Medical Support Requirements for Families with Medicaid

How the end of the Public Health Emergency (PHE) may affect Missouri Medicaid participants

During the PHE medical support sanctions were not enforced. The PHE has now ended, and Family Support Division (FSD) will try to establish medical support orders against absentee parents for any Missouri child who gets Medicaid.

When the child is approved for Medicaid, FSD requests that the parent or caretaker who has custody of the child (custodial parent/caretaker) cooperate with FSD's Child Support program to establish a medical support order[1].

Failure to cooperate with establishing a medical support order will have no effect on the child's Medicaid coverage, but the custodial parent/caretaker may be sanctioned for not cooperating. Additionally, to receive Medicaid, a custodial parent/caretaker has no duty to cooperate with FSD to establish a child support order,[2] but will if the family receives Temporary Assistance for Families (TANF).

What is the process to establish a support order?

1. The Child Support program asks the custodial parent/caretaker to help.

a. Child Support sends a form (CS-201) "Referral/Information for Child Support Services" to the custodial parent/caretaker that asks for information about the non-custodial parent, such as their name and address.

b. To avoid sanctions, the custodial parent/caretaker must complete and return the form by the due date unless they have Good Cause for not cooperating with Child Support.

c. To pursue medical support only and not child support, mark Medicaid-Only at the top of the CS-201 form.

What is Good Cause?

The custodial parent/caretaker can claim Good Cause if they believe that cooperating with the Child Support program would prove harmful to themselves or the child – such as if there is a history of domestic violence by the non-custodial parent.[3]

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[1] Medical support is a form of child support related to medical care only. This is separate from any other child support order you may have. Medical support orders/asks the non-custodial parent to cover medical costs if they are financially able to do so.

[2] Child support is the money that the court orders one or both parents to pay each month to help raise their child or children. It includes financial support for basic needs such as food, clothing, housing, and transportation.

[3] Acceptable evidence a parent/caretaker can submit to FSD includes court, medical, criminal, child protective services, social services, psychological, or law enforcement records. FSD will also accept oral statements in instances of domestic violence, and you can give an oral statement by calling 800-859-7999.

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A custodial parent/caretaker who claims Good Cause is not required to complete the CS-201. Instead, they may claim Good Cause, usually by filling out form IM-2E, "Second Notice of Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement". This form can submit by email at FSD.CS.Documents@dss.mo.gov.

They can also report Good Cause by calling 800.859.7999.

2. **The Child Support program takes steps based on the custodial parent/caretaker's actions:**

    a. If a custodial parent/caretaker completes and returns the CS-201 form, the Child Support program can establish the support order.

    b. If a custodial parent/caretaker does **not** complete and return the CS-201 form, the Child Support program will try to find out why they are not cooperating. The Child Support program notifies FSD's Income Maintenance (IM) program to check if the custodial parent/caretaker has Good Cause for such non-cooperation. If Good Cause **does not** exist, IM will **sanction** the custodial parent/caretaker within 10 days.

What is a sanction?

A sanction prevents the custodial parent/caretaker from receiving Medicaid benefits under the MO HealthNet for Families and Adult Expansion Group programs for themselves if they do not cooperate with Medical Support or claim Good Cause. The child will still receive Medicaid benefits as will parents/caretakers enrolled in the MO HealthNet for the Aged, Blind, and Disabled; MO HealthNet for Pregnant Women; or Show-Me Health Babies programs.

Can a sanction be lifted (removed)?

Yes, a custodial parent/caretaker may get the sanction lifted so their Medicaid benefits are restored. To do this, they must cooperate with the Child Support program. The Child Support program will decide if the custodial parent/caretaker has cooperated and will send a request to IM to lift the sanction. IM is required to lift the sanction within 10 days of the Child Support program's request. A custodial parent/caretaker may call the Child Support program at 800-859-7999 to start the process.

Learn more about Medicaid annual renewals

To learn more about annual renewals, visit: https://mydss.mo.gov/renew

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