Revised Code and any rules adopted by 1890  
the department of job and family services under section 3119.51 of 1891  
the Revised Code. 1892

(B) The employer shall not terminate the child's coverage 1893  
unless the employer has eliminated family coverage for all of its 1894  
employees or unless the employer is provided satisfactory written 1895  
evidence of either of the following: 1896

(1) The court or administrative order is no longer in effect. 1897  
1898

(2) The child is or will be enrolled under comparable health 1899  
care coverage that will take effect not later than the effective 1900  
date of the termination of the current coverage. 1901

(C) As used in this section, "child support order" has the 1902  
same meaning as in section 3119.01 of the Revised Code. 1903

**Sec. 4705.021.** (A) As used in this section: 1904

(1) "Disciplinary counsel" means the disciplinary counsel 1905  
appointed by the board of commissioners on grievances and 1906  
discipline of the supreme court under the Rules for the Government 1907  
of the Bar of Ohio. 1908

(2) "Certified grievance committee" means a duly constituted 1909  
and organized committee of the Ohio state bar association or of 1910

one or more local bar associations of the state that complies with 1911  
the criteria set forth in rule V, section 3 of the Rules for the 1912  
Government of the Bar of Ohio. 1913

(3) "Child support order" has the same meaning as in section 1914  
3119.01 of the Revised Code. 1915

(B) If an individual who has been admitted to the bar by 1916  
order of the supreme court in compliance with its published rules 1917  
is determined pursuant to sections ~~3123.02~~ 3123.01 to ~~3123.071~~ 1918  
3123.07 of the Revised Code by a court or child support 1919  
enforcement agency to be in default under a support order being 1920  
administered or handled by a child support enforcement agency, 1921  
that agency may send a notice listing the name and social security 1922  
number or other identification number of the individual and a 1923  
certified copy of the court or agency determination that the 1924  
individual is in default to the secretary of the board of 1925  
commissioners on grievances and discipline of the supreme court 1926  
and to either the disciplinary counsel or the president, 1927  
secretary, and chairperson of each certified grievance committee. 1928

**Section 2.** That existing sections 1349.01, 2151.231, 2151.33, 1929  
2151.49, 3111.81, 3113.07, 3119.01, 3119.30, 3119.301, 3119.31, 1930  
3119.33, 3119.34, 3119.35, 3119.37, 3119.38, 3119.40, 3119.46, 1931  
3119.47, 3119.48, 3119.49, 3119.491, 3119.50, 3119.52, 3119.53, 1932  
3119.54, 3119.56, 3119.57, 3119.58, 3119.76, 3121.03, 3121.035, 1933  
3121.27, 3121.58, 3121.67, 3121.896, 3123.01, 3123.03, 3123.031, 1934  
3123.04, 3123.05, 3123.06, 3123.062, 3123.17, 3123.25, 3123.42, 1935  
3123.53, 3123.62, 3123.66, 3123.67, 3123.92, 3924.48, 3924.49, and 1936  
4705.021 and sections 3119.41, 3119.43, 3119.44, 3119.45, 3119.51, 1937  
3123.061, 3123.07, 3123.071, and 3123.18 of the Revised Code are 1938  
hereby repealed. 1939

**Section 3.** This act is hereby declared to be an emergency 1940



measure necessary for the immediate preservation of the public	1941
peace, health, and safety. The reason for such necessity is that	1942
federal law requires states to begin using the national medical	1943
support notice in child support enforcement by January 1, 2003,	1944
and this act provides for the notice's use. Therefore, this act	1945
shall go into immediate effect.	1946