

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 141

(SENATE AUTHORS: BENSON)

DATE	D-PG	OFFICIAL STATUS
01/28/2013	103	Introduction and first reading Referred to Judiciary

A bill for an act

relating to child support; allowing for suspension or reinstatement of medical support contributions in certain situations; amending Minnesota Statutes 2012, section 518A.41, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2012, section 518A.41, is amended by adding a subdivision to read:

Subd. 16a. Suspension or reinstatement of medical support contribution. (a)

If a party is the parent with primary physical custody, as defined in section 518A.26, subdivision 17, and is ordered to carry dependent health care coverage for the joint child but fails to carry the court-ordered dependent health care coverage, the public authority may suspend the medical support obligation of the other party if that party has been court-ordered to contribute to the cost of the dependent health care coverage carried by the parent with primary physical custody for the joint child.

(b) When the public authority is notified of the failure to carry the court-ordered health care coverage, the public authority shall provide notice to both parties that the other party's obligation to contribute to the cost of the dependent health care coverage shall be suspended 30 days after the date of the notice unless within 30 days:

(1) proof of dependent health care coverage is provided to the public authority;

(2) either party contests the action by making a written request for a hearing; or

(3) either party files a motion to modify under section 518A.39.

(c) If a timely written request for hearing is made, the public authority must schedule the hearing and send written notice of the hearing to the parties by United States mail to each party's last known address at least 14 days before the hearing. The hearing must be

2.1 conducted in district court or in the expedited child support process if section 484.702
2.2 applies.

2.3 (d) If the medical support obligation is suspended either administratively after due
2.4 notice or by court order after a hearing and proof of dependent health care coverage for the
2.5 joint child is provided to the public authority, the public authority shall provide notice to
2.6 both parties that the medical support obligation will be reinstated 30 days after the date of
2.7 the notice. If one of the parties wishes to contest the reinstatement of the medical support
2.8 obligation, the party shall follow the procedure set forth in paragraph (b), and the public
2.9 authority shall follow the procedure set forth in paragraph (c).

2.10 (e) At the hearing under paragraph (c) or (d), the district court or child support
2.11 magistrate must determine whether the suspension or reinstatement of the medical support
2.12 contribution is appropriate, and if appropriate, the effective date of the suspension or
2.13 reinstatement.