

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1806
By: Harris
Jurisprudence
4/23/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the Texas Family Code provides for the establishment and enforcement of child support and medical support obligations in suits affecting the parent-child relationships. C.S.S.B. 1806 brings Texas into compliance with the federal requirement that all state Title IV-D agencies use the National Medical Support Notice to enforce the health care coverage provision in a child support order by requiring the state's Title IV-D agency to use the notice in appropriate cases and, under the agency's existing rule-making authority, to establish procedures for the use of the notice. This bill also extends the use of the notice to child support cases not being enforced by the Title IV-D agency.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Title IV-D agency in SECTION 1 (Section 154.186, Family Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 154.186, Family Code, as follows:

Sec. 154.186. NOTICE TO EMPLOYER CONCERNING MEDICAL SUPPORT. (a)
Subsection created from existing text.

(b) Requires the Title IV-D agency, in an appropriate Title IV-D case, to send to the employer the national medical support notice required under Part D, Title IV of the federal Social Security Act (42 U.S.C. Section 651 et seq.), as amended. Authorizes use of the notice in any other suit in which an obligor is ordered to provide health insurance coverage for a child.

(c) Requires the Title IV-D agency by rule to establish procedures consistent with federal law for use of the national medical support notice and authorizes prescribing forms for efficient use of the notice. Requires the agency to provide the notice and forms, on request, to certain persons and entities.

SECTION 2. Amends Section 154.187, Family Code, by amending Subsections (f) and (g) and adding Subsection (h), as follows:

(f) Redefines "sender."

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

(h) Requires an employer who receives a national medical support notice under Section 154.186 to comply with the requirements of the notice.

SECTION 3. Effective date: July 1, 2003, or September 1, 2003.