

1 **Sec. 3119.022.** When a court or child support enforcement
 2 agency calculates the amount of child support to be paid pursuant
 3 to a child support order in a proceeding in which one parent is
 4 the residential parent and legal custodian of all of the children
 5 who are the subject of the child support order or in which the
 6 court issues a shared parenting order, the court or agency shall
 7 use a worksheet identical in content and form to the following:

**CHILD SUPPORT COMPUTATION WORKSHEET
 SOLE RESIDENTIAL PARENT OR SHARED PARENTING ORDER**

Name of Parties.....

Case No.....

Number of minor children.....

The following parent was designated as residential parent and legal custodian:

..... mother father shared

	Column I Father	Column II Mother	Column III Combined
--	--------------------	---------------------	------------------------

INCOME:

- | | | | | | |
|----|----|---|---------|---------|----------------------|
| 1. | a. | Annual gross income from employment or, when determined appropriate by the court or agency, average annual gross income from employment over a reasonable period of years. (exclude overtime, bonuses, self-employment income, or commissions)..... | \$..... | \$..... | |
| | b. | Amount of overtime, bonuses, and commissions (year 1 representing the most recent year) | | | |
| | | Father | | | Mother |
| | | Yr. 3 \$..... | | | Yr. 3 \$..... |
| | | (Three years ago) | | | (Three years ago) |
| | | Yr. 2 \$..... | | | Yr. 2 \$..... |
| | | (Two years ago) | | | (Two years ago) |
| | | Yr. 1 \$..... | | | Yr. 1 \$..... |
| | | (Last calendar year) | | | (Last calendar year) |
| | | Average\$..... | | | Average\$..... |
| | | (Include in Col. I and/or Col. II the average of the three years or the year 1 amount, whichever is less, if there exists a reasonable expectation that the total earnings from overtime and/or bonuses during the current calendar year will meet or exceed the amount that is the lower of the average of the three years or the year 1 amount. If, however, there exists a reasonable expectation that the total earnings from overtime/bonuses during the current calendar year will be less than the lower of the average of the 3 years or the year 1 amount, include only the amount reasonably expected to be earned this year.)..... | | | |
| | | | \$..... | \$..... | |
| 2. | | For self-employment income: | | | |
| | a. | Gross receipts from business | \$..... | \$..... | |
| | b. | Ordinary and necessary business expenses. | \$..... | \$..... | |
| | c. | 5.6% of adjusted gross income or the actual marginal | \$..... | \$..... | |

difference between the actual rate paid by the self-employed individual and the F.I.C.A. rate

d.	Adjusted gross income from self-employment (subtract the sum of 2b and 2c from 2a).....	\$.....	\$.....
3.	Annual income from interest and dividends (whether or not taxable).....	\$.....	\$.....
4.	Annual income from unemployment compensation	\$.....	\$.....
5.	Annual income from workers' compensation, disability insurance benefits, or social security disability/retirement benefits.....	\$.....	\$.....
6.	Other annual income (identify).....	\$.....	\$.....
7.	<u>a.</u> Total annual gross income (add lines 1a, 1b, 2d, and 3-6).	\$.....	\$.....
	<u>b.</u> <u>Health insurance maximum (multiply 7a by 5%)</u>	<u>\$.....</u>	<u>\$.....</u>
	ADJUSTMENTS TO INCOME:		
8.	Adjustment for minor children born to or adopted by either parent and another parent who are living with this parent; adjustment does not apply to stepchildren (number of children times federal income tax exemption less child support received, not to exceed the federal tax exemption).....	\$.....	\$.....
9.	Annual court-ordered support paid for other children....	\$.....	\$.....
10.	Annual court-ordered spousal support paid to any spouse or former spouse.....	\$.....	\$.....
11.	Amount of local income taxes actually paid or estimated to be paid.....	\$.....	\$.....
12.	Mandatory work-related deductions such as union dues, uniform fees, etc. (not including taxes, social security, or retirement).....	\$.....	\$.....
13.	Total gross income adjustments (add lines 8 through 12).....	\$.....	\$.....
14.	<u>a.</u> Adjusted annual gross income (subtract line 13 from line 7a).....	\$.....	\$.....
	<u>b.</u> <u>Cash medical support maximum</u> <u>(If the amount on line 7a, Col. I is under 150% of the federal poverty level for an individual, enter \$0 on line 14b, Col. I. If not, multiply line 14a by 5% and enter this amount on line 14b, Col. I)</u> <u>(If the amount on line 7a, Col. II is under 150% of the federal poverty level for an individual, enter \$0 on line 14b, Col. II. If not, multiply line 14a by 5% and enter this amount on line 14b, Col. II).....</u>	<u>\$.....</u>	<u>\$.....</u>
15.	Combined annual income that is basis for child support order (add line 14a, Col. I and Col. II).....		\$.....
16.	Percentage of parent's income to total income		
	a. Father (divide line 14a, Col. I, by line 15, Col. III).....%	
	b. Mother (divide line 14a, Col. II, by line 15, Col. III).....%	
17.	Basic combined child support obligation (refer to schedule, first column, locate the amount nearest to the amount on line 15, Col. III, then refer to column for number of children in this family. If the income of the parents is more than one sum but less than another, you may calculate the difference.).....	\$.....	
18.	Annual support obligation per parent.....		
	a. Father (multiply line 17, Col. III, by line 16a).....	\$.....	
	b. Mother (multiply line 17, Col. III, by line 16b).....	\$.....	
19.	Annual child care expenses for children who are the subject	\$.....	\$.....

