



May 20, 2022

Child Support Program Manual Transmittal Letter (CSPMTL) No. 180

TO: All Child Support Program Manual Holders
FROM: Matt Damschroder, Director
SUBJECT: OCS Rule Review – National Medical Support Notice

These rules have been reviewed in accordance with sections 106.03 and 119.04 of the Revised Code, which requires the review of all state agency rules within a five-year period.

The Office of Child Support (OCS) has filed as **no change** to the following rules. The effective date of these rules will remain the same as the existing rules:

Rule Number	Rule Title	Effective Date of Rule
5101:12-57-10.5	Court Mistake of Fact Hearing Regarding the National Medical Support Notice	1/15/2017
	<p>This rule describes the court mistake of fact hearing process in accordance with ORC sections 3119.40 and 3119.41.</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.40 and 3119.41.</p>	
5101:12-57-10.6	Terminating the National Medical Support Notice	1/15/2020
	<p>This rule describes the circumstances under which a child support enforcement agency (CSEA) may terminate the national medical support notice (NMSN).</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3125.03, and 3119.41.</p>	

OCS has **amended** the following rules:

Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
5101:12-57-10	National Medical Support Notice	1/15/2020	6/01/2022
	<p>This rule describes the content and purpose of the National Medical Support Notice (NMSN), the requirements for issuing the NMSN, the purpose of the JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" and the JFS 04036, "Notice of Medical Support Enforcement Activity," and the alternative action required by the CSEA when the health insurance obligor is an active member of the military.</p> <p>Changes to this rule include removed restrictive language in paragraph (E) and added paragraph (E)(3) to clarify an additional reason a CSEA is not to issue the NMSN.</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.33, 3119.34, and 3119.35.</p>		
5101:12-57-10.1	Responsibility of Employer	1/15/2017	6/01/2022
	<p>This rule describes the responsibility of the employer of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377.</p> <p>Changes to this rule include correct misspelling in paragraph (A); and removed some language in paragraph (A)(3) for clarification purposes as the employer is always required to complete and return the NMSN to the CSEA.</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.36, 3119.362, and 3119.364.</p>		
5101:12-57-10.2	Responsibility of Health Plan Administrator	1/15/2017	6/01/2022
	<p>This rule describes the responsibility of the health plan administrator of the health insurance obligor upon receiving the NMSN and the accompanying JFS 03377.</p> <p>Changes to this rule include correct misspelling in paragraph (A).</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.37, and 3119.422.</p>		
5101:12-57-10.3	Selecting a Health Plan Option	1/15/2017	6/01/2022
	<p>This rule describes the responsibilities of the CSEA and the custodial parent in selecting a health plan option in which to enroll the child(ren) based on plan information received from the health plan administrator.</p> <p>Changes to this rule include correct misspelling in paragraphs (A)(1) and (C).</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC section 3125.03.</p>		

Amended Rule	Amended Rule Title	Prior Effective Date of Rule	Effective Date of Amendment
5101:12-57-01	Enforcement of Medical Support Provisions	2/11/2019	6/01/2022
	<p>This rule outlines the responsibility of the child support enforcement agency (CSEA) to enforce a medical support provision that is contained in a child support order and provides clarification that Medicaid does not satisfy the requirement of the health insurance obligor to provide medical support under a child support order.</p> <p>Change to this rule include added new language regarding fully subsidized Medicaid to paragraph (C).</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.30, 3119.43, and 3119.44.</p>		
5101:12-57-10.4	Administrative Mistake of Fact Hearing Regarding the National Medical Support Notice	1/15/2020	6/01/2022
	<p>This rule describes the reasons a health insurance obligor may request an administrative mistake of fact hearing, the time frame and method of submitting the request, the hearing process, and the health insurance obligor's right to object to the child support enforcement agency (CSEA) decision by filing with the court.</p> <p>Changes to this rule include added language, "in accordance with rule 5101:12-57-10.6 of the Administrative Code" to paragraph (H)(2); Clarified information in paragraph (I) regarding reimbursement.</p> <p>This rule is authorized by ORC section 3119.51; and amplifies ORC sections 3119.38, 3119.39, and 3119.41.</p>		
5101:12-57-99	Chapter 5101:12-57 Forms – Enforcement of Medical Support Provisions`	01/15/2020	6/01/2022
	<p>This rule contains a compilation of forms within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-57 of the Administrative Code.</p> <p>Changes to this rule include amended the revision date of the JFS 04035.</p> <p>This rule is authorized by ORC section 3125.25, and amplifies ORC section 3125.03.</p>		
5101:12-80-99	Chapter 5101:12-80 Forms – Collection and Disbursement	12/15/2021	6/01/2022
	<p>This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-80 of the Administrative Code.</p> <p>Changes to the rule include amended the revision date of the JFS 07741.</p> <p>This rule is authorized by ORC section 3125.25 and amplifies sections 3125.03 and 3125.25 of the Revised Code.</p>		

