

REQUEST FOR UNREIMBURSED MEDICAL EXPENSES

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In Pennsylvania, all orders for child support, spousal support and alimony pendente lite include a provision for unreimbursed medical expenses. This is pursuant to Pennsylvania Rule of Civil Procedure §1910.16-6(c) which states that unreimbursed medical expenses (i.e., those not covered by insurance) of the spouse and/or children receiving support shall be allocated between the parties in proportion to their respective net incomes. Also, under 1910.16-6(c)(1) the first \$250 of unreimbursed medical expenses per person per year is paid by the person receiving support. Once that \$250 threshold has been met, then the allocation by percentage is applied to any further unreimbursed medical expenses thereafter during that calendar year.

Unreimbursed medical expenses are defined as insurance co-payments and deductibles, all expenses incurred for reasonably necessary medical services and supplies, which may include medical, dental, optical and orthodontia. They do NOT typically include chiropractic, cosmetic, psychiatric, psychological or other services UNLESS specifically directed in the order for support. In further subsections of this Rule, there are some limitations to the total allocated to the person paying support if that total is excessive. Also, the first \$250 out-of-pocket will be pro-rated in the year that the support order is initially entered.

In 2006, Pa. R.C.P. §1910-16.6(c)(3) was amended, imposing a filing deadline of March 31 of the year following the calendar year in which the final bill was received by the person seeking reimbursement. This was done to help expedite the requests for reimbursement in a timely matter, so that the party seeking the reimbursement could not unreasonably file for such reimbursement years after the expense was incurred. In the York County Court of Common Pleas, Domestic Relations Section, this new amendment to the rule has been followed since it was adopted.

Forms and directions to file for reimbursement are available on the York County Domestic Relations website at http://www.york-county.org/departments/courts/dom_rel.htm. If your support case is through the Dauphin County Domestic Relations Section, their forms are also available online at <http://www.dauphincounty.org/court-departments/offices-departments/domestic-relations/online-forms>. Other counties may have similar forms available on their website, or you can contact your county's Domestic Relations office for assistance. There are requirements of serving the other party with the medical reimbursement packet, so be sure to follow all procedures as outlined.

If you have a Support Order through the York County Domestic Relations section, or in another county, you are strongly urged to file for any reimbursement of medical expenses by the deadline of March 31, in order for your request to be reviewed and processed timely under the Rules.