

INSTRUCTIONS FOR FILING THE CLIENT DEMAND FOR MEDICAL PAYMENT

ELIGIBILITY REQUIREMENTS

- ◆ A court order must exist that requires the other party to pay a percentage of uninsured medical expenses.
- ◆ Per MCL 552.511a, the Friend of the Court (FOC) will assist you ONLY with medical bills submitted within one year after the expense was incurred, or if insurance is involved, within six months after the date of the insurance company's final payment or denial of coverage. **This is dependent upon you providing proof that you requested payment from the other party, based upon the procedures below, within 28 days of the insurance company's final payment or denial of coverage.**
- ◆ If you are a custodial parent, and your order provides for "annual ordinary medical", you MUST provide the FOC with proof that you have paid out-of-pocket expenses that are equal to the "annual ordinary medical" expense amount established in your order, before requesting payment and/or enforcement of uninsured medical expenses. Out-of-pocket expenses include co-payments, deductibles, prescriptions, and other non-routine uninsured health care related costs for the children. Routine medical, such as first-aid supplies, cough syrup, and vitamins cannot be counted, because they are a part of the normal day-to-day expenses of raising a child just like food, clothing, shelter, etc.
- ◆ "Annual ordinary medical" does not apply to non-custodial parent submitted medical bills. If a non-custodial parent complies with these procedures, and requests enforcement of delinquent medical bills, the FOC will enforce these "extraordinary" bills based on the percentages established for uninsured medical for both parties in your support order.
- ◆ The parent seeking service is responsible for payment of the expenses to the provider of services. While the FOC will enforce the other parent's financial responsibility, the FOC will not enforce or collect medical bills on behalf of a service provider, or communicate with a service provider.
- ◆ **The FOC will not enforce a medical bill if you fail to fully comply with the following procedure.**

PROCEDURE

This process has been established for enforcement of uninsured medical expenses. The FOC requires parties to attempt to resolve issues related to the enforcement of uninsured medical expenses prior to requesting enforcement assistance from the FOC. The FOC will enforce the other parent's financial responsibility, if the eligibility requirements above are satisfied and the following process is followed.

1. Once an expense is incurred, the requesting party **MUST** request payment from the other party **within 28 days**. If insurance is involved, the requesting party **MUST** request payment from the other party **within 28 days** of the insurance company's final payment or denial of coverage.
2. To request payment, you must complete, date, and sign the **Client Demand for Medical Payment** form (FOC 13a) and send it to the other party. Each expense must be entered on page two and itemized. You must also attach the following documentation to the Client Demand for Medical Payment form:
 - ◆ The bill(s) that list the name of the child receiving the services, the name of the provider of services, the date of service, the nature of service, and the cost of service.

- ♦ Explanation of benefits from the insurance provider(s) showing what was paid or rejected and/or a copy of the complete billing statement showing what was paid and who paid the payment.
3. Write the docket number and the name of the Plaintiff and Defendant in the appropriate spaces, and check the “requesting party” box next to your name if you are the party who is requesting reimbursement. Keep a copy of all the information provided to the other party for future reference.
 4. Once you have provided the other party with the above-mentioned information, you are required to allow the other party 28 days to respond. You may wish to lengthen this time if the other party needs to submit the bill(s) to his or her insurance company, or if the other party needs more time to pay the bills, or commits to a direct payment schedule that both of you agree to.
 5. If, after 28 days have passed, you have not received a response from the other party, you may submit a request for enforcement to the FOC. Along with your request, you must attach a **copy** of the Client Demand for Medical Payment form you sent to the other party, which confirms your date of mailing, and includes copies of the bills and proof of insurance payment or denial of coverage that you provided to the other party. This information should be mailed to: Jackson County Friend of the Court, 1697 Lansing Avenue, Jackson, MI 49202.

Once the forms and appropriate information is provided to the FOC, the bills will be processed by a FOC Caseworker or Enforcement Specialist on the **Friend of the Court Notice of Enforcement of Health Care Expenses** (FOC 13). The FOC will date and send this notice to each party identifying the balance to be paid. The FOC will wait 28 days from the date of mailing, to allow either party the right to object or provide proof that payment was made. If an objection is received within the allotted timeframe, a Caseworker or Enforcement Specialist will contact the objecting party or schedule a joint meeting to attempt to resolve the objection. If the matter cannot be resolved through these means, a special hearing will be scheduled. If there is no objection and proof of payment is not received, or if the non-requesting party fails to appear for a joint meeting, the FOC will take action to collect the unpaid portion of medical expenses. Following are the enforcement remedies that will be used:

a.) For bills submitted by a **custodial parent**, enforcement actions include: adding the non-custodial parent’s portion of the unpaid medical expenses to a medical reimbursement account; amending the non-custodial parent’s income withholding to include the medical reimbursement account; or scheduling a medical order to show cause hearing.

b.) For bills submitted by a **non-custodial parent**, enforcement actions include: applying a credit to the non-custodial parent’s account for a child support or other debt owed to the custodial parent; or scheduling a medical order to show cause hearing.

Notes: Additional information regarding this and other Friend of the Court services is available on our website at www.co.jackson.mi.us/foc