OCS has **amended** the following forms:

Form Number	Form Title	Prior Effective Date of Form	Revised Effective Date
JFS 04035	Notice of Available Health Plan Options	1/2015	4/2022
	<p>This notice is used by the CSEA to inform the party about available health plan options. Once a selection is made, the party has the responsibility to return the Health Insurance Obligee's Selection of Health Plan Options to the CSEA.</p> <p>Changes to the form include updated header formatting for consistency purposes.</p>		
JFS 07741	Child Support Payment Central (CSPC) Check Void Request	2/2020	4/2022
	<p>The CSEA will submit this form to CSPC in order to request a check that was disbursed to a payee voided.</p> <p>Changes to the form include provided email address for counties; added checkboxes to justify void request.</p>		

INSTRUCTIONS:

When the CSPMTL is published, the CSPM will be updated as follows:

- A no change rule will continue with the same effective date,
- An amended rule will be inserted, and the previous version will be moved to the OAC Archive section of the eManuals,
- An amended form will replace the current posted form

The rules and forms in the CSPM can be accessed at: <http://emanuals.jfs.ohio.gov/>

Forms can also be accessed on the ODJFS Forms Central InnerWeb page at: <http://www.odjfs.state.oh.us/forms/inner.asp>

or on the ODJFS Forms Central Internet page at: <http://www.odjfs.state.oh.us/forms/inter.asp>

INSTRUCTIONS for CSEA INTERNAL PROCEDURAL HANDBOOK:

Paragraph (I)(1) of OAC rule 5101:12-1-01 states that, whenever a program change requires modification of local procedures, the CSEA is required to revise its internal procedural handbook and submit the revision to OCS within thirty days of the revision. The CSEA should carefully review the amended rules contained in this CSPMTL to determine whether they require the CSEA to update its internal procedural handbook.

5101:12-57-01

Enforcement of medical support provisions.

- (A) The rules in Chapter 5101:12-57 of the Administrative Code describe the responsibility of a child support enforcement agency (CSEA) to enforce the medical support provisions that are contained in a child support order.
- (B) Throughout division 5101:12 of the Administrative Code, "Consumer Credit Protection Act" means the federal wage garnishment law in accordance with 15 U.S.C. 1673(b) (11/6/1978) that limits the amount of an employee's earnings that may be garnished in any one week.
- (C) Fully subsidized medicaid satisfies the requirement to provide health care coverage under a child support order.
- ~~(C)~~(D) Fully subsidized medicaid does not satisfy the requirement of the health insurance obligor to provide private health insurance coverage for a child under a child support order.
- ~~(D)~~(E) In accordance with section 3119.43 of the Revised Code, when a health insurance obligor does not obtain the required private health insurance coverage within thirty days after the child support order or the JFS 04033, "Notice to Provide Private Health Insurance" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), is issued, the CSEA may notify the court that issued the child support order or, with respect to an administrative child support order, the court of common pleas of the county in which the CSEA is located, in writing of the failure of the health insurance obligor to comply with the child support order. The court may punish the person for contempt under Chapter 2705. of the Revised Code for the failure.

