

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 611 Session of
2001

INTRODUCED BY EARLL, COSTA, LAVALLE AND WAGNER, MARCH 13, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
DECEMBER 12, 2001

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing FOR MANDATORY
3 INCLUSION OF CHILD MEDICAL SUPPORT AND for information
4 relating to prospective child-care personnel.

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5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 ~~Section 1. Section 6344(h) of Title 23 of the Pennsylvania~~
8 ~~Consolidated Statutes is amended to read:~~

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9 SECTION 1. SECTION 4326(H.1) OF TITLE 23 OF THE PENNSYLVANIA
10 CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY
11 ADDING A SUBSECTION TO READ:

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12 § 4326. MANDATORY INCLUSION OF CHILD MEDICAL SUPPORT.

13 * * *

14 (D.1) MEDICAL SUPPORT NOTICE.--THE DEPARTMENT SHALL DEVELOP
15 A MEDICAL SUPPORT NOTICE FOR USE BY THE DEPARTMENT OR DOMESTIC
16 RELATIONS SECTION IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY
17 THE DEPARTMENT. THE MEDICAL SUPPORT NOTICE SHALL COMPLY WITH
18 NATIONAL STANDARDS ESTABLISHED BY THE FEDERAL GOVERNMENT FOR

1 MEDICAL SUPPORT NOTICES. THE DEPARTMENT OR DOMESTIC RELATIONS
2 SECTION SHALL SEND THE MEDICAL SUPPORT NOTICE TO THE EMPLOYER
3 WITHIN TWO BUSINESS DAYS AFTER THE DATE OF ENTRY OF AN EMPLOYEE
4 WHO IS A NEW HIRE INTO THE COMMONWEALTH DIRECTORY OF NEW HIRES
5 UNDER SECTION 4392 (RELATING TO EMPLOYER REPORTING).

6 * * *

7 (H.1) OBLIGATIONS OF EMPLOYERS.--EVERY EMPLOYER DOING
8 BUSINESS WITHIN THIS COMMONWEALTH SHALL BE OBLIGATED AS FOLLOWS:

9 (1) IN ANY CASE IN WHICH A PARENT IS REQUIRED BY A COURT
10 ORDER TO PROVIDE HEALTH COVERAGE FOR A CHILD AND THE PARENT
11 IS ELIGIBLE FOR FAMILY HEALTH COVERAGE, THE EMPLOYER SHALL
12 PERMIT THE INSURED PARENT TO ENROLL ANY CHILD WHO IS
13 OTHERWISE ELIGIBLE WITHOUT REGARD TO ANY ENROLLMENT SEASON
14 RESTRICTIONS;

15 (2) IF THE INSURED PARENT IS ENROLLED BUT FAILS TO MAKE
16 APPLICATION TO OBTAIN COVERAGE FOR SUCH CHILD, TO ENROLL THE
17 CHILD UNDER THE FAMILY COVERAGE UPON APPLICATION BY THE
18 CHILD'S OTHER PARENT, THE DOMESTIC RELATIONS SECTION OR THE
19 DEPARTMENT; [AND]

20 (3) NOT TO DISENROLL OR ELIMINATE COVERAGE OF ANY SUCH
21 CHILD UNLESS THE EMPLOYER IS PROVIDED SATISFACTORY WRITTEN
22 EVIDENCE THAT THE COURT OR ADMINISTRATIVE ORDER IS NO LONGER
23 IN EFFECT, THE CHILD IS OR WILL BE ENROLLED IN COMPARABLE
24 HEALTH COVERAGE WHICH WILL TAKE EFFECT NOT LATER THAN THE
25 EFFECTIVE DATE OF SUCH DISENROLLMENT OR THE EMPLOYER HAS
26 ELIMINATED FAMILY HEALTH COVERAGE FOR ALL OF ITS
27 EMPLOYEES[.];

28 (4) TO TRANSFER HEALTH COVERAGE FOR ANY CHILD TO THE
29 HEALTH COVERAGE OF THE EMPLOYER UPON RECEIPT OF A MEDICAL
30 SUPPORT NOTICE UNDER SUBSECTION (D.1) ISSUED BY THE

1 DEPARTMENT OR A DOMESTIC RELATIONS SECTION WITHIN 20 BUSINESS
2 DAYS AFTER THE DATE OF THE NOTICE; AND
3 (5) TO NOTIFY THE DOMESTIC RELATIONS SECTION WHENEVER
4 THE INSURED PARENT'S EMPLOYMENT IS TERMINATED.

5 * * *

6 SECTION 2. SECTION 6344(H) OF TITLE 23 IS AMENDED TO READ:

7 § 6344. Information relating to prospective child-care
8 personnel.

9 * * *

10 (h) Fees.--The department may charge a fee not to exceed \$10
11 in order to conduct the certification as required in subsection
12 (b)(2), except that no fee shall be charged to an individual who
13 makes the request in order to apply to become a volunteer with
14 an affiliate of Big Brothers of America or Big Sisters of
15 America or with a rape crisis center or domestic violence
16 shelter.

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18 Section ~~2~~ 3. This act shall take effect immediately.

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