

MAINE STATE LEGISLATURE

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(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1835

S. P. 699

In Senate, January 18, 1980

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate.

Presented by Senator Najarian of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Require Parental Responsibility to Provide Medical Coverage and Make Support Payments to the Department of Human Services Whenever Children Receive Public Assistance.

Be it enacted by the People of the State of Maine, as follows:

19 MRSA c. 4 is enacted to read:

CHAPTER 4

PARENTAL RESPONSIBILITY FOR CHILDREN

RECEIVING PUBLIC ASSISTANCE

§ 191. Parent to plead receipt or nonreceipt of public assistance

In any action under this Title relating to the care and support of minor children, the party bringing the action shall be required to affirmatively plead the fact that a minor child of the parent is or is not receiving public assistance from the State pursuant to Title 22, section 3173, 3271 or 3741.

§ 192. Parents to reimburse State when children receiving public assistance

If the court determines that public assistance is being rendered to any minor child and if the court decrees that a parent shall contribute to the support of that minor child, the decree shall indicate that the support contributions be made

directly to the Department of Human Services whenever the minor child is receiving public assistance.

§ 193. Order of support to include medical payment

An order to contribute to the support of a minor child shall include a determination as to whether a parent will or will not be responsible for all or part of the medical expenses, hospital expenses and other health care expenses of the child. If it is determined that a parent shall be responsible for those expenses of his minor child, some portion of that responsibility shall be the parent's responsibility to provide a specific level of insurance coverage for those expenses.

If public assistance is being rendered to any minor child, the court order shall require the parent to provide the Department of Human Services with proof of coverage. The court decree shall further require the parent to notify the Department of any subsequent changes of insurance carrier. Upon notification by the Department to the responsible parent that the minor child is receiving public assistance, the responsible parent shall provide the Department with proof of coverage within 30 days; and any subsequent change in insurance coverage shall be reported to the Department within 30 days of the change.

§ 194. Parent to notify State of enforcement action

In all actions under this Title instituted for enforcement of a support order for collection of a support arrearage or for modification of a child support order after judgment, the motion or petition shall affirmatively plead whether any minor child for whom the support order was established is currently or has been a recipient of public assistance pursuant to Title 22, section 3173, 3271 or 3741. If any such child is currently or has been a recipient, a copy of the motion or petition shall be served by ordinary mail upon the Legal Division, Department of Human Services, Augusta, Maine.

STATEMENT OF FACT

This proposal requires all responsible parents to maintain a level of health insurance in behalf of any child in divorce or separation action. It further facilitates the recouping of funds by Medicaid and makes all support orders payable to the Department of Human Services whenever public assistance is being made.