Effective: 6/1/2022
Five Year Review (FYR) Dates: 2/16/2022 and 02/16/2027

CERTIFIED ELECTRONICALLY

Certification

05/17/2022

Date

Promulgated Under: 119.03
Statutory Authority: 3119.51
Rule Amplifies: 3119.30, 3119.43, 3119.44.
Prior Effective Dates: 01/07/1985, 08/01/1986, 12/01/1987, 12/20/1988,
09/01/1989, 08/01/1990, 06/01/1991, 11/01/1991,
07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 03/01/2009, 01/15/2017, 02/11/2019

5101:12-57-10 **National medical support notice.**

- (A) The OMB 0970-0222, "National Medical Support Notice" (as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) requires the enrollment in health insurance of the child subject to the child support order and the deduction of premiums for the cost of the health insurance, when available.
- (B) The NMSN contains instructions and two parts (hereinafter referred to as "Part A" and "Part B").
- (1) Part A includes:
- (a) The notice to withhold for health care coverage, which is completed by the child support enforcement agency (CSEA); and
 - (b) The employer's response, which is completed by the employer.
- (2) Part B includes:
- (a) The medical support notice to the plan administrator, which is forwarded to the health plan administrator; and
 - (b) The plan administrator's response, which is completed by the health plan administrator.
- (C) In accordance with sections 3119.33 and 3119.34 of the Revised Code and except when excluded as described in paragraph (E) of this rule, the CSEA shall issue the NMSN to the employer of the health insurance obligor. The CSEA shall issue the NMSN not later than the business day after receipt of a new hire match from the national directory of new hires (NDNH) for the health insurance obligor. In addition, the CSEA shall issue the NMSN as a result of the discovery of new employment for the health insurance obligor by the CSEA through a source other than the NDNH.
- (D) In accordance with section 3119.35 of the Revised Code, at the same time the CSEA issues the NMSN, the CSEA shall issue:
- (1) The JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to the employer; and
 - (2) The JFS 04036, "Notice of Medical Support Enforcement Activity" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to the health insurance obligor. When the CSEA does not have a valid address for the health insurance obligor, the CSEA shall mail the JFS 04036 to the address of the employer.

(E) The CSEA ~~shall~~ is not to issue the NMSN when:

- (1) The CSEA has determined the health insurance obligor is an active member of the military.
 - (a) The CSEA will verify the child's enrollment status through the defense enrollment eligibility reporting system and document the information and the source of the information in the case record.
 - (b) When the eligible child is not enrolled in the health plan, the CSEA will notify the custodial parent of the need to take the child to a military rapid center for enrollment in the health plan; or
- (2) The CSEA has determined that the underlying medical support provision to obtain health care coverage for the child authorizes public health care coverage, and such coverage is in effect, as ordered.
- (3) The health insurance obligor is also the child support obligor and the case is an initiating interstate case.

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Rule Amplifies: 3119.33, 3119.34, 3119.35.
Prior Effective Dates: 01/07/1985, 08/01/1986, 12/01/1987, 12/20/1988,
09/01/1989, 08/01/1990, 06/01/1991, 11/01/1991,
07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 05/01/2012, 01/15/2017, 01/15/2020

5101:12-57-10.1 **Responsibility of employer.**

(A) In accordance with section 3119.36 of the Revised Code, upon receipt of the OMB 0970-0222, "National Medical Support Notice" (as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) and the JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (effective or revised effective date as ~~identified~~ identified in rule 5101:12-57-99 of the Administrative Code), the employer is required, not later than twenty business days after the date of the NMSN, to do one of the following:

