

[First Reprint]  
SENATE, No. 157

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators BRYANT, Matheussen and Connors

1 AN ACT concerning health <sup>1</sup>[insurance] benefits <sup>1</sup> coverage  
2 pursuant to a child support order and <sup>1</sup>[supplementing chapter 34  
3 of Title 2A of the New Jersey Statutes] amending P.L.1995, c.58.<sup>1</sup>  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. <sup>1</sup> [a. Notwithstanding any provision of law to the contrary, if a  
9 non-custodial parent is required to provide health insurance coverage  
10 for a child pursuant to a child support order, the State IV-D agency or  
11 the Probation Division of the Superior Court whichever has authority,  
12 shall notify the parent's employer that the child is required to be  
13 enrolled in the parent's health insurance plan pursuant to an order of  
14 the court. The notice shall be effective as an order of the court,  
15 without further order. For purposes of this section "State IV-D  
16 agency" means the agency in the Department of Human Services  
17 designated to administer the Title IV-D Child Support Program.

18 The notice required pursuant to this section shall include that the  
19 State IV-D agency or the Probation Division may seek an order of the  
20 court compelling compliance by the employer.

21 b. If the non-custodial parent's employer fails or refuses, without  
22 cause, to enroll a child in the parent's health insurance plan as required  
23 pursuant to this section, the State IV-D agency or the Probation  
24 Division shall make an application to the court compelling the  
25 employer to enroll the child in the parent's health insurance plan.

26 c. If the non-custodial parent's health insurance provider is unable  
27 to provide coverage for the child based on the fact that the child lives  
28 in an area not served by the plan, the non-custodial parent shall pay the  
29 additional cost for coverage of the child under the custodial parent's  
30 health insurance plan.

31 d. The Supreme Court of the State of New Jersey may adopt Rules

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SHU committee amendments adopted May 2, 1996.

1 of Court appropriate or necessary to effectuate the purposes of this  
2 act.]

3 Section 1 of P.L.1995, c.58 (C.2A:34-23c) is amended to read as  
4 follows:

5 1. a. Any order for child support issued pursuant to the provisions  
6 of N.J.S.2A:34-23 shall include provisions indicating the party  
7 responsible for maintaining medical support coverage for the child and  
8 the terms and conditions by which that coverage is to be maintained.  
9

10 b. Notwithstanding any provision of law to the contrary, if a non-  
11 custodial parent is required to provide health benefits coverage for a  
12 child pursuant to a child support order and the non-custodial parent's  
13 health benefits plan is unable to provide coverage for the child based  
14 on the fact that the child lives in an area not served by the plan, the  
15 non-custodial parent shall pay the additional cost for coverage of the  
16 child under the custodial parent's health benefits plan, or if the  
17 custodial parent has no health benefits plan, the non-custodial parent  
18 shall purchase a separate health benefits plan to cover the child.<sup>1</sup>  
19 (cf: P. L.1995, c.58, s.1).

20

21 2. This act shall take effect immediately.

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25

26 Requires non-custodial parent to purchase health benefits coverage for  
27 child.