of this order that are work-, employment training-, or education-related, as approved by the court or agency (deduct tax credit from annual cost, whether or not claimed).....

20. a. Marginal, out-of-pocket costs, necessary to provide for health insurance for the children who are the subject of this order (contributing cost of private family health insurance, minus the contributing cost of single private health insurance, divided by the total number of dependents covered by the plan (including the children subject to the support order), times the number of children subject to the support order)..... \$..... \$.....
- b. Cash medical support obligation (enter the lower of the amount from line 14b, or the amount from the USDA Estimated Annual Health Care Expenditures Table maintained by ODJFS)..... \$..... \$.....

21. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS PROVIDED

Father (only if obligor or shared parenting)

Mother (if obligor or shared parenting)

- | | |
|--|--|
| <p>a. Additions: line 16a times sum of amounts shown on line 19, Col. II and line 20a, col. II
\$.....</p> <p>c. Subtractions: line 16b times sum of amounts shown on line 19, Col. I and line 20a, Col. I
\$.....</p> | <p>b. Additions: line 16b times sum of amounts shown on line 19, Col. I and line 20a, Col. I
\$.....</p> <p>d. Subtractions: line 16a times sum of amounts shown on line 19, Col. II and line 20a, col. II
\$.....</p> |
|--|--|

22. OBLIGATION AFTER ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS PROVIDED:

- a. Father: line 18a plus or minus the difference between line 21a minus line 21c
\$.....
- b. Mother: line 18b plus or minus the difference between line 21b minus line 21d
\$.....

23. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS PROVIDED:

- a. (Line 22a or 22b, whichever line corresponds to the parent who is the obligor)
\$.....
- b. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by a child or a person on behalf of the child due to death, disability, or retirement of the parent
\$.....
- c. Actual annual obligation (subtract line 23b from line 23a)
\$.....

24. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS NOT PROVIDED:

Father (only if obligor or shared parenting)

Mother (only if obligor or shared parenting)

- | | |
|---|---|
| <p>a. <u>Additions: line 16a times the sum of amounts shown on line 19, Col. II and line 20b, Col. II</u>
\$.....</p> <p>c. <u>Subtractions: line 16b times the sum of amounts shown on line 19, Col. I and line 20 b, Col. I</u>
\$.....</p> | <p>b. <u>Additions: line 16b times the sum of amounts shown on line 19, Col. I and line 20b, Col. I</u>
\$.....</p> <p>d. <u>Subtractions: line 16a times the sum of amounts shown on line 19, Col. II and line 20 b, Col. II</u>
\$.....</p> |
|---|---|

25. OBLIGATION AFTER ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS NOT PROVIDED:

- a. Father: line 18a plus or minus the difference between line 24a minus line 24c
\$.....

b. Mother: line 18b plus or minus the difference between line 24b minus line 24d \$.....

26. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS NOT PROVIDED:

a. (Line 25a or 25b, whichever line corresponds to the parent who is the obligor) \$.....

b. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by a child or a person on behalf of the child due to death, disability, or retirement of the parent \$.....

c. Actual annual obligation (subtract line 26b from line 26a) \$.....

~~24~~27. a. Deviation from sole residential parent support amount shown on line 23c if amount would be unjust or inappropriate: (see section 3119.23 of the Revised Code.) (Specific facts and monetary value must be stated.)

.....

b. Deviation from shared parenting order: (see sections 3119.23 and 3119.24 of the Revised Code.) (Specific facts including amount of time children spend with each parent, ability of each parent to maintain adequate housing for children, and each parent's expenses for children must be stated to justify deviation.)