- (1) When the person named in the NMSN is a current employee and the person and the child listed on the NMSN are already enrolled in health insurance coverage through the employer, complete and return the JFS 03377 to the CSEA.
- (2) When the person named in the NMSN is a current employee and health insurance coverage of the child is available through the employer, send part B of the NMSN and the JFS 03377 to the health plan administrator.
- (3) Complete and return part A of the NMSN to the CSEA, ~~when:~~
 - ~~(a) The person named in the NMSN is not a current employee;~~
 - ~~(b) The employee is among a class of employees that are not eligible for family health coverage under any group health plan maintained by the employer or to which the employer contributes;~~
 - ~~(c) The employer does not maintain or contribute to plans providing dependent or family health care coverage; or~~
 - ~~(d) The employer determines that coverage of the child would cause the total amount of income withholding, which includes child support and health insurance contributions, to exceed the withholding limitation permitted under the Consumer Credit Protection Act, Pub. L. No. 90-321, 82 Stat. 146 (1968), 15 U.S.C. 1673(b);~~

(B) In accordance with sections 3119.362 and 3119.364 of the Revised Code, an employer who receives an NMSN is required to:

- (1) Upon written request from the other parent, any person subject to the order, or the CSEA, release to the requestor all information about the employee's health insurance coverage, which may include the name and address of the health plan administrator and any policy, contract or plan number; and
- (2) Notify the CSEA of any change in or the termination of the health insurance coverage that is maintained pursuant to the NMSN.

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Prior Effective Dates: 01/07/1985, 08/01/1986, 12/01/1987, 12/20/1988,
09/01/1989, 08/01/1990, 06/01/1991, 11/01/1991,
07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 01/15/2017

5101:12-57-10.2 **Responsibility of health plan administrator.**

- (A) In accordance with section 3119.37 of the Revised Code, upon receipt of the OMB 0970-0222, "National Medical Support Notice" (as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) and the JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (effective or revised effective date as ~~identified~~ identified in rule 5101:12-57-99 of the Administrative Code), the health plan administrator is required to:
- (1) Complete and return part B of the NMSN to the child support enforcement agency (CSEA) within forty business days of the date of the NMSN; and
 - (2) Comply with the enrollment requirements in accordance with the instructions contained in the NMSN.
- (B) When there is more than one health coverage option available under the plan and the health insurance obligor is not enrolled in any of the options:
- (1) The health plan administrator is required to attach to part B copies of applicable summary plan descriptions or other documents that describe available coverage, including the additional participant contribution necessary to obtain coverage for the child under each option and whether there is a limited service area for any option.
 - (2) When the health plan has a default option and the CSEA fails to notify the health plan administrator of the health coverage selection within twenty business days, the health plan administrator is required to enroll the child in the health plan's default option.
- (C) After the child has been enrolled in a health plan option, the health plan administrator is required to complete and return the JFS 03377 to the CSEA.
- (D) In accordance with section 3119.422 of the Revised Code, nothing in rule 5101:12-47-01, 5101:12-57-01, or 5101:12-57-10 to 5101:12-57-10.6 of the Administrative Code shall be construed to require the health plan administrator to accept for enrollment any child who does not meet the underwriting standards of the health insurance or health care policy, contract, or plan for which application is made.

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07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 05/01/2012, 01/15/2017

5101:12-57-10.3 **Selecting a health plan option.**

- (A) When the child support enforcement agency (CSEA) receives from the health plan administrator part B of the OMB 0970-0222, "National Medical Support Notice" (as referenced in rule 5101:12-57-99 of the Administrative Code), (NMSN) and information on health plan options, the CSEA shall:
- (1) Issue the JFS 04035, "Notice of Available Health Plan Options" (effective or revised effective date as ~~identified~~ identified in rule 5101:12-57-99 of the Administrative Code), to the custodial parent or caretaker of the child; and
 - (2) Attach to the JFS 04035 all information regarding health plan options received from the health plan administrator.
- (B) Within five days from the issuance date on the JFS 04035, the custodial parent or caretaker of the child is required to return to the CSEA the portion of the JFS 04035 documenting the health plan option selected by the custodial parent or caretaker of the child.
- (C) Within twenty business days from the date the health plan administrator sends part B of the NMSN to the CSEA, the CSEA shall issue the JFS 04034, "Notice of Selection of Health Plan Option" (effective or revised effective date as ~~identified~~ identified in rule 5101:12-57-99 of the Administrative Code), to the health plan administrator and issue a copy to the custodial parent or caretaker of the child.
- (D) When the health plan does not have a default option and the CSEA fails to notify the health plan administrator of the health care selection within twenty business days, the CSEA retains responsibility for selecting a health plan option for the child.

