

VT Office of Child Support

Working together in partnership
with Employers to benefit
children and families



Medical Support

Many child support orders issued by the court include a provision for health insurance coverage for minor children. When health care coverage is required, the appropriate child support agency will send out a National Medical Support Notice (NMSN). It is designed to simplify the work required of employers and health plan administrators by providing uniform documents requesting health care coverage.



To ensure medical support obligations are met, state child support agencies have the authority to obtain information about the availability of dependent health insurance coverage and other employment benefits from both public and private employers.

Legal Requirements

If you offer dependent health insurance coverage, you are required to enroll your employees' children into these plans when notified an employee is court ordered to provide health insurance. This process usually begins when either a parent applies for the coverage, or you receive a NMSN from us or another state child support agency. The notice may be delivered to you by first class or certified mail, fax, email, or by your employee.

Upon receipt of a medical support notice, Vermont law requires you to:

- Determine if the cost for dependent coverage is available at a reasonable cost: cost of adding child(ren) is 5% or less of the employee's gross income.
- Enroll any child who is otherwise eligible, regardless of any enrollment season restrictions.
- Keep enrollment for any child unless either the court order ends, the child is enrolled in comparable coverage, or you have eliminated dependent health coverage for all your employees.
- Withhold from the employee's wages their share of premiums for health insurance coverage.

National Medical Support Notice (NMSN)

The NMSN has two parts, A and B:

Part A of the NMSN: Complete if one of the following is true:

- The employer does not offer dependent care coverage
- The employee is not eligible for health insurance
- The employee is no longer employed by the employer
- There is not enough disposable income to cover the health care premiums, or the cost is determined to be not reasonable

If Part A is completed, return it to OCS. Otherwise, complete Part B.

Part B of the NMSN: If the employee is eligible for health insurance, send Part B to the Health Plan Administrator who must:

- Complete Part B
- Return it to OCS
- If there is more than one option available, have the employee select the plan and enroll children in that plan
- Notify you of the correct amount to withhold for the health insurance premiums

Children must be enrolled within 10 days of receiving notice of the health insurance requirement if the cost is reasonable.

Frequently Asked Questions

How do I know if the cost for coverage is reasonable?

The court order requires health insurance be provided if available at a reasonable cost. Vermont law defines reasonable cost as "...the amount payable for the individual's contribution to the insurance or health benefit plan premium is five percent or less of the parent's gross income".

How soon must I enroll children in the health insurance plan?

If coverage is deemed reasonable, you must forward Part B of the NMSN to the Health Plan Administrator within 10 days of receiving notice to enroll children. If delayed, Vermont law states that you may be held liable for a child's medical expenses that would have been covered had a notice been sent to an insurer within the timeframes outlined by law.

Does releasing health care information violate HIPAA?

The Health Insurance Portability and Accountability Act Privacy Rule (45 CFR 164.512(f)) permits a health plan to release information to a child support agency executing a NMSN, which constitutes a written administrative request.

Does the NMSN apply to employment unions who provide coverage to members?

Yes. If you receive a NMSN for an employee who is a union member, forward it to the union for enrollment.

What should I do if an employee is no longer eligible for employer-sponsored health insurance?

If the employee had coverage for the children and is no longer eligible (i.e., the employee was terminated or is now part-time), the employee and children may be eligible for COBRA coverage. If no other coverage is available and the employee and his or her dependents are no longer eligible for coverage, you should complete Part A of the NMSN and return it to OCS.

What if an employee no longer makes enough money to continue employer-sponsored health insurance coverage?

If you cannot withhold the health insurance premiums from an employee's pay, it is the employee's responsibility to pay the premiums. If the employee cannot pay the premiums, he or she should contact OCS to seek modification of the court order.

If the employee gets workers' compensation, unemployment compensation, or is otherwise temporarily unemployed, what should I do?

If the employee is not receiving wages from you, indicate this on Part A of the NMSN by checking Item #8 in Section 2 and attaching additional information related to the employee's status. Include information regarding where wages are being issued, agency contact information and claim numbers. If withholding under a NMSN is already in place, you should notify us if his or her status results in a lapse of coverage.

What if an employee reports the children are enrolled in the custodial parent's health insurance plan?

You are required by law to provide health insurance coverage for the employee's dependents, regardless of other coverage being provided. This includes coverage through Medicaid or other state-sponsored insurance programs. Employees may contact us with their concerns.

What if the children do not live in the insurer's service area?

Your responsibility under the NMSN is the same regardless of where the children live. Employees may contact us regarding this requirement if they have questions.

Are medical support premium deductions subject to the Consumer Credit Protection Act limits?

If the employee voluntarily provides coverage, these limits do not apply. If you receive a NMSN to provide coverage, the NMSN is similar to wage withholding and therefore subject to these limits.

We are here to help!

Contact our Customer Contact Center with any questions by emailing us at OCSCSU@vermont.gov or by calling us at (800) 786-3214

<https://dcf.vermont.gov/ocs>

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