

62A-11-326.1 Enrollment of child in accident and health insurance plan -- Order -- Notice.

- (1) The office may issue a notice to existing and future employers or unions to enroll a dependent child in an accident and health insurance plan that is available through the dependent child's parent or legal guardian's employer or union, when the following conditions are satisfied:
 - (a) the parent or legal guardian is already required to obtain insurance coverage for the child by a prior court or administrative order; and
 - (b) the parent or legal guardian has failed to provide written proof to the office that:
 - (i) the child has been enrolled in an accident and health insurance plan in accordance with the court or administrative order; or
 - (ii) the coverage required by the order was not available at group rates through the employer or union 30 or more days prior to the date of the mailing of the notice to enroll.
- (2) The office shall provide concurrent notice to the parent or legal guardian in accordance with Section 62A-11-304.4 of:
 - (a) the notice to enroll sent to the employer or union; and
 - (b) the opportunity to contest the enrollment due to a mistake of fact by filing a written request for an adjudicative proceeding with the office within 15 days of the notice being sent.
- (3) A notice to enroll shall result in the enrollment of the child in the parent's accident and health insurance plan, unless the parent successfully contests the notice based on a mistake of fact.
- (4) A notice to enroll issued under this section may be considered a "qualified medical support order" for the purposes of enrolling a dependent child in a group accident and health insurance plan as defined in Section 609(a), Federal Employee Retirement Income Security Act of 1974.

Amended by Chapter 116, 2001 General Session