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07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 01/15/2017

5101:12-57-10.4 **Administrative mistake of fact hearing regarding the national medical support notice.**

- (A) In accordance with section 3119.39 of the Revised Code, when a JFS 04036, "Notice of Medical Support Enforcement Activity" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), is issued and the health insurance obligor fails to make a timely request for an administrative hearing, the JFS 04036 becomes a final and enforceable determination of the child support enforcement agency (CSEA) that issued the JFS 04036.
- (B) A health insurance obligor who receives an OMB 0970-0222, "National Medical Support Notice" (as referenced in rule 5101:12-57-99 of the Administrative Code) (NMSN), or a JFS 04036 may request an administrative mistake of fact hearing for any of the following reasons:
- (1) Error in the identity of the parties to the support order listed on the NMSN;
 - (2) Error in the identity of one or more of the children listed on the NMSN;
 - (3) The child support order authorizes the provision of health insurance coverage through an alternative group policy, contract, or plan and alternative coverage is in effect;
 - (4) The coverage identified in the NMSN is not consistent with the medical support provision in the child support order, this includes assertions that the insurance is not reasonable in cost or that primary care services are not accessible; or
 - (5) The child support order authorizes the provision of health care coverage through public health care and such coverage is in effect, as ordered.
- (C) In accordance with section 3119.38 of the Revised Code, the health insurance obligor must file a written request for an administrative mistake of fact hearing with the CSEA that issued the notice not later than fourteen days after the date on which the JFS 04036 is issued.
- (D) In accordance with section 3119.38 of the Revised Code, when the health insurance obligor makes a timely request for an administrative mistake of fact hearing, the CSEA shall:
- (1) Conduct an administrative mistake of fact hearing not later than ten days after the date on which the health insurance obligor files the request for the administrative mistake of fact hearing; and
 - (2) Issue the JFS 03399, "Notice of Administrative Mistake of Fact Hearing" (effective or revised effective date as identified in rule 5101:12-57-99

of the Administrative Code), to the health insurance obligor and any other individual the CSEA determines appropriate not later than five days before the date on which the administrative mistake of fact hearing is to be conducted.

- (E) In accordance with section 3119.41 of the Revised Code, when an administrative mistake of fact process is pending, the employer is required to continue the withholding of amounts for health insurance pursuant to the NMSN.
- (F) In accordance with section 3119.38 of the Revised Code, at the administrative hearing, the CSEA shall determine whether there is a mistake of fact in the NMSN.
- (G) After the hearing has been held, the CSEA shall issue the JFS 04037, "Medical Support Enforcement Administrative Mistake of Fact Hearing Decision" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), to the health insurance obligor. When the health insurance obligor is the non-custodial parent, the CSEA shall send a copy of the JFS 04037 to the custodial parent.
- (H) In accordance with section 3119.41 of the Revised Code:
 - (1) When the CSEA determines that no mistake of fact exists, the NMSN shall remain in effect.
 - (2) When the CSEA determines that a mistake of fact does exist, the CSEA shall take whatever action is necessary regarding the NMSN; which may include issuing a corrected NMSN or terminating the NMSN in accordance with rule 5101:12-57-10.6 of the Administrative Code.
- (I) When an administrative mistake of fact hearing determines that the person named as the health insurance obligor was named in error and premiums have been deducted, the CSEA shall not address the ~~decision for~~ matter of reimbursement in the decision.
- (J) In accordance with section 3119.38 of the Revised Code, the administrative mistake of fact hearing determination is final unless, within fourteen days after the CSEA issues the JFS 04037, the health insurance obligor files a written motion with the court of jurisdiction in the county in which the support order is administered for a hearing to determine whether there is still a mistake of fact in the NMSN.

