

## **INSTRUCTIONS FOR GETTING PAYMENT FROM THE OTHER PARENT FOR CHILDREN'S HEALTH CARE EXPENSES**

If you have paid for a child's health care expenses and the other parent has not paid their share, these instructions explain what to do.

### **Step 1. Find Your Child Support Order.**

Read the section of your child support order that explains how the parents must divide the cost of the children's health care expenses that are not paid by insurance. In current Alaska orders (form [DR-300](#)), this is section 9, "Uncovered Health Care Expenses."

This section will tell you what percent or amount each parent must pay if insurance does not pay a child's health care bill. You need to know this in order to tell the other parent how much they owe you. See step 2 below.

If your child support order does **not** include information about what percent or amount of uncovered health expenses each parent owes, you need to ask the court for an order. You can use the motion form in this packet (form [DR-352](#)) described in Step 4.a below. When you fill out the motion form, check the second main box in section 2.

### **Step 2. Tell the Other Parent What Is Owed.**

Within a reasonable time after you receive or pay the bill, you must tell the other parent about the expense. Send a written message to the other parent and explain what the expense was for and how much they owe you. Attach the following documents (if you have them) to your message:

- a. The bill from the doctor or other service provider.
- b. Proof of any amount you paid (such as a copy of your canceled check or a credit card receipt).
- c. If the bill is partly covered by insurance, an insurance statement showing the amount the insurance company paid and the amount still owed to the service provider. This statement is usually called an "Explanation of Benefits" (EOB).

If you did not receive an EOB from the insurance company because the other parent owns the policy, ask the other parent for a copy of the EOB.

Keep a copy of the message you sent to the other parent and all attachments.

### **Step 3. Wait 30 Days.**

The other parent is usually required to pay you the amount owed within 30 days after receiving the message and documents described in Step 2. If the other parent disagrees about the amount owed, they should respond to you to explain the disagreement.

#### **Step 4. If No Payment, Fill Out Forms.**

If the other parent does not pay their share within 30 days after receiving your message, you may ask the court to order the parent to make the payment. You can wait until you have several unpaid bills before filing, but file within a reasonable time. Fill out the forms listed below and attach the required documents.

Fill in the top of the first page of each form with the same court location, case number, and parties' names as is on your child support order. You can fill them out online or ask for a blank paper copy from the court clerk or Family Law Self-Help Center (see last page of these instructions for contact information for the FLSHC).

- a. *Motion & Affidavit Requesting Payment for Children's Health Care Expenses* (form [DR-352](#))

This motion asks a judge to order the other parent to pay the amount you believe you are owed. You must attach several documents to the motion. Check the box in section 7 next to each item you attach.

Sign the motion in front of a notary public. A court clerk can provide this notary service for you for free when you bring the documents to court. Bring a photo ID for the notary or clerk. If you do not have access to a notary or court clerk, fill out *Self-Certification* (form [TF-835](#)) and attach it to your motion.

Fill out the certificate of service on page 3 of the form. This is required by law and tells the court when and by what method you gave a copy of your motion and attachments to the other parent. See Step 5 on the next page about giving copies to the other parent.

- b. *Statement of Health Care Expenses* (form [DR-353](#)). See the instructions on the form, including the list of documents you must attach.

If the service was partially covered by insurance, one of the documents you must attach is a copy of each Explanation of Benefits (EOB) statement from the insurance company. If you are the owner of the policy and you didn't get an EOB, contact your insurance company for a copy. If you did not get an EOB from the insurance company because the other parent owns the policy, ask the other parent for a copy. If you are not able to attach a copy of the EOB, or there is no EOB, explain why in the space for this in paragraph 7 of the DR-352 motion form.

- c. *Notice of Motion Requesting Payment for Children's Health Care Expenses* (form [DR-354](#))

d. *Order for Reimbursement of Health Care Expenses* (form [DR-355](#))

Prepare this proposed order for the judge's signature. In the first paragraph, fill in the date you plan to file your motion with the court.

In section 1, fill in the other parent's name, your name, and the amount you believe you are owed (the total amount in column "h" on the *Statement of Health Care Expenses*). **Do not** fill in the last line (the deadline for making the payment).

Section 3 allows the court to order the parent who has the insurance policy to sign a release form allowing the insurance company to give copies of EOBs (Explanations of Benefits) concerning the children to the other parent. If you want this, fill in the name of the parent who has the insurance on the first line and the name of the other parent on the second blank line.

**Step 5. Give Copy of Motion and Other Documents to Other Parent.**

Mail or hand-deliver the following documents to the other parent:

- a. A copy of each of the documents listed in Step 4 (the motion with its attachments, the statement of expenses with all its attachments, the notice of motion, and the proposed order). Put the notice (form DR-354) on top.
- b. A blank *Response Packet* ([DR-356](#)).

