

Health and Life Insurance

An excerpt from the Community Education booklet *Family Law in Oregon*

*The laws on child support apply to both married and unmarried parents.
For information about child support, see www.oregonchildsupport.gov.*

(For unmarried parents, paternity must be established before child support can be ordered. See Questions 50 through 63 of the [Family Law in Oregon](#) booklet on www.oregonlawhelp.org.)

Does the parent who is ordered to pay child support also have to provide health insurance for the child?

When ordering child support, the court must order one or both of the parents to provide health care or coverage if it is available and reasonable in cost. If private health insurance is not available, the court could order a parent to apply for public health insurance, such as the Oregon Health Plan (OHP) or to provide private health insurance when it becomes available. The court also can order the parent paying child support to pay something towards the cost of OHP as part of the child support order. The amount of child support to be paid may be reduced or increased, depending on which parent provides insurance and how much insurance costs.

How can I make sure the noncustodial parent obeys the court order to get health insurance for my child?

If the District Attorney (DA) or the Division of Child Support (DCS) is handling your support case, they will handle health insurance issues for you, too, at no cost. If the parent who owes support is ordered to provide health insurance, the enforcing agency will

require that parent's employer to put the child on the health plan and deduct the insurance cost from the parent's wages. If the DA or DCS is not handling your case, you will need an attorney.

If a parent was ordered to provide medical or dental insurance and did not do so, that parent is responsible for paying for all of the child's medical or dental costs after the date of the order. The doctor or dentist still may ask you to make the payments, if the other parents does not make them. You would then have to get the other parent to reimburse you.

Can the child support order require buying a life insurance policy?

In a divorce case, the court can order the parent paying child support to buy a life insurance policy that gives the children a one-time cash settlement if that parent dies.

Who must pay for my child's health care costs that are not covered by insurance?

If there was insurance but if it didn't cover all costs, the parent with custody must pay unless the divorce or support order states that these costs are to be shared or paid totally by the other parent.

If you are going through a divorce, make sure that you think about health costs that are not covered by insurance and that you ask in your court papers for what you want. If the DA or DCS is getting your support order, talk with them about health costs and make sure that the judge or hearing officer is told what you want to do about costs that are not covered by insurance.

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