

205.595 Health coverage for child under medical child support order -- Duties of employers.

If a parent is required by a court or administrative order to provide health coverage for a child and the parent is eligible for family health coverage through an employer doing business in the Commonwealth, the employer is required:

- (1) To permit the parent to enroll under family coverage any child who is otherwise eligible for the coverage, without regard to any enrollment season restrictions;
- (2) In the case where the noncustodial parent provides health care coverage and changes employment, to accept a notice of transfer of the provision to enroll from the Cabinet for Health and Family Services, the custodial parent or the noncustodial parent, and to enroll the child in the noncustodial parent's health care coverage, unless the noncustodial parent contests the notice pursuant to KRS Chapter 13B;
- (3) If a parent is enrolled but fails to make application to obtain coverage for the child, to enroll the child under family coverage upon application by the child's other parent, custodial parent, or by the Cabinet for Health and Family Services;
- (4) Not to disenroll or eliminate coverage of a child unless:
 - (a) The employer is provided satisfactory written evidence that a court or administrative order requiring coverage of the child is no longer in effect, or that the child is or will be enrolled in comparable health coverage which will take effect no later than the effective date of the disenrollment; or
 - (b) The employer has eliminated family health coverage for all of its employees; and
- (5) To withhold from the employee's compensation the employee's share, if any, of premiums for health coverage, except that the amount withheld may not exceed the maximum amount permitted to be withheld under Section 303(b) of the Federal Consumer Credit Protection Act, and to pay the share of premiums to the insurer.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 99, sec. 244, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 255, sec. 3, effective July 15, 1998; and ch. 426, sec. 202, effective July 15, 1998. -- Created 1994 Ky. Acts ch. 366, sec. 3, effective July 15, 1994.