

DF-24-18010

NO. _____

IN THE MATTER OF	§	IN THE DISTRICT COURT
THE MARRIAGE OF	§	
	§	
GWENDOLYN ULIJASZ-MCKEMIE	§	<u>254th</u> JUDICIAL DISTRICT
&	§	
JASON MCKEMIE	§	DALLAS COUNTY, TEXAS

**[PROPOSED] ORDER TO PREVENT ANY FURTHER OBSTRUCTION
AND TO COMPEL ACCESS TO HSA CARD / FUNDS**

**[PROPOSED] ORDER TO COMPEL HSA ACCESS AND SANCTION
NONCOMPLIANCE**

On this day, the Court considered Petitioner Jason McKemie's motion to compel access to the parties' Health Savings Account (HSA) and to enforce sanctions for ongoing obstruction.

After reviewing the motion, evidence, and standing orders of this Court, the Court finds that Respondent has repeatedly interfered with Petitioner's access to shared medical funds, in direct violation of the Court's orders and in disregard of Petitioner's urgent medical needs.

IT IS THEREFORE ORDERED that:

- 1. Respondent shall provide Petitioner with full HSA access credentials** — including the account number, login credentials, and virtual or physical card number — within **24 hours** of the signing of this Order.
- 2. If Petitioner has not received working HSA card access by 5:00 p.m. CST the day after this Order is signed, then:**
 - Petitioner is awarded an **upfront sanction of \$10,000**, and
 - Respondent shall incur **\$1,000 per day in additional sanctions** until full credentials are delivered and functional.
- 3. Respondent shall immediately order a new physical HSA card for Petitioner.** If this card is not in Petitioner's possession **within 21 calendar days** of the date of this Order:
 - Petitioner is awarded an **additional sanction of \$10,000**, and

- Respondent shall incur **\$1,000 per day** until the card is delivered.
4. **If Petitioner is unable to utilize the HSA card for any reason**, including lack of funds, a disabled card, or technical interference:
- Respondent shall be deemed in violation of standing orders, and
 - Petitioner may file for additional sanctions, including enforcement of the full HSA value in cash.
5. Respondent is ordered to:
- a. Provide a **functioning card or virtual payment method**;
 - b. Not interfere with the use of HSA funds for **any qualified medical expense**;
 - c. Ensure the card is **active, funded, and usable** at the time of any medical service;
 - d. Ensure the **entire HSA allocation for the plan year is available to Petitioner**, with any year-end balance settled via a **true-up cash payment** if card access is obstructed.
6. Respondent shall provide all HSA account login credentials necessary for Petitioner to monitor account activity, track balances, and request reimbursements.
7. **If Respondent fails to comply with any of the above requirements**, Petitioner is authorized to file a Motion for Contempt. The Court may issue:
- a. Monetary sanctions of **\$1,000 per day of noncompliance**;
 - b. Referral for violation of the Court's standing orders;
 - c. Any further relief the Court deems appropriate.
8. This relief is granted independently of any future determinations regarding spousal support, reimbursement, or division of community property.

SIGNED this ____ day of _____, 2025.

PRESIDING JUDGE