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<u>WHEN HEALTH INSURANCE IS PROVIDED</u>	<u>WHEN HEALTH INSURANCE IS NOT PROVIDED</u>
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~~25~~28. FINAL CHILD SUPPORT FIGURE (this amount reflects final annual child support obligation; in column I, enter line 23c plus or minus any amounts indicated in line ~~24~~27a or ~~24~~27b; in Col. II, enter line 26c plus or minus any amounts indicated in line 27a or 27b)

\$.....

\$.....

Father/Mother, OBLIGOR

~~26~~29. FOR DECREE: Child support per month (divide obligor's annual share, line ~~25~~28, by 12) plus any processing charge

\$.....

\$.....

30. FINAL CASH MEDICAL SUPPORT FIGURE (this amount reflects the final, annual cash medical support to be paid by the child support obligor when neither parent provides health insurance coverage for the child pursuant to the order; enter obligor's cash medical support amount from line 20b)

\$.....

31. FOR DECREE: Cash medical support per month (divide line 30 by 12)

\$.....

Prepared by:
 Counsel:
 (For mother/father)

Pro se:

CSEA:

Other:

Worksheet Has Been Reviewed and Agreed To:

.....
 Mother

.....
 Date

b.	Ordinary and necessary business expenses.	\$.....	\$.....	
c.	5.6% of adjusted gross income or the actual marginal difference between the actual rate paid by the self-employed individual and the F.I.C.A. rate \$.....	\$.....	\$.....	
d.	Adjusted gross income from self-employment (subtract the sum of 2b and 2c from 2a).....	\$.....	\$.....	
3.	Annual income from interest and dividends (whether or not taxable).....	\$.....	\$.....	
4.	Annual income from unemployment compensation	\$.....	\$.....	
5.	Annual income from workers' compensation, disability insurance benefits, or social security disability/retirement benefits.....	\$.....	\$.....	
6.	Other annual income (identify).....	\$.....	\$.....	
7.	<u>a.</u> Total annual gross income (add lines 1a, 1b, 2d, and 3-6).	\$.....	\$.....	
	<u>b.</u> <u>Health Insurance maximum (multiply line 7a by 5%)</u>	<u>\$.....</u>	<u>\$.....</u>	
	<u>ADJUSTMENTS TO INCOME:</u>			
8.	Adjustment for minor children born to or adopted by either parent and another parent who are living with this parent; adjustment does not apply to stepchildren (number of children times federal income tax exemption less child support received, not to exceed the federal tax exemption).....	\$.....	\$.....	
9.	Annual court-ordered support paid for other children.....	\$.....	\$.....	
10.	Annual court-ordered spousal support paid to any spouse or former spouse.....	\$.....	\$.....	
11.	Amount of local income taxes actually paid or estimated to be paid.....	\$.....	\$.....	
12.	Mandatory work-related deductions such as union dues, uniform fees, etc. (not including taxes, social security, or retirement).....	\$.....	\$.....	
13.	Total gross income adjustments (add lines 8 through 12).....	\$.....	\$.....	
14.	<u>a.</u> Adjusted annual gross income (subtract line 13 from line 7a).....	\$.....	\$.....	
	<u>b.</u> <u>Cash medical support maximum</u> <u>(If the amount on line 7a, Col. I is under 150% of the federal poverty level for an individual, enter \$0 on line 14b, Col. I. If not, multiply line 14a by 5% and enter this amount on line 14b, Col. I)</u> <u>(If the amount on line 7a, Col. II is under 150% of the federal poverty level for an individual, enter \$0 on line 14b, Col. II. If not, multiply line 14a by 5% and enter this amount on line 14b, Col. II).....</u>	<u>\$.....</u>	<u>\$.....</u>	
15.	Combined annual income that is basis for child support order (add line 14a, Col. I and Col. II).....			\$.....
16.	Percentage of parent's income to total income			
a.	Father (divide line 14a, Col. I, by line 15, Col. III).....%		
b.	Mother (divide line 14a, Col. II, by line 15, Col. III).....%		
17.	Basic combined child support obligation (refer to schedule, first column, locate the amount nearest to the amount on line 15, Col. III, then refer to column for number of children in this family. If the income of the parents is more than one sum but less than another, you may calculate the difference.).....			
		For children	For children	
		For whom the	For whom the	

