

There are two sides to every family law story...



Health Insurance

Brad and Genna have been divorced for two years. According to the decree Brad was to provide health insurance for the children. Brad is changing jobs and he won't be eligible for coverage for 90 days.

Now what?

Andi's advice to Dad:

Brad needs to explain the situation as soon as possible to Genna so they have time to explore their insurance options. Brad should discuss with Genna the possibility of her putting the children on her insurance, at least until his new coverage is available. If Genna cannot add the children to her policy, he will need to elect COBRA coverage to make sure he is in compliance with the court's prior orders.



Andi Lawrence



Andi Mengedoth

Andi's advice to Mom:

If coverage is available to Genna for the children, she should add them, however she will want to discuss with Brad the difference in price between COBRA and adding the children to Genna's policy (and the difference in coverage). Because Brad is ordered to pay for the insurance, if the parties agree to add the children to Genna's policy, Brad should reimburse her for that expense.

Here's what...

By statute, the court is required to allocate responsibility for the providing of insurance for the children. A high premium is placed on making sure they are covered. If Brad and Genna can't come to some temporary agreement on this issue, and assuming Genna's insurance is less costly and has equivalent coverage to COBRA, the court will order Genna to put the children on her plan. Barring a substantial and continuing change in the financial circumstances of the parties, however, (we don't know how this new job may affect Brad's income), Brad will still bear the primary responsibility for the increased premiums Genna may be required to pay.

Andi and Andi always support resolution of family issues through open dialogue and amicable settlement.

If you have a family law question that you would like answered, email us at AndivsAndi@HallierLaw.com.



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