

Regular Session, 2010  
HOUSE BILL NO. 964  
BY REPRESENTATIVE JOHNSON

# ACT No. 299

1 AN ACT

2 To amend and reenact R.S. 46:236.1.1 and to enact R.S. 46:236.1.2(L), relative to family  
3 and child support programs; to provide for medical support for minor children  
4 subject to child support orders; to provide for definitions; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:236.1.1 is hereby amended and reenacted and R.S. 46:236.1.2(L)  
8 is hereby enacted to read as follows:

9 §236.1.1. Family and child support programs; definitions

10 For the purposes of this Subpart, the following items shall mean:

11 (1) "Accessible", for the purposes of health insurance, means health  
12 insurance that provides primary care services within fifty miles of the residence of  
13 the child subject to the child support order.

14 (2) "Cash medical support" means an amount ordered to be paid in a child  
15 support order toward the cost of health insurance provided by a public entity, another  
16 parent, or person with whom the child resides, through employment or otherwise, or  
17 for other medical costs not covered by insurance.

18 ~~(+)~~ (3) "Delinquent of an amount equal to one month's support" means that  
19 an obligor becomes delinquent of an amount equal to one month's support obligation  
20 on the day after a payment is due and the total amount owed equals or exceeds one  
21 month's support obligation. A delinquency includes any judgment awarding  
22 retroactive support in accordance with R.S. 9:315.21 and 399.

23 ~~(2)~~ (4) "Department" means the Department of Social Services.

24 ~~(3)~~ (5) "Financial institutions" means the following:

1 (a) A depository institution, as defined in Section 3(c) of the Federal Deposit  
 2 Insurance Act (12 U.S.C. 1813(c)).

3 (b) An institution-affiliated party, as defined in Section 3(u) of the Federal  
 4 Deposit Insurance Act (12 U.S.C. 1813(u)).

5 (c) Any federal credit union or state credit union, as defined in Section 101  
 6 of the Federal Credit Union Act (12 U.S.C. 1752), including an institution-affiliated  
 7 party of such a credit union, as defined in Section 206(r) of the Federal Credit Union  
 8 Act (12 U.S.C. 1786(r)).

9 (d) Any benefit association, insurance company, safe deposit company,  
 10 money-market mutual fund, or similar entity authorized to do business in this state.

11 ~~(4)~~ (6) "Financial record", the meaning given such term in Section 1101 of  
 12 the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401).

13 ~~(5)~~ (7) "FITAP" means Family Independence Temporary Assistance  
 14 Program.

15 (8) "Medical support" means health insurance, cash medical support, and the  
 16 payment of the medical expenses of the child.

17 ~~(6)~~ (9)(a) "Noncustodial parent" means an absent parent as defined in  
 18 Subparagraph (b) of this Paragraph.

19 (b) "Absent parent" means any person who does not reside with his  
 20 dependent child and who is responsible for providing financial support for that child  
 21 and against whom the Support Enforcement Services Program is enforcing or  
 22 seeking to enforce or modify a support obligation pursuant to a plan described in  
 23 Title IV-D of the Social Security Act and made applicable to the state under this  
 24 Subpart. An "absent parent" may include but is not limited to the natural parent,  
 25 adoptive parent, and the putative or alleged father. This definition shall apply  
 26 retroactively to all cases that the Support Enforcement Services Program is enforcing  
 27 or seeking to enforce or modify.

28 (10) "Private health insurance" means coverage by a health plan provided  
 29 through an employer or union or purchased by an individual from a private health  
 30 insurance company.



1           medical expenses as provided in R.S. 9:315.5 as cash medical support. If no child  
2           support order has been established, the court may order each party to pay a  
3           percentage of the total medical expenses not covered by insurance as cash medical  
4           support.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_