

Administrative Rule 102 – Eligible Children

BOARD OF PENSIONS ADMINISTRATIVE RULE

Section Rule Number:	1 (Eligibility) 102	Subject:	Eligible Children
Reference:		Resource:	Healthcare
Article II, Section 2.1 (h) Article II, Section 2.1(s) Article II, Section 2.1 (aa)		Original Date:	1/93
Article XIII, Section 13.2 Administrative Rule 601, #23		Revision Dates:	1/95, 1/97, 4/97, 3/98, 4/00, 5/00, 3/01, 8/02 1/03, 2/05, 3/07, 4/08, 1/11

The following Administrative Rule relates to coverage under Article XIII (Medical Provisions).

Effective January 1, 2011, Section 2.1 was amended to change the definition of CHILDREN (or CHILD) *for Medical Plan purposes only* to remove the support requirement except for an adult with total disability.

Additionally, Section 3.2 (c) was amended to expand the eligibility for Medical Coverage under the Traditional Coverage for children until attainment of age 26 unless they are eligible for employer coverage except in the case of extended coverage for an adult child with total disability.

A Permanently Disabled Dependent Child shall continue to be covered beyond the attainment of age twenty-six (26). The Child's status as Permanently Disabled is determined by the Benefits Team and its external medical advisors.

Eligibility If Permanently Disabled

To determine if a dependent child's status will qualify as permanently disabled under the provisions of the Benefits Plan, the Board requires the following completed forms from the member and from the dependent's physician:

- Evidence of Dependent Disability and Support (to be completed by the member)
- Attending Physician's Statement of Disability (to be completed by provider)

Administrative Rule 102 – Eligible Children

- Authorization to Release Medical Plan Information Form (completed by dependent or legal guardian), HPA-001
- Authorization for Use or Disclosure of Protected Health Information Form (completed by dependent or legal guardian), HPA-002

The documentation will be referred for review and disability status determination by the appropriate medical advisor.

If found to be permanently disabled, a dependent's eligibility can continue beyond attainment of age twenty-six, as long as:

- The dependent remains disabled
- The dependent remains unmarried
- The member continues to provide at least 50% financial support and
- Application is made 90 days prior to the dependent's attainment of the appropriate maximum age for eligibility.

After a dependent has been declared permanently disabled, the Board will verify on an annual basis that the financial support requirement continues to be met and may require periodic documentation of continued disability.

The adult dependent is no longer eligible if he/she is no longer living in the Member's home AND any one of the following is true: he/she is in a Government paid residential program; he/she is eligible for a government sponsored health plan; the Member provides less than 50% of their support, as demonstrated on an annual tax return.

Eligibility If Currently Disabled

If a dependent child covered by the Medical Plan reaches age twenty-six (26), the child may be eligible for coverage for some period of time as a disabled dependent if he or she is totally disabled at that time by what may or may not become a permanently disabling condition. The same documentation requirements and medical review processes apply. The decision to grant a period of coverage is made at the discretion of the senior officer, Benefits, based on the facts and circumstances in each case.

Death Benefits and Survivor's Pension

A disabled child must be covered as a dependent on the Board's records on the date of the member's death in order to be considered a Class II survivor eligible to receive death benefits or a survivor's pension.

If the disabled adult child is not covered as a dependent on the Board's records on the date of the member's death, to receive benefits, the child, or his or her guardian, must establish to the Board's satisfaction that the child was dependent (receiving at least 50% of his/her support) during the

Administrative Rule 102 – Eligible Children

twelve (12) months immediately preceding and on the date of the member's death. The vice president, Retirement Benefits, shall make the final determination of dependency in such cases.