

As Introduced

**127th General Assembly
Regular Session
2007-2008**

H. B. No. 178

Representatives Blessing, Harwood

**Cosponsors: Representatives Seitz, McGregor, J., Yuko, Chandler, Letson,
Wagoner**

—

A B I L L

To amend section 3119.30 of the Revised Code to 1
define the reasonable cost of health insurance 2
coverage in child support orders. 3

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

Section 1. That section 3119.30 of the Revised Code be 4
amended to read as follows: 5

Sec. 3119.30. (A) In any action or proceeding in which a 6
child support order is issued or modified, the court, with respect 7
to court child support orders, and the child support enforcement 8
agency, with respect to administrative child support orders, shall 9
determine the person responsible for the health care of the 10
children subject to the child support order. The determination 11
shall be based on information provided to the court or to the 12
child support enforcement agency under section 3119.31 of the 13
Revised Code. The order shall include one of the following: 14

~~(A)(1)~~ A requirement that the obligor under the child support 15
order obtain health insurance coverage for the children if 16
coverage is available at a reasonable cost through a group policy, 17
contract, or plan offered by the obligor's employer or through any 18

other group policy, contract, or plan available to the obligor and 19
is not available for a more reasonable cost through a group 20
policy, contract, or plan available to the obligee; 21

~~(B)~~(2) A requirement that the obligee obtain health insurance 22
coverage for the children if coverage is available through a group 23
policy, contract, or plan offered by the obligee's employer or 24
through any other group policy, contract, or plan available to the 25
obligee and is available at a more reasonable cost than coverage 26
is available to the obligor; 27

~~(C)~~(3) If health insurance coverage for the children is not 28
available at a reasonable cost through a group policy, contract, 29
or plan offered by the obligor's or obligee's employer or through 30
any other group policy, contract, or plan available to the obligor 31
or the obligee, a requirement that the obligor and the obligee 32
share liability for the cost of the medical and health care needs 33
of the children, under an equitable formula established by the 34
court, with respect to a court child support order, or the child 35
support enforcement agency, with respect to an administrative 36
child support order, and a requirement that if, after the issuance 37
of the order, health insurance coverage for the children becomes 38
available at a reasonable cost through a group policy, contract, 39
or plan offered by the obligor's or obligee's employer or through 40
any other group policy, contract, or plan available to the obligor 41
or obligee, the obligor or obligee to whom the coverage becomes 42
available immediately inform the court, with respect to a court 43
child support order, or the child support enforcement agency, with 44
respect to an administrative child support order; 45

~~(D)~~(4) A requirement that both the obligor and the obligee 46
obtain health insurance coverage for the children if coverage is 47
available for the children at a reasonable cost to both the 48
obligor and the obligee and dual coverage would provide for 49
coordination of medical benefits without unnecessary duplication 50

of coverage. 51

(B)(1) For purposes of this section, in determining the 52
"reasonable cost" of health insurance coverage, there shall be a 53
rebuttable presumption that the reasonable cost of health 54
insurance coverage is one that does not exceed five per cent of an 55
individual's gross income. 56

(2) In determining whether health insurance coverage is 57
available to an obligor or obligee at a reasonable cost, the court 58
or child support enforcement agency may consider any of the 59
factors set forth in section 3119.23 of the Revised Code and any 60
of the following expenses: 61

(a) Mandatory deductions from wages; 62

(b) Rent or mortgage; 63

(c) Household utility payments, including expenses for 64
heating, cooling, electric, water, and one telephone; 65

(d) Groceries; 66

(e) Clothing for minor children; 67

(f) Work-related transportation that consists of one car 68
payment and gasoline, oil, car insurance, and maintenance relating 69
to that vehicle; 70

(g) Work-related transportation expenses not included in 71
division (B)(2)(f) of this section; 72

(h) Tax consequences of health insurance costs and 73
non-covered health care expenses; 74

(i) Other child support orders and other orders to provide 75
for the health care needs of a child; 76

(j) Any other expenses or circumstances considered 77
appropriate by the court. 78

Section 2. That existing section 3119.30 of the Revised Code 79

is hereby repealed.

80