



**HOUSE BILL 308:
Clarify Reasonable Health Insurance/Long-Term
Care Ombudsman**

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-220

Date:

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Staff Attorney

SUMMARY: *S.L. 2015-220 amends laws pertaining to medical support and health insurance coverage relating to child support in order to align State law and federal guidelines, and modifies the Long-Term Care Ombudsman Program to conform to federal requirements.*

The provisions of this act pertaining to support and coverage relating to child support became effective August 18, 2015, and apply to orders issued or agreements entered into on or after that date. The remainder of this act becomes effective July 1, 2016.

CURRENT LAW: G.S. 50-13.11 requires the court to order the parent of a minor child or other responsible party to maintain health insurance for the benefit of the child when the insurance is available at a reasonable cost. Employer-provided group health insurance is automatically considered reasonable.

Part 14D of Chapter 143B of the General Statutes establishes and specifies the requirements for the Long-Term Care Ombudsman Program.

BILL ANALYSIS: Section 1 of the act adds provisions to G.S. 50-13.11(a1) that specify that health insurance is available at a reasonable cost to the parent if it does not exceed 5% of the parent's gross income. In applying the standard, the cost is the cost of (i) adding the child to the parent's existing coverage; (ii) child-only coverage; or (iii) if new coverage must be obtained, the difference between the cost of self-only and family coverage.

Section 2 of act makes conforming and technical changes to the Long-Term Care Ombudsman Program required by federal law.

EFFECTIVE DATE: Sections 1 and 3 of the act became effective when the Governor signed it into law on August 18, 2015, and apply to orders issued or agreements entered into on or after that date. Section 2 of this act becomes effective July 1, 2016.

BACKGROUND: The Long-Term Care Ombudsman Program ("Program") was designed to address the concerns of consumers in long-term care facilities and their families. The Program also provides education for consumers and the public about Elder Abuse Awareness and Prevention. The Administration on Aging of the Administration for Community Living within the U.S. Department of Health and Human Services issued a final rule to implement provisions of the Older Americans Act (42 U.S.C. § 3001 et seq.) regarding States' Long-Term Care Ombudsman programs. North Carolina was required to update its statutes, regulations, policies, procedures, and practices in order to operate the Program consistent with federal law and the final rule.

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