

By: Dutton

H.B. No. 2001

A BILL TO BE ENTITLED

1 AN ACT

2 relating to notice to an employer of a court order requiring an  
3 employee to provide medical support for the employee's child;  
4 providing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 154.186, Family Code, is amended to read  
7 as follows:

8 Sec. 154.186. NOTICE TO EMPLOYER CONCERNING MEDICAL  
9 SUPPORT. (a) The obligee, obligor, or a child support agency may  
10 send to the employer a copy of the order requiring an employee to  
11 provide health insurance coverage for a child or may include notice  
12 of the medical support order in an order or writ of withholding sent  
13 to the employer in accordance with Chapter 158.

14 (b) In an appropriate Title IV-D case, the Title IV-D agency  
15 shall send to the employer the national medical support notice  
16 required under Part D, Title IV of the federal Social Security Act  
17 (42 U.S.C. Section 651 et seq.), as amended. The notice may be used  
18 in any other suit in which an obligor is ordered to provide health  
19 insurance coverage for a child.

20 (c) The Title IV-D agency by rule shall establish procedures  
21 consistent with federal law for use of the national medical support  
22 notice and may prescribe forms for the efficient use of the notice.  
23 The agency shall provide the notice and forms, on request, to  
24 obligees, obligors, domestic relations offices, friends of the

1 court, and attorneys.

2 SECTION 2. Section 154.187, Family Code, is amended by  
3 amending Subsections (f) and (g) and adding Subsection (h) to read  
4 as follows:

5 (f) In this section, "sender" means the person sending the  
6 order or notice under Section 154.186.

7 (g) An employer who fails to enroll a child, fails to  
8 withhold or remit premiums or cash medical support, or  
9 discriminates in hiring or employment on the basis of a medical  
10 support order or notice under this subchapter shall be subject to  
11 the penalties and fines in Subchapter C, Chapter 158.

12 (h) An employer who receives a national medical support  
13 notice under Section 154.186 shall comply with the requirements of  
14 the notice.

15 SECTION 3. This Act takes effect July 1, 2003, if it  
16 receives a vote of two-thirds of all the members elected to each  
17 house, as provided by Section 39, Article III, Texas Constitution.  
18 If this Act does not receive the vote necessary for effect on that  
19 date, this Act takes effect September 1, 2003.