

## 2005 ASSEMBLY BILL 526

June 28, 2005 – Introduced by Representatives OWENS, AINSWORTH, ALBERS, BALLWEG, GRONEMUS, HAHN, HINES, KERKMAN, KRAWCZYK, LEHMAN, LOTHIAN, MUSSER, PRIDEMORE, TOWNSEND, VAN ROY and VOS, cosponsored by Senators ROESSLER and DARLING. Referred to Committee on Family Law.

1     **AN ACT to create** 767.23 (1n) (b) 3. and 767.25 (4m) (bm) of the statutes; **relating**  
2             **to:** requiring a child's parent to provide a health insurance identification card  
3             to the child's other parent.

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### *Analysis by the Legislative Reference Bureau*

Under current law, when a court orders child support in an action affecting the family, such as a divorce, legal separation, or paternity action, the court is supposed to assign responsibility for, and direct the manner of payment of, the child's health care expenses. The court may require a parent to initiate or continue health insurance coverage for the child.

This bill provides that, in an action affecting the family, if a parent is required to provide health insurance coverage for a child, the court must order that parent to provide to the other parent a health insurance identification card for the child. If the parent who is ordered to provide a card fails to do so, the other parent may attempt to obtain a card for the child by presenting the order to the health insurance provider or to the employer providing the health insurance. If that parent is unable to obtain a card in that manner, however, the intentional failure by the parent ordered to provide a health insurance identification card to provide a card as ordered constitutes contempt of court.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**ASSEMBLY BILL 526****SECTION 1**

1           **SECTION 1.** 767.23 (1n) (b) 3. of the statutes is created to read:

2           767.23 **(1n)** (b) 3. If the court or circuit court commissioner requires one party  
3 to cover the child under a health insurance policy or plan under sub. (1) (k), the court  
4 or circuit court commissioner shall order the party to provide to the other party a  
5 health insurance identification card for the child. Section 767.25 (4m) (bm) 2. and  
6 3. applies to a failure to comply with a temporary order under this subdivision.

7           **SECTION 2.** 767.25 (4m) (bm) of the statutes is created to read:

8           767.25 **(4m)** (bm) 1. The court shall order a parent who is required to provide  
9 health insurance coverage for a child under this subsection to provide to the other  
10 parent a health insurance identification card evidencing the child's health insurance  
11 coverage.

12           2. If the parent ordered to provide a health insurance identification card for the  
13 child fails to do so, the other parent may attempt to obtain a card for the child by  
14 presenting to the health insurance provider or to the employer through which the  
15 insurance is provided a copy of the order requiring the provision of a card.

16           3. If the other parent is unable to obtain a health insurance identification card  
17 for the child in the manner provided in subd. 2., the intentional failure to comply with  
18 the order to provide the card by the parent so ordered constitutes a contempt of court,  
19 punishable under ch. 785.

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**(END)**