		mother is the residential parent and legal custodian	father is the residential parent and legal custodian
18.	Annual support obligation per parent.....	\$.....	\$.....
a.	Of father for children for whom mother is the residential parent and legal custodian (multiply line 17, Col. I, by line 16a).....	\$.....	
b.	Of mother for children for whom the father is the residential parent and legal custodian (multiply line 17, Col. II, by line 16b).....		\$.....
19.	Annual child care expenses for children who are the subject of this order that are work-, employment training-, or education-related, as approved by the court or agency (deduct tax credit from annual cost whether or not claimed)	Paid by father	Paid by mother
		\$.....	\$.....
20.	<u>a.</u> Marginal, out-of-pocket costs, necessary to provide for health insurance for the children who are the subject of this order (contributing cost of private family health insurance, minus the contributing cost of single private health insurance, divided by the total number of dependents covered by the plan (including the children subject to the support order), times the number of children subject to the support order).....	Paid by father	Paid by mother
		\$.....	\$.....
	<u>b.</u> Cash medical support obligation (enter the lower of the amount from line 14b, or the amount from the USDA Estimated Annual Health Care Expenditures Table maintained by ODJFS).....	\$.....	\$.....

21. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS PROVIDED:

Father		Mother	
a.	Additions: line 16a times sum of amounts shown on line 19, Col. II and line 20a, col. II \$.....	b.	Additions: line 16b times sum of amounts shown on line 19, Col. I and line 20a, Col. I \$.....
c.	Subtractions: line 16b times sum of amounts shown on line 19, Col. I and line 20a, Col. I \$.....	d.	Subtractions: line 16a times sum of amounts shown on line 19, Col. II and line 20a, col. II \$.....

22. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS PROVIDED:

a.	Father: line 18a plus line 21a minus line 21c (if the amount on line 21c is greater than or equal to the amount on line 21a - enter the number on line 18a in Col. I)	\$.....	
b.	Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by children for whom the mother is the residential parent and legal custodian or a person on behalf of those children due to death, disability, or retirement of the father.....	\$.....	
c.	Actual annual obligation of father (subtract line 22b from line 22a).....	\$.....	
d.	Mother: line 18b plus line 21b minus line 21d (if the amount on line 21d is greater than or equal to the amount on line 21b - enter the number on line 18b in Col. II).....		\$.....
e.	Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by children for whom the father is the residential parent and legal custodian or a		

person on behalf of those children due to death, disability, or retirement of the mother.....

- f. Actual annual obligation of mother (subtract line 22e from line 22d)..... \$.....
- g. Actual annual obligation payable (subtract lesser actual annual obligation from greater actual annual obligation using amounts in lines 22c and 22f to determine net child support payable)..... \$..... \$.....

23. ADJUSTMENTS TO CHILD SUPPORT WHEN HEALTH INSURANCE IS NOT PROVIDED:

Father

Mother

- a. Additions: line 16a times the sum of amounts shown on line 19, COL. II and line 20b, Col. II
\$.....
- b. Additions: line 16b times the sum of amounts shown on line 19, Col. I and line 20b, Col. I
\$.....
- c. Subtractions: line 16b times the sum of amounts shown on line 19, Col. I and line 20 b, Col. I
\$.....
- d. Subtractions: line 16a times the sum of amounts shown on line 19, Col. II and line 20 b, Col. II
\$.....

24. ACTUAL ANNUAL OBLIGATION WHEN HEALTH INSURANCE IS NOT PROVIDED:

- a. Father: line 18a plus line 23a minus line 23c (if the amount on line 23c is greater than or equal to the amount on line 23a, enter the number on line 18a in Col. I)
\$.....
- b. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by a child for whom the mother is the residential parent and legal custodian, or a person on behalf of the child, due to death, disability, or retirement of the father
\$.....
- c. Actual annual obligation of the father: (subtract line 24b from line 24a)
\$.....
- d. Mother: line 18b plus line 23b minus 23d (if the amount on line 23d is greater than or equal to the amount on line 23b, enter the number on line 18b in Col. II).....
\$.....
- e. Any non-means-tested benefits, including social security and veterans' benefits, paid to and received by a child for whom the father is the residential parent and legal custodian, or a person on behalf of the child, due to death, disability, or retirement of the mother.....
\$.....
- f. Actual annual obligation of mother (subtract line 24e from line 24d)
\$.....
- g. Actual annual obligation payable (subtract lesser actual annual obligation from greater annual obligation of the parents using amounts in line 24c and 24f to determine net child support payable).....
\$..... \$.....
- h. Add line 20b, Col. I to line 24g, Col. I when father is the obligor or line 20b, Col. II to line 24g, Col. II when mother is the obligor.....
\$..... \$.....

