

Quick Tips for the Dental Office



Title 23

Title 23 under the Pennsylvania Domestic Relations Code (23 P.A. C.S.A. Section 4326), helps custodial parents and health care providers to receive payment from insurers in instances where payment is not forthcoming from non-custodial parents.

In instances where there are court issued child support orders, Title 23 allows custodial parents the ability to submit claims for payment from the non-custodial parent's insurance, or authorize payment to a health care provider. Insurance companies are required to reimburse custodial parents or providers directly, even if the dentist does not participate with an insurance network.

Title 23 prevents non-custodial parents from pocketing money intended to pay for health care services.

Divorce and separation can be a difficult time in a child's life. It is important that children continue to receive treatment, even if there is disagreement between the parents as to who is providing the insurance benefits.

What Do My Patients Need to Do?

Custodial parents will need to obtain a court order that addresses health care coverage. Any court order should include the following:

- Name and last known mailing address of the parent providing the health care coverage
- Name of the child and last known mailing address
- Reasonable description of the type of coverage provided and the manner in which coverage is determined
- Designated time period in which the order applies
- Designated plan to which the order applies, if the coverage is provided through a group health plan
- A requirement that the order will automatically apply to a new employer if the non-custodial parent changes jobs
- The name and address of the custodial parent

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Talk with the Provider

Inform the dentist as to how the child will continue receiving health benefits. Provide the dentist with a copy of the court order to keep on file. Discuss payment options during each visit so that there is agreement on whether the custodial parent or the dentist will receive payment directly from the non-custodial parent's insurance. Providers may ask both the custodial and the non-custodial parent to sign financial responsibility forms.

Notify the Insurance Company

Custodial parents should work with the dentist when submitting claims to the insurance company. Provide the insurer with a copy of the court order and send a simply consent form to speed up the process of obtaining payment.

A sample form should include the following information:

(Name of custodial parent) is the designated custodial parent for the purpose of this order and shall be provided with information as may be necessary to obtain benefits, including copies of benefit booklets, insurance contracts and claim information. *(Name of custodial parent)* shall submit claims for covered services and direct the payment of these services to be sent to *(Name and address of dentist)* without the approval of *(Name of non-custodial parent)*.

What Should Patients do if Benefits are Denied?

First, attempt to discuss with the non-custodial parent their legal obligation to give payment for health care services to the appropriate individual(s). If that is not effective, contact your attorney or county legal aid service. If the custodial parent or the provider continually experiences difficulty obtaining payment from the non-custodial parent's insurer, consult with an attorney about Title 23 under the Pennsylvania Domestic Relations Code.

The purpose of this document is informational in nature and should not be construed as offering legal advice. For legal advice, please consult with your attorney or a local legal aid service.