

Blog

Handling Unreimbursed Medical Expenses

June 17th, 2016

by Williams Family Law, P.C.

Many a client has come into our office wondering what types of expenses (either for their child or for themselves) will be shared between themselves and the person from whom they are seeking financial support. In addition to the specific types of expenses, clients often ask what percentage of those expenses will be their responsibility.

In Pennsylvania, when a parent or spouse files for support, the courts base the amount of support due upon both parties' net monthly income. Income includes but is not limited to: wages, salaries, bonuses, fees and commissions; net income from business or dealings in property; interest, rents, royalties, and dividends; pensions and all forms of retirement; income from interest in an estate or trust; Social Security disability benefits, Social Security retirement benefits, temporary and permanent disability benefits, workers' compensation, and unemployment compensation. The court deducts only the following from monthly gross income to arrive at net income: federal, state and local income taxes; unemployment compensation taxes and Local Services Taxes; F.I.C.A. payments and non-voluntary retirement payments; mandatory union dues; and alimony paid to the other party.



Once the court determines the parties' combined net income, it uses a formula, or guidelines that are set out by the Pennsylvania Supreme Court, to determine support, or in other words, the amount of money due from one party to another party.

After the court has determined the amount of support due, it may then deviate from the guidelines based on a list of factors. These factors include medical expenses not covered by insurance. The court recognizes that not all medical expenses are covered by insurance and that, when they are necessary, they should be shared between the parties. These unreimbursed medical expenses are considered "additional expenses" that may be allocated between the parties in proportion to their respective incomes. Some additional expenses include: child care expenses, health insurance premiums, private school tuition, summer camps and mortgage payments. Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including but not limited to surgical, dental and optical services and orthodontia. Medical expenses do not include cosmetic, chiropractic, psychiatric, psychological or other services unless specifically directed in the order of court.

When a court orders that one party pays a larger portion of unreimbursed medical expenses, the party by whom support is received is expected to pay the initial \$250 of those expenses. Beyond the initial \$250, the parties each are responsible for a percentage of the unreimbursed medical expenses in proportion to their respective incomes. To receive reimbursement, the party by whom support is received must submit documentation of unreimbursed medical expenses to the other party, no later than March 31 of the year following the year in which the expenses were incurred. If reimbursement is not received, the county's Domestic Relations office is charged with the ability to enforce payment of the unreimbursed medical expenses.

At Williams Family Law, P.C., we can help you understand the different types of support to which you may be entitled for yourself or your child. Call 215-340-2207 to schedule a consultation and we can assist you with issues related to domestic relations including child support, spousal support and alimony.