~~23~~25. Deviation from split residential parent guideline amount shown on line 22c or ~~22f~~, 22f, 24c, or 24f if amount would be unjust or inappropriate: (see section 3119.23 of the Revised Code.) (Specific facts and monetary value must be stated.)

.....
.....
.....
.....

WHEN
HEALTH

WHEN
HEALTH

	<u>INSURANCE IS PROVIDED</u>	<u>INSURANCE IS NOT PROVIDED</u>	
24 26. FINAL <u>CHILD SUPPORT FIGURE</u> : (This amount reflects final annual child support obligation; <u>in Col. I enter line 22g plus or minus any amounts indicated in line 2325, or in Col. II enter line 24h plus or minus amounts indicated on line 25.)</u>	\$.....	\$.....	Father/Mother, OBLIGOR
25 27. FOR DECREE: Child support per month (divide obligor's annual share, line 24 26, by 12) plus any processing charge.....	\$.....	<u>\$.....</u>	
28. FINAL <u>CASH MEDICAL SUPPORT FIGURE</u> : (this amount reflects the final, annual cash medical support to be paid by the obligor when neither parent provides health insurance coverage for the child; enter obligor's cash medical support from line 20b).....		<u>\$.....</u>	
29. FOR DECREE: <u>Cash medical support per month (divide line 28 by 12)</u>		<u>\$.....</u>	

Prepared by:
Counsel:
(For mother/father)

Pro se:

CSEA:

Other:

Worksheet Has Been Reviewed and Agreed To:

.....
Mother Date

.....
Father Date

16

17 **Sec. 3119.05.** When a court computes the amount of child
18 support required to be paid under a court child support order or a
19 child support enforcement agency computes the amount of child
20 support to be paid pursuant to an administrative child support
21 order, all of the following apply:

22 (A) The parents' current and past income and personal earnings
23 shall be verified by electronic means or with suitable documents,
24 including, but not limited to, paystubs, employer statements,
25 receipts and expense vouchers related to self-generated income,
26 tax returns, and all supporting documentation and schedules for
27 the tax returns.

28 (B) The amount of any pre-existing child support obligation of a
29 parent under a child support order and the amount of any court-
30 ordered spousal support actually paid shall be deducted from the
31 gross income of that parent to the extent that payment under the
32 child support order or that payment of the court-ordered spousal
33 support is verified by supporting documentation.

34 (C) If other minor children who were born to the parent and a
35 person other than the other parent who is involved in the
36 immediate child support determination live with the parent, the
37 court or agency shall deduct an amount from that parent's gross
38 income that equals the number of such minor children times the
39 federal income tax exemption for such children less child support
40 received for them for the year, not exceeding the federal income
41 tax exemption.

42 (D) When the court or agency calculates the gross income of a
43 parent, it shall include the lesser of the following as income from
44 overtime and bonuses:

45 (1) The yearly average of all overtime, commissions, and
46 bonuses received during the three years immediately prior to the
47 time when the person's child support obligation is being
48 computed;

49 (2) The total overtime, commissions, and bonuses received
50 during the year immediately prior to the time when the person's
51 child support obligation is being computed.

52 (E) When the court or agency calculates the gross income of a
53 parent, it shall not include any income earned by the spouse of
54 that parent.

55 ~~(F) The court shall not order an amount of child support for~~
56 ~~reasonable and ordinary uninsured medical or dental expenses in~~
57 ~~addition to the amount of the child support obligation determined~~
58 ~~in accordance with the schedule.~~ The court shall issue a separate
59 order for extraordinary medical or dental expenses, including,
60 but not limited to, orthodontia, psychological, appropriate private
61 education, and other expenses, and may consider the expenses in
62 adjusting a child support order.

63 (G) When a court or agency calculates the amount of child
64 support to be paid pursuant to a court child support order or an
65 administrative child support order, if the combined gross income
66 of both parents is an amount that is between two amounts set
67 forth in the first column of the schedule, the court or agency may
68 use the basic child support obligation that corresponds to the
69 higher of the two amounts in the first column of the schedule, use
70 the basic child support obligation that corresponds to the lower
71 of the two amounts in the first column of the schedule, or
72 calculate a basic child support obligation that is between those
73 two amounts and corresponds proportionally to the parents'
74 actual combined gross income.

75 (H) When the court or agency calculates gross income, the court
76 or agency, when appropriate, may average income over a
77 reasonable period of years.

