

LOCAL ADMINISTRATIVE ORDER
RE: DEFINING "REASONABLE COST" FOR
PURPOSES OF FRIEND OF THE COURT
ENFORCEMENT OF HEALTH CARE
COVERAGE

FILED

MAR 18 2009

FINDINGS:

37th CIRCUIT COURT CLERK

1. MCLA 552.511(1)(b) requires the Friend of the Court to take enforcement action when a parent fails to obtain or maintain health care coverage for the parent's child as ordered by the Court.
2. The Michigan Child Support Formula of 2008, Section 3.05(A)(1), effective October 1, 2008, defines reasonable cost for health care coverage as follows:
 - "(1) A reasonable cost for providing private health care coverage for the children does not exceed five percent of the providing parent's gross income.
 - (a) Parents with a net income of below 133 percent of the federal poverty level or whose child is covered by Medicaid based on the parent's income should not be ordered to contribute toward or provide private coverage, unless private coverage is obtainable without any financial contribution by that parent.
 - (b) A parent's cost for providing private health care coverage is unreasonable if the parent's total current obligation for support, child care expenses, ordinary health care expenses, plus the parent's net share of health care insurance exceeds 50 percent of the parent's regular aggregate disposable earnings."
3. The court determines a need to define "reasonable cost of health care coverage" when it is not specified in an order, especially for orders that were entered prior to October 1, 2008.

IT IS ORDERED:

Except as may be specifically provided in an order, "reasonable cost of health care coverage" for purposes of Friend of the Court enforcement, shall be as set forth in the Michigan Child Support Formula of 2008, Section 3.05(A).

Dated: March 17, 2009

Allen L. Garbrecht
Honorable Allen L. Garbrecht, P27036
Chief Circuit Judge

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Toni Shute
37th JUDICIAL CIRCUIT
DEPUTY COURT CLERK