

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

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

Laws:

Indian Health Services (IHS) is an acceptable alternative to private health insurance if **both** of the following are true:

Policy:

- **Division of Child Support (DCS)** has received verification that IHS is available to the children through the NCP or the CP.
- The NCP does not have private health insurance available for the children at no additional cost through an employer or union.

If IHS is available, post it on case comments (CC) using code **60**.

On the medical insurance (MI) screen, select the Search Carriers button, and then select carrier code **IH99** (Indian Health) and change the children's coverage codes to **Medical**.

Procedure:

Send the custodial parent (CP) the **Notice of Insurance Coverage**, DSHS 09-730.

- **Exception:** Do not send the **DSHS 09-730** if the CP provided the Indian Health Services verification to DCS.

When a person other than the NCP verifies IHS availability, send the NCP an **Indian Health Services Notice**, DSHS 18-525.

Visual

Tribal Relations Internet site
Indian Health Services Website

Aids: 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
Conference
Board
Rights:** Refer all requests to the Tribal Liaison or Tribal Claims Officer.

[a href="http://dcs.esa.dshs.wa.lcl/policy/hb/Pages/Handbook.aspx?chapter=06§ion=6.105" target="_blank">6.105 Establishing or Determining the Noncustodial Parent's \(NCP's\) Medical Support Obligation](http://dcs.esa.dshs.wa.lcl/policy/hb/Pages/Handbook.aspx?chapter=06§ion=6.105)

See Also: 24.010 NCP Responses to Enforcement
[24.015 National Medical Support Notice](#)
OCSE PIQ-94-07 Medical Enforcement for Tribal Members
[Previous Policy May 23, 2012](#)
Previous Policy

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 **both** of the following are true:
 - a. You receive written verification that IHS is available to the children through the NCP or the CP.

- b. The NCP does **not** have private health insurance available for the children at no additional cost through an employer or union.
2. If IHS is available, post it on case comment (CC) screen using code 60.
 - a. From the **MI** screen, select the Search Carriers button, and then select carrier code **IH99** (Indian Health).
 - b. Change the NCP Coverage codes to "Medical" on the **MI** screen.
 - SEMS automatically changes the NCP Med Status to "Provided".
 - 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 NCP states the children have coverage through Indian Health Services?

1. If the NCP did not provide written proof of Indian Health Services (IHS) availability for the children, send the NCP an **Indian Health Services Notice**, DSHS 18-525.
 - a. **Check Box 1 (NCP must prove that children are enrolled).**
 - b. **Set a review code 60 for two weeks.**
 - c. **Make a case comment (CC) code 60.**
2. **Upon written verification that the IHS program is available, document IHS availability in the case record by posting the following CC code 60:**
 - **"Verification of IHS availability for children [input period**

covered] received from [NCP or CP]"

3. Update the **MI** screen as follows:
 - a. Select the Search Carriers button, and then select carrier code **IH99 (Indian Health)**.
 - b. Change the children's coverage codes to **Medical**.
4. Send the **Notice of Insurance Coverage**, DSHS 09-730, to the custodian to inform the custodial parent of IHS availability for the children. See **A 2** above.

Exception: Do not send CP the DSHS 09-730 if the custodial parent provided the Indian Health Services (IHS) verification to DCS.

5. Update CP **MI** screen as appropriate if IHS is available through the CP.

C. 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. (See Section 24.015 and the **National Medical Support Notice**, DSHS 09-727 (**NMSN**)).

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

D. 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?

- No. The NCP has no obligation to provide private health insurance at a cost if IHS is available through the NCP or CP.

E. 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 or CP.

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