78 (I) A court or agency shall not determine a parent receiving
79 means-tested public assistance benefits to be voluntarily
80 unemployed or underemployed and shall not impute income to
81 that parent, unless not making such determination and not
82 imputing income would be unjust, inappropriate, and not in the
83 best interest of the child.

84 (J) When a court or agency requires a parent to pay an amount
85 for that parent's failure to support a child for a period of time
86 prior to the date the court modifies or issues a court child support
87 order or an agency modifies or issues an administrative child
88 support order for the current support of the child, the court or
89 agency shall calculate that amount using the basic child support
90 schedule, worksheets, and child support laws in effect, and the
91 incomes of the parents as they existed, for that prior period of
92 time.

93 **Sec. 3119.29. (A)** As used in this section and sections 3119.30 to
94 3119.56 of the Revised Code:

95 ~~(A)~~(1) "Cash medical support" means an amount ordered to be
96 paid in a child support order toward the cost of health insurance
97 provided by a public entity, another parent, or person with whom

98 the child resides, through employment or otherwise, or for other
99 medical cost not covered by insurance.

100 (2) "Federal poverty line" has the same meaning as defined in
101 section 5104.01 of the Revised Code.

102 (3) "Health care" means such medical support that includes
103 coverage under a health insurance plan, payment of costs of
104 premiums, co-payments, and deductibles, or payment for medical
105 expenses incurred on behalf of the child.

106 (4) "Health insurance coverage" means accessible health
107 insurance that provides primary care services within ~~either thirty~~
108 ~~miles or thirty minutes driving time~~ from the residence of the
109 child subject to the child support order.

110 (5) "Health plan administrator" means any entity authorized
111 under Title XXXIX of the Revised Code to engage in the
112 business of insurance in this state, any health insuring
113 corporation, any legal entity that is self-insured and provides
114 benefits to its employees or members, and the administrator of
115 any such entity or corporation.

116 ~~(B)~~(6) "National medical support notice" means a form required
117 by the "Child Support Performance and Incentive Act of 1998,"
118 P.L. 105-200, 112 Stat. 659, 42 U.S.C. 666(a)(19), as amended,
119 and jointly developed and promulgated by the secretary of health
120 and human services and the secretary of labor in federal
121 regulations adopted under that act as modified by the department
122 of job and family services under section 3119.291 of the Revised

123 ~~(C)~~(7) "Person required to provide health insurance coverage"
124 means the obligor, obligee, or both, required by the court under a
125 court child support order or by the child support enforcement
126 agency under an administrative child support order to provide
127 health insurance coverage pursuant to section 3119.30 of the
128 Revised Code.

129 (8) Subject to division (B) of this section, "reasonable
130 cost" means the contributing cost of the person responsible for
131 the health care of the children subject to the child support order

132 for private family health insurance that does not exceed an
133 amount equal to five per cent of the annual gross income of that
134 person.

135 (9) "Title XIX" has the same meaning as defined in section
136 5111.20 of the Revised Code.

137 (B) If the United States secretary of health and human
138 services issues a regulation defining "reasonable cost" or a
139 similar term or phrase relevant to the provisions in child support
140 orders relating to the provision of health care for children
141 subject to the orders, and if that definition is substantively
142 different from the meaning of "reasonable cost" as defined in
143 division (A) of this section, "reasonable cost" as used in this
144 section shall have the meaning as defined by the United States
145 secretary of health and human services.

146 **Sec. 3119.30.** In any action or proceeding in which a
147 child support order is issued or modified, the court, with respect
148 to court child support orders, and the child support enforcement
149 agency, with respect to administrative child support orders, shall
150 determine the person or persons responsible for the health care of
151 the children subject to the child support order and shall include
152 other provisions for the health care of the children subject to the
153 child support order. The order shall require the obligor and the
154 obligee to share liability for the health care expenses of the
155 children that are not covered by health insurance or cash medical
156 support, based on the percentage of income of the obligor and the
157 obligee calculated in the child support computation worksheet in
158 accordance with section 3119.022 or 3119.023 of the Revised
159 Code.

160 (A) Based on information provided to the court or to the child
161 support enforcement agency under section 3119.31 of the
162 Revised Code, the order shall include one of the following:

163 (1) A requirement that both the obligor and the obligee obtain
164 private health insurance coverage for the children if coverage is
165 available through any group policy, contract, or plan available to

166 both parties at a reasonable cost and dual coverage would
167 provide for coordination of medical benefits without unnecessary
168 duplication of coverage.

