

FRIEND OF THE COURT ACT (EXCERPT)
Act 294 of 1982

552.511a Payment of health care expense; complaint; sending copy of complaint and notice to parent; objection; hearing.

Sec. 11a.

(1) A complaint seeking enforcement for payment of a health care expense must include information showing that all of the following conditions have been met:

(a) The parent against whom the complaint is directed is obligated to pay the child's uninsured health care expenses, a demand for payment of the uninsured portion was made to that parent within 28 days after the insurers' final payment or denial of coverage, and that parent did not pay the uninsured portion within 28 days after the demand.

(b) If the state court administrative office, under the supervision and direction of the supreme court, establishes a minimum threshold for the enforcement of health care expenses, the health care expense is equal to or greater than the established threshold.

(c) The complaint is submitted to the office on or before any of the following:

(i) One year after the expense was incurred.

(ii) Six months after the insurers' final payment or denial of coverage for the expense, if all measures necessary to submit a claim for the health care expense to all insurers that might be obligated to pay the expense were completed within 2 months after the expense was incurred.

(iii) Six months after a parent defaults in paying for the health care expense as required under a written agreement, signed by both parents, that lists the specific bills covered by the agreement, states the amount to be paid in total, and sets forth the schedule for the payment of that amount, whether by installments or otherwise.

(2) If an office receives a complaint that meets the requirements of subsection (1), the office shall send a copy of the complaint to the parent who is named in the complaint as obligated to pay the child's uninsured health care expenses. The office shall include with the copy of the complaint sent to that parent a notice advising the parent of the provisions of subsection (3).

(3) If, within 21 days after the complaint and notice are sent to a parent under subsection (2), the parent does not file with the office a written objection to the complaint, the amount of the health care expense stated in the complaint becomes a support arrearage and is subject to any enforcement process available to collect a support arrearage. If the parent files a written objection within the 21-day time limit, the office shall set a court hearing, before a judge or referee, to resolve the complaint.

History: Add. 2002, Act 569, Eff. Dec. 1, 2002 ;-- Am. 2009, Act 233, Imd. Eff. Jan. 8, 2010

Popular Name: Friend of the Court