

National Medical Support Notice (NMSN) FAQs

Is the health insurance order different from the child support order?

Yes, the child support order is a fixed dollar amount that your employee has been ordered to pay; whereas, the health insurance order obligates the employee to enroll their dependent in a health insurance plan.

Do I have to enroll the dependent(s) into a health insurance plan even if our employee declines coverage?

Yes, you are required to enroll the dependent(s) if the Non-Custodial Parent is court ordered to provide health insurance coverage.

Note: Health insurance must be provided to the employee's children even if the employee declines his/her own personal health coverage.

What if the combined costs of the child support and health care coverage premium exceeds 50% of the employee's disposable earnings?

Complete NMSN Employer Response (Part A), number 5 and return it to our office, along with copies of at least the previous three paystubs, within 20 business days for further review. We will review the case to determine if the employee can afford the child support payment and health care coverage.

With regards to income withholding limitations in reviewing for a medical hardship, do I use either the 5% or 50% rule?

Generally, the 50% rule is used for withholdings and 5% is used for the medical hardship review; however, we will also take into account the 50% withholding rule if a Non-Custodial Party does not qualify for a hardship under the 5% rule.

If my employee states their child already has health insurance coverage but has not provided proof or contacted the local child support agency, do I enroll the child into the health insurance plan?

Yes, proceed with enrolling the child unless you receive a termination notice from our office. If the employee has any questions or issues please encourage them to contact the local child support agency (LCSA).

On our health insurance plan, I cannot enroll the children without the employee being enrolled.

You will need to enroll your employee and the dependent(s). However, if you believe it may cause a hardship for the employee, you may contact the local child support agency (LCSA) and request health insurance hardship review.

Am I required to enroll the child(ren) when health insurance coverage is not available in the state where the child(ren) reside?

Family Code 1063(g) defines a health insurance policy inaccessible when an employer or healthcare plan administrator provides documentation the child(ren) live outside of the coverage area. Primary health care services must be within the 50-mile radius. State regulations allow the local child support agency to determine when health insurance is inaccessible.

Does the 5% limitation rule only apply to the child's premium cost?

No, it applies to the difference in cost of health coverage for the employee and the employee plus the dependent(s).

We have a third-party vendor that sends out COBRA notices. Do they need to send notices to CSS?

Yes, third party vendor is required to send COBRA notices to the LCSA and the LCSA will forward the COBRA documents to the custodial parent.

If my employee does not elect to have health insurance benefits through our company can they obtain their own private insurance?

Yes, the employee can obtain private health coverage for the dependent(s) as long as the health insurance carrier is not state or government funded. The employee has to submit this information to the LCSA and, if the coverage is valid, an NMSN termination will be sent to the employer.

How does an employer complete the DHS 6110 form?

When the minor child(ren) will be enrolled in any dental, vision or medical insurance plan the employer must complete items 20 through 24 of the DHS 6110 form. The employer must also complete the 'Additional Health Insurance Policy Information' section and check the "Absent Parent" box (item 20).

Can I contact LCSA via telephone or email to provide health insurance information instead of completing the forms?

Yes, you may contact us to provide health insurance information via telephone or email once the enrollment is complete. When communicating electronically, ensure transmission is secure.

As an employer, what do I do when the insurance provider does not provide an ID card after the employees and/or child have been enrolled?

Forward that information to the LCSA and we will contact the provider to obtain the information. Sometimes, the provider provides medical information to the employee, not the employer.