169 (2) A requirement that the obligee obtain private health insurance
170 coverage for the children if coverage is available through any
171 group policy, contract, or plan available to the obligee and is
172 available at a more reasonable cost than coverage is available to
173 the obligor.

174 (3) A requirement that the obligor obtain private health insurance
175 coverage for the children if coverage is available through any
176 group policy, contract, or plan available to the obligor and is
177 available at a more reasonable cost than coverage is available to
178 the obligee.

179 (4) A requirement that if private health insurance coverage for
180 the children is not available at a reasonable cost to either party at
181 the time of issuance of the order, the order shall require that an
182 obligor or obligee to whom private health insurance coverage
183 becomes available immediately inform the child support
184 enforcement agency administering the order that private health
185 insurance coverage is available. Upon reporting, the child
186 support enforcement agency shall determine if the health
187 insurance is available at a reasonable cost and if available shall
188 immediately and automatically both inactivate this requirement
189 and activate the requirement of division (A)(2) if the coverage is
190 available to the obligee or division (A)(3) if the coverage is
191 available to the obligor.

192 (B) Unless the obligor's gross income as calculated pursuant to
193 section 3119.022 or 3119.023 of the Revised Code is under one
194 hundred fifty percent of the federal poverty line for an individual
195 at the time that the order is issued or modified, the order shall
196 establish an amount of cash medical support that is the lower of
197 (a) five per cent of the adjusted gross income of the obligor or (b)
198 the obligor's share of the United States Department of
199 Agriculture estimated annual health care expenditure per child.
200 The amount shall be paid by the obligor during any period

201 subsequent to the issuance of the order in which the children are
202 not covered by private health insurance.

203 (C) Any cash medical support paid pursuant to division (B) of
204 this section shall be paid by the obligor:

205 (1) To the obligee if the children are not enrolled in Title XIX; or

206 (2) To the office of child support in the department of job and
207 family services to defray the cost of expenditures under Title
208 XIX if the children are enrolled in Title XIX.

209 The amount of the monthly child support obligation calculated
210 pursuant to section 3119.022 or 3119.023 of the Revised Code
211 shall be adjusted in accordance with the terms of the support
212 order by the child support enforcement agency administering the
213 court or administrative order. The agency shall send any notice
214 as required under chapter 3121 of the Revised Code and provide
215 the obligor notice and an opportunity to be heard if the obligor
216 believes there is a mistake of fact regarding the availability of
217 private health insurance at a reasonable cost, as determined by
218 the most recent support order, for the children subject to the
219 order.

220 (D) Any cash medical support paid pursuant to division (B) of
221 this section shall commence on the first day of the month
222 immediately following the month in which private health
223 insurance coverage for the children is not available or terminates,
224 and shall terminate on the last day of the month immediately
225 preceding the month in which private health insurance coverage
226 for the children commences or resumes.

227 (E) During any period in which cash medical support is paid, the
228 parties shall also be ordered to report if private health insurance
229 becomes available pursuant to division (A)(4) of this section.

230 **Sec. 3119.301** When a court determines the person or persons
231 responsible for the health care of the children subject to a court
232 child support order or a child support enforcement agency
233 determines the person or persons responsible for the health care
234 of the children subject to an administrative child support order,
235 all of the following apply:

236 (A) The court or agency shall consider the existence of any
237 private health insurance in which the obligor, obligee, or the
238 children are enrolled at the time of the issuance of the order.

239 (B) If the contributing cost of private family health insurance to
240 one of the parents exceeds five per cent of the annual gross
241 income of that parent, that parent shall not be ordered to provide
242 private health insurance for the children subject to the child
243 support order except as follows:

244 (1) When both parents agree that one or both parents obtain or
245 maintain private health insurance which exceeds five per cent of
246 the annual gross income of the parent that will provide the said
247 coverage;

248 (2) When a parent requests to obtain or maintain private health
249 insurance which exceeds five per cent of the annual gross income
250 of that parent; or

251 (3) When the court determines that it is in the best interest of the
252 children for a parent to obtain or maintain private health
253 insurance which exceeds five per cent of the annual gross income
254 of the parent that is ordered to provide the coverage and the cost
255 for the coverage will not impose an undue financial burden on
256 either parent the court may order the parent to provide the
257 coverage and shall specifically state in the child support order the
258 facts and circumstances that are the basis for the order.