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09/01/1989, 08/01/1990, 06/01/1991, 11/01/1991,
07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 01/15/2017, 02/11/2019, 01/15/2020

5101:12-57-99 **Chapter 5101:12-57 forms - enforcement of medical support provisions.**

The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

- (A) JFS 03377, "Employer/Health Plan Administrator Health Insurance Verification Request" (rev. 1/2015);
- (B) JFS 03399, "Notice of Administrative Mistake of Fact Hearing" (rev. 10/2019);
- (C) JFS 04031, "Notice Regarding Cash Medical Support Order"(rev. 10/2019);
- (D) JFS 04032, "Notice to Provide Cash Medical Support"(rev. 10/2019);
- (E) JFS 04033, "Notice to Provide Private Health Insurance"(rev. 10/2019);
- (F) JFS 04034, "Notice of Selection of Health Plan Option" (rev. 1/2015);
- (G) JFS 04035, "Notice of Available Health Plan Options" (rev. ~~1/2015~~4/2022);
- (H) JFS 04036, "Notice of Medical Support Enforcement Activity" (rev. 10/2019);
- (I) JFS 04037, "Medical Support Enforcement Administrative Mistake of Fact Hearing Decision" (rev. 10/2019);
- (J) JFS 04098, "Notice Regarding National Medical Support Notice Withholding Requirements" (rev. 1/2015);
- (K) JFS 07053, "Notice of Medical Support Mistake of Fact Hearing" (rev. 3/2019);
- (L) JFS 07058, "Medical Support Mistake of Fact Hearing Determination" (rev. 2/2019);
and
- (M) OMB 0970-0222, "National Medical Support Notice" (NMSN) (www.acf.hhs.gov/css).

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Prior Effective Dates: 01/01/2015, 01/15/2017, 02/14/2019, 01/15/2020

5101:12-80-99

Chapter 5101:12-80 forms - collections and disbursements.

The forms identified in this rule are referenced within various rules contained within division 5101:12 of the Administrative Code. The effective or revised effective dates of the forms are as follows:

- (A) JFS 04021, "Affidavit for stop payment" (rev. 12/2002);
- (B) JFS 04090, "Notice of Erroneous Payment" (rev. 04/2007);
- (C) JFS 07010, "Request for Exception to Electronic Disbursement Enrollment" (rev. 06/2021)
- (D) JFS 07026, "Recoupment Account Maintenance Request" (rev. 02/2020);
- (E) JFS 07027, "Single Order Distribution Record" (rev. 06/1993);
- (F) JFS 07028, "Multiple Order Distribution Record" (rev. 06/1993);
- (G) JFS 07031, "Recoupment Account Creation Request" (rev. 02/2020);
- (H) JFS 07736, "Child Support Enforcement Agency Payment Processing Declaration" (rev. 11/2021);
- (I) JFS 07741, "Child Support Payment Central (CSPC) Check Void Request (rev. ~~02/2020~~04/2022); and
- (J) JFS 07749, "Child Support Payment Central (CSPC) Stop Payment Request (rev. 7/2019).

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Prior Effective Dates: 02/01/2016, 02/15/2020, 06/01/2021, 12/15/2021

5101:12-57-10.5 **Court mistake of fact hearing regarding the national medical support notice.**

