

Chapter 13: Tribal Enforcement

Section 13.060: Enforcing Medical Support on a Tribal Case

This section describes how and when to enforce medical coverage.

Contents

Laws	RCW 26.18.170 Medical Enforcement RCW 26.25.010, 020, and 030 Cooperative child support services - Indian tribes RCW Chapter 37.12 Jurisdiction over Indians and Indian lands WAC 388-14A-4110 (5) Enrollment in Indian Health Services
.Policy	Indian Health Services (IHS) is an acceptable alternative to private health insurance if the following are true: <ul style="list-style-type: none">• The noncustodial parent (NCP) is a tribal member.• You receive verification that IHS is available to the children through the NCP.• The NCP does not have private health insurance available for the children at no additional cost through an employer or union.
Procedure	If IHS is available, post it on case comments (CC) using code 60 . On the medical insurance (MI) screen, select "Indian Health" in the <i>Insurance Type</i> field. Send the custodial parent (CP) the Notice of Insurance Coverage , DSHS 09-730. When a person other than the NCP verifies IHS availability, send the NCP an Indian Health Services Notice , DSHS 18-525.
Visual Aids	Tribal Relations Internet site Indian Health Services Website SEMS Web TI - Tribal Information
Automated Actions	
SEMS Screens	MI, BC, OR, IA, ES, CC, BI
Forms Used	09-727, 09-730, 18-525 Most DCS forms note procedures for tribal cases.
Hearing and	Refer all requests to the Regional Tribal Liaison or

ConferenceBoard Rights	Tribal Claims Officer.
See Also	6.105 Establishing or Determining the Noncustodial Parent's (NCP's) Medical Support Obligation 24.010 NCP Responses to Enforcement OCSE PIQ-94-07 Medical Enforcement for Tribal Members

Procedures

A. When does Indian Health Services (IHS) qualify as medical coverage?

1. Indian Health Services (IHS) is an acceptable alternative to private health insurance if the following are true:
 - a. The NCP is a tribal member.
 - b. You receive written verification that IHS is available to the children through the NCP.
 - c. The NCP does **not** have private health insurance available for the children at no additional cost through an employer or union.
2. You must inform the NCP that IHS is an acceptable alternative to private health insurance when either of the following applies:
 - a. The NCP is a tribal member and you are enforcing medical support through an employer or union.
 - b. When you are establishing an administrative order or serving notice of an existing order.

Note: You may send the **Indian Health Services Notice**, DSHS 18-525 to the NCP in most instances.

3. If IHS is available, post it on case comment (CC) screen using code 60.
 - a. Select and enter carrier code IH99 (Indian Health) on the medical insurance (MI) screen.
 - The Support Enforcement Management System (SEMS) automatically enters "Indian Health" in the *Insurance Type* field.
 - b. Change the *NCP Med Status* code to "Provided" on the **MI** screen.
 - SEMS automatically changes the children's coverage codes to "Covered."
 - c. Send the **Notice of Insurance Coverage**, DSHS 09-730 to the CP.

- When generating the DSHS 09-730, clear the notation "***DCS Use Only**" and enter the appropriate IHS information.
- d. Send the **Indian Health Services Notice**, DSHS 18-525 to the NCP when a person other than the NCP verifies IHS availability.

B. What if the children are eligible for IHS services through the NCP and the NCP has private insurance available to the children at no cost?

- Enroll the child in private health insurance even if the children have IHS available.

Note: This maximizes coverage for the children and helps conserve limited resources available under the IHS Health Care program.

C. If the child has IHS available through the custodial parent (CP) and not the NCP, does the NCP's obligation to provide private health insurance at a cost still exist?

- Yes. The NCP **must** provide private health insurance at a cost if it is available to him or her through an employer or union at a cost provided in the order.

D. What happens if the NCP loses the private health insurance coverage or it is no longer available at no cost to the NCP?

- DCS does not enforce private health insurance requirements when it comes at an additional cost to the NCP, and IHS is available to the child through the NCP.