259 (C) If private health insurance is available at a reasonable cost
260 through any group policy, contract, or plan available to a parent
261 and the court finds compelling facts or circumstances that
262 establish that it is not in the best interests of the children to order
263 the available private health insurance, the court shall specifically
264 state in the child support order the facts and circumstances that
265 are the basis for a decision to not order the parent to provide the
266 insurance. A decision to not order the parent to provide the
267 insurance shall not limit any obligation to provide cash medical
268 support as ordered pursuant to section 3119.30 of the Revised
269 Code.

270 (D) The Ohio Department of Job and Family Services shall
271 create and update at least annually a table that incorporates the
272 United States Department of Agriculture estimated annual health
273 care expenditure per child and the combined gross income of the
274 parties. The table shall be used to determine the amount of cash
275 medical support ordered pursuant to division (B) of section
276 3119.30 of the Revised Code.

277 (E) In calculating the cost of private health insurance, the amount
278 entered on the child support computation worksheet shall be the
279 contributing cost of private family health insurance, minus the
280 contributing cost of single private health insurance, divided by
281 the total number of dependents (including the children subject to
282 the support order) covered by the plan, times the number of
283 children subject to the support order.

284 (F) For the purpose of determining the accessibility of private
285 health insurance the court, with respect to court child support
286 orders, and the child support enforcement agency, with respect to
287 administrative child support orders, may determine and include
288 in an order issued under section 3119.30 of the Revised Code
289 that longer travel times are permissible if residents in part or all
290 of the service area customarily travel distances farther than thirty
291 miles or that primary care services are accessible only by public
292 transportation.

293 **Sec. 3119.32.** A child support order shall contain all of the
294 following:

295 (A) If the obligor, obligee, or both obligor and obligee, are
296 required under section 3119.30 of the Revised Code to provide
297 private health insurance coverage for the children, a requirement
298 that whoever is required under section 3119.30 of the Revised
299 Code to provide private health insurance coverage provide to the
300 other, not later than thirty days after the issuance of the order,
301 information regarding the benefits, limitations, and exclusions of
302 the coverage, copies of any insurance forms necessary to receive
303 reimbursement, payment, or other benefits under the coverage,
304 and a copy of any necessary insurance cards;

305 (B) A statement setting forth the name, address, and telephone
306 number of the individual who is to be reimbursed for out-of-
307 pocket medical, optical, hospital, dental, or prescription expenses
308 paid for each child and a statement that the health plan
309 administrator that provides the private health insurance coverage
310 for the children may continue making payment for medical,
311 optical, hospital, dental, or prescription services directly to any
312 health care provider in accordance with the applicable private
313 health insurance policy, contract, or plan;

314 (C) A requirement that a person required to provide private
315 health insurance coverage for the children designate the children
316 as covered dependents under any private health insurance policy,
317 contract, or plan for which the person contracts;

318 (D) A requirement that the obligor, the obligee, or both of them
319 under a formula established by the court, with respect to a court
320 child support order, or the child support enforcement agency,
321 with respect to an administrative child support order, pay co-
322 payment or deductible costs required under the private health
323 insurance policy, contract, or plan that covers the children;

324 (E) A notice that the employer of the person required to obtain
325 private health insurance coverage is required to release to the
326 other parent, any person subject to an order issued under section
327 3109.19 of the Revised Code, or the child support enforcement
328 agency on written request any necessary information on the
329 private health insurance coverage, including the name and
330 address of the health plan administrator and any policy, contract,
331 or plan number, and to otherwise comply with this section and
332 any order or notice issued under this section;

333 (F) A statement setting forth the full name and date of birth of
334 each child who is the subject of the child support order;

335 (G) A requirement that the obligor and the obligee comply with
336 any requirement described in section 3119.30 of the Revised
337 Code and divisions (A) and (C) of this section that is contained
338 in an order issued in compliance with this section no later than
339 thirty days after the issuance of the order;

340 (H) A notice that states the following: “If the person required to
341 obtain private health care insurance coverage for the children
342 subject to this child support order obtains new employment, the
343 agency shall comply with the requirements of section 3119.34 of
344 the Revised Code, which may result in the issuance of a notice
345 requiring the new employer to take whatever action is necessary
346 to enroll the children in private health care insurance coverage
347 provided by the new employer.”

348 (I) A statement that, upon receipt of notice by the child support
349 enforcement agency that private health insurance coverage is no
350 longer available at a reasonable cost, the cash medical support
351 shall be activated in the amount as calculated on the worksheet
352 completed pursuant to section 3119.022 or 3119.023 of the
353 Revised Code. The financial obligations of the parties to pay
354 child support and cash medical support shall change without
355 hearing and without further notice in accordance with the terms
356 of the order of the court or agency.