You can email the other parent these documents and forms (instead of using regular mail), but only if the other parent agreed to email service during the original case.

**Step 6. Give Copy of Motion and Other Documents to Other Parent's Attorney – If Previously Represented.**

If the other parent was represented by an attorney within the last year, also send to that attorney a copy of everything listed in Step 5 **except** the response packet. You can find the attorney's name, address, and email in the court case file.

**Step 7. Keep a Copy.**

Keep a copy of all documents and attachments for yourself.

**Step 8. File Motion with the Court.**

Mail or hand-deliver **the originals** of all the documents to the same court that entered your child support order. See [ak-courts.info/dir](http://ak-courts.info/dir) for a list of court mailing addresses.

Or, you can file your documents electronically using the court's efilings system called TrueFiling ([ak-courts.info/truefile](http://ak-courts.info/truefile)). You can complete service on the other parent within the TrueFiling program.

## **RESPONSE**

The other parent has the right to file a response to the motion. The time limit for filing a response depends on how you deliver the motion to the other parent.

- a. If delivered in person, by email, or by fax: 10 days from the date of service (counting weekends and holidays)
- b. If delivered by first-class mail: 13 days from the date of mailing (counting weekends and holidays)

The other parent must send you a copy of any response they send to the court.

## **REPLY**

If you receive a response, you can file a "reply." The time limit for filing a reply depends on how the response was served on you.

- a. If delivered in person, by email, or by fax: 5 days from the date of delivery (**not** counting weekends or holidays)
- b. If delivered by first-class mail: 8 days from the date it was postmarked (**not** counting weekends or holidays)

You can use the reply form ([DR-359](#)) provided in the DR-350 packet. It must be signed in front of a notary or court clerk, or if you don't have access to a notary, you can attach form TF-835. See Step 4.a for more information on notarization.

File the original of your reply with the court, including the completed certificate of service at the bottom. Or, if you file it in TrueFiling, make sure to complete service on the other parent through that program.

Send a copy of your reply to the same people you sent your motion to. Keep a copy for yourself.

## **HEARING**

The judge may order a hearing to decide any disagreements about the evidence in your case. You will be notified by the court if a hearing is scheduled. If you are not able to attend the hearing in person, you can ask to attend by telephone or Zoom (use form [TF-710](#)). If you are not going to be at the hearing in person, make sure that you submit any documents or other evidence you want the judge to see at least three business days ahead of the hearing, if the documents were not already attached to your motion.

At the hearing, you must prove why the judge should grant your motion. You must present evidence, which may include documents, your own testimony, or other witnesses' testimony. The other parent may present evidence in opposition.

## **JUDGE'S ORDER**

If the judge signs an order requiring the other parent to pay you money, the court will send a copy of the order to both you and the other parent.

## IF THE OTHER PARENT DOES NOT OBEY THE ORDER TO PAY

If the other parent does not pay the amount ordered by the deadline in the court order, you can either:

1. Ask the Child Support Enforcement Division (CSED) to collect the amount due for you. CSED is **not** part of the court system. Contact CSED:

By Mail: 550 West 7<sup>th</sup> Ave., Suite 310, Anchorage AK 99501

By Phone: (907) 269-6900 (in Anchorage) or (800) 478-3300 (toll free in Alaska).  
For TTY help, call (907) 269-6894 or (800) 370-6894 (toll free in Alaska).

By Email: [dor.csed.customerservice.anchorage@alaska.gov](mailto:dor.csed.customerservice.anchorage@alaska.gov)

By Fax: (907) 787-3220

Website: <http://childsupport.alaska.gov>

You can open a case and request services in an existing case through the web portal.

## OR

2. File a motion asking the court for a judgment against the other parent. If the court grants your request and signs a judgment, you can get a *Writ of Execution* from the court and use that writ to seize the other parent's assets to collect the debt.

After you get your judgment, you can go to the court clerk's office and request a *Writ of Execution* to help you collect the money. In order to decide which type of writ you need, the court will ask you what you plan to seize from the debtor (the other parent). For example, do you want to seize their Alaska Permanent Fund Dividend or bank account or wages? For an explanation of this and what you will need to do next, see the [CIV-550 Judgment Creditor Booklet](#), available at the court and on the court system's website.

## Need More Help?

Contact the court system's Family Law Self-Help Center at (907) 264-0851 (in Anchorage) or (866) 279-0851 (toll free in Alaska). Or visit the [Family Law Self-Help Center Website](#) ([ak-courts.info/family](http://ak-courts.info/family)) or scan the QR code below.