- (A) When the health insurance obligor files a timely, written motion for a court hearing, the court is required by section 3119.40 of the Revised Code to:
- (1) Send to the health insurance obligor and to any other individual the child support enforcement agency (CSEA) determines appropriate written notice by regular mail of the date, time, place, and purpose of the hearing not later than five days before the date the court hearing is to be held;
 - (2) Hold the hearing as soon as possible, but not later than ten days after the motion is filed; and
 - (3) Limit the hearing to determining whether there is a mistake of fact in the OMB 0970-0222, "National Medical Support Notice" (as referenced in rule 5101:12-57-99 of the Administrative Code) (NMSN).
- (B) In accordance with section 3119.41 of the Revised Code, when a court mistake of fact process is pending, the employer is required to continue the withholding of amounts for health insurance pursuant to the NMSN.
- (C) In accordance with section 3119.40 of the Revised Code, the court is required to determine on conclusion of the hearing whether there is a mistake of fact in the NMSN. The court's determination is final.
- (D) In accordance with section 3119.41 of the Revised Code:
- (1) When the court determines that no mistake of fact exists in the NMSN, the NMSN shall remain in effect.
 - (2) When the court determines that a mistake of fact does exist in the NMSN, the court is required to take whatever action is necessary regarding the NMSN, which may include correcting or terminating the NMSN.
- (E) When the court mistake of fact hearing determines that the person named as the health insurance obligor was named in error, premiums have been deducted, and the court does not address the decision for reimbursement, the decision for reimbursement is the responsibility of the employer and the insurance company health plan administrator.

Five Year Review (FYR) Dates: 2/16/2022 and 02/16/2027

CERTIFIED ELECTRONICALLY

Certification

02/16/2022

Date

Promulgated Under: 119.03
Statutory Authority: 3119.51
Rule Amplifies: 3119.40, 3119.41
Prior Effective Dates: 01/07/1985, 08/01/1986, 12/01/1987, 12/20/1988,
09/01/1989, 08/01/1990, 06/01/1991, 11/01/1991,
07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 01/15/2017

5101:12-57-10.6 **Terminating the national medical support notice.**

- (A) A child support enforcement agency (CSEA) shall issue the JFS 04098, "Notice Regarding National Medical Support Notice Withholding Requirements" (effective or revised effective date as identified in rule 5101:12-57-99 of the Administrative Code), when:
- (1) The health insurance obligor is no longer responsible for the medical support provision to provide health insurance coverage for the child or there is no longer a current order with medical support provisions in effect;
 - (2) The person identified on the OMB 0970-0222, "National Medical Support Notice" (as referenced in rule 5101:12-57-99 of the Administrative Code), as the health insurance obligor has provided verification to the CSEA that the person is not subject to the medical support provision to provide health insurance coverage for the child;
 - (3) As the result of a medical support mistake of fact hearing, the CSEA has determined that the health insurance is not accessible or reasonable in cost;
 - (4) Health insurance coverage is provided through a source other than the health insurance obligor's employer and:
 - (a) The underlying medical support provision to provide health insurance coverage for the child authorizes alternative health care coverage; and
 - (b) The health insurance obligor provides verification to the CSEA that the alternative coverage is currently in effect; or
 - (5) The underlying medical support provision to obtain health care coverage for the child authorizes public health care coverage, and such coverage is in effect.
- (B) The CSEA may issue the JFS 04098 when the OMB 0970-0222 is sent to the employer within sixty days of issuance of a court or administrative order and the insurance identified at the hearing was available to the health insurance obligor through a group plan or policy and was determined at that time to be not reasonable in cost.

Five Year Review (FYR) Dates: 2/16/2022 and 02/16/2027

CERTIFIED ELECTRONICALLY

Certification

02/16/2022

Date

Promulgated Under: 119.03
Statutory Authority: 3119.51.
Rule Amplifies: 3125.03, 3119.41.
Prior Effective Dates: 01/07/1985, 08/01/1986, 12/01/1987, 12/20/1988,
09/01/1989, 08/01/1990, 06/01/1991, 11/01/1991,
07/15/1992, 04/01/1993, 01/01/1998, 10/02/2003,
01/01/2007, 03/01/2009, 01/15/2017, 01/15/2020

<CSEA_NAME> County CSEA
<CSEA_ADDR1>
<CSEA_ADDR2>
<CSEA_CITY>, <CSEA_ST> <CSEA_ZIP>

Telephone Number: <CSEA_Local_Phone>
Toll Free Number: <CSEA_800_No>
Fax Number: <CSEA_Fax_No>
CSEA Website: <County_Website>

