



# HOUSE BILL 308: Clarify Reasonable Health Insur/LTC Ombudsman

2015-2016 General Assembly

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<b>Committee:</b>	Senate Health Care	<b>Date:</b>	July 20, 2015
<b>Introduced by:</b>	Reps. Zachary, Stevens, Glazier, Davis	<b>Prepared by:</b>	Theresa Matula
<b>Analysis of:</b>	PCS to First Edition H308-CSTV-24		Legislative Analyst and Tawanda Foster Committee Counsel

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**SUMMARY:** *The PCS to House Bill 308 would amend laws pertaining to medical support and health insurance coverage relating to child support to align state law and federal guidelines and would modify the Long-Term Care Ombudsman Program to conform with federal requirements. The PCS would add Section 2 to the Bill.*

**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 PCS would provide that health insurance is available at a reasonable cost to the parent if it does not exceed 5% of the parent's gross income. The cost is defined as 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 the PCS would make conforming and technical changes to the Long-Term Care Ombudsman Program required by federal law.

**EFFECTIVE DATE:** Section 1 is effective when it becomes law and applies to orders issued or agreements entered into on or after that date. Section 2 becomes effective July 1, 2016.

**BACKGROUND:** The Long-Term Care Ombudsman 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 must update its statutes, regulations, policies, procedures and practices in order to operate the Ombudsman program consistent with federal law and the final rule.

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