

HCS HB 95 -- REIMBURSEMENT OF INSURANCE COSTS

SPONSOR: Miller

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Civil and Criminal Proceedings by a vote of 12 to 0. Voted "Do Pass with HCS" by a vote of 9 to 0.

This bill allows an insurance policyholder to petition the court for reimbursement of insurance costs as they occur during the pendency of a dissolution of marriage or legal separation. The bill also allows either party to a divorce to request the court issue an order after a notice and hearing which reallocates or reapportions any or all insurance costs incurred during the divorce proceedings.

PROPOSERS: Supporters say that when one spouse is paying health insurance premiums for the other spouse during the pendency of a divorce, the paying spouse should be able to request reimbursement for those premiums as they occur so that the paying spouse does not have to wait until the conclusion of the proceeding to get that reimbursement. Some courts are already entering orders for the reimbursement during the course of the dissolution proceedings but some courts are not, because some courts are not understanding that the law already allows this to occur. The bill clarifies existing law to make clear that reimbursement can be sought and ordered during the pendency of the action.

Testifying for the bill was Representative Miller.

OPPOSERS: There was no opposition voiced to the committee.