<OBLIGEE_NAME>
<OBLIGEE_ADDR1>
<OBLIGEE_ADDR2>
<OBLIGEE_CITY> <OBLIGEE_ST> <Obligee_ZIP>

Date: <PRINT_DATE>

Obligee: <OBLIGEE_NAME>
Obligor: <OBLIGOR_NAME>

Case Number: <CASE_NO>
Order Number: <Order_No>

Ohio Department of Job and Family Services
NOTICE OF AVAILABLE HEALTH PLAN OPTIONS

You have been identified as the Health Insurance Obligee for the child(ren) listed below. We are requesting your assistance in choosing the health plan option in which to enroll the child(ren).

Child(ren):	Date(s) of Birth:
<CHILD_NAME>	<Child_DOB>
<CHILD_NAME>	<Child_DOB>
<CHILD_NAME>	<Child_DOB>
<CHILD_NAME>	<Child_DOB>

Enclosed with this notice is information about the different health plan options available. Once you have reviewed the information provided and made your selection, you must complete the last page of this notice and return it to the child support enforcement agency (CSEA) no later than five (5) calendar days from the date of issuance at the top of this notice.

Failure to select a health plan option and return the completed form to the CSEA may result in the child(ren) being enrolled in the health plan's default option.

The type(s) of coverage ordered in your case are as follows: Any health coverage available; Medical; Dental; Vision; Prescription Drug; Mental Health; Other (specify): <other>

If you have any questions please contact the CSEA at the telephone number listed above.

<OBLIGEE_NAME>
<OBLIGEE_ADDR1>
<OBLIGEE_ADDR2>
<OBLIGEE_CITY>, <OBLIGEE_ST> <Obligee_ZIP>

<CSEA_NAME> County CSEA
<CSEA_ADDR1>
<CSEA_ADDR2>
<CSEA_CITY> <CSEA_ST> <CSEA_ZIP>

Case Number: <CASE_NO>

Order Number: <Order_No>

Ohio Department of Job and Family Services
**HEALTH INSURANCE OBLIGEE'S SELECTION
OF HEALTH PLAN OPTIONS**

My selections from the available health plan options as listed below:

1st Choice: _____
2nd Choice: _____
3rd Choice: _____

I understand the option selected as my first choice may not be the option the child(ren) will be enrolled in because the total amount for child support and health insurance premiums may exceed the limitations for withholding under the Consumer Credit Protection Act or the child(ren) may already be enrolled in another health plan.

Signature of Health Insurance Obligee

Address

Telephone No.

Your selection of health coverage must be received by the child support enforcement agency no later than five (5) calendar days from the date on the first page of this notice. Failure to return this form promptly may result in the enrollment of the child(ren) in the health plan's default option.

Ohio Department of Job and Family Services
CHILD SUPPORT PAYMENT CENTRAL (CSPC) CHECK VOID REQUEST

The child support enforcement agency (CSEA) must have the voided check before submitting the void request.

The completed form and copy of the voided check should be emailed to ohsdu.finance@smimail.net or faxed to 614-985-4454

1. Today's Date		2. County Name	
3. ID or Name of County Caseworker submitting Void Request			
4. Phone Number of County Caseworker		5. E-mail address of County Caseworker	
6. Check date	7. Check number	8. Check amount \$	
9. Payee on check			
10. SETS Case Number		11. Order Number	
12. Reason for Void Request			
<p>a. <input type="checkbox"/> MUT-Mutilated-Check is destroyed or mutilated. Check will be automatically reissued.</p> <p>b. <input type="checkbox"/> CIE-Check Issued in Error. Check will not be automatically reissued by SETS and will require follow-up action in SETS. Disbursement will not go through the CUF process.</p> <p>c. <input type="checkbox"/> OI-Other -Default. Check will not be automatically reissued by SETS. This is the default reason if MUT and CIE do not apply.</p>			

Please call 888-965-2676 with any questions.