

## Dependent Eligibility Requirements

### 1. Definitions

#### a. The term “Dependent” means an employee’s

##### 1) Spouse.

A legally separated spouse may be a covered dependent.

A divorced spouse is not an eligible dependent.

##### 2) A child under 26 years of age.

a. The term “child” includes natural children, legally adopted children, stepchildren, children of domestic partners, and children in a waiting period prior to finalization of adoption.

b. “Other” children who reside permanently in the employee’s household and who are chiefly dependent on the employee and for whom such support and residence began before age 19 may also be covered. Coverage will begin once enrollee has completed a Statement of Dependence Form (PS-457) for “other” children and the HBA has approved the application. The enrollee must re-certify “other” children every two years.

##### 3) A child 26 years of age or older who is incapable of self-support by reason of mental or physical disability and who became so incapable prior to their loss of eligibility under the Program. (See Section 2.3)

##### 4) An unmarried child 26 to 30 years of age who has creditable military service, is not eligible for other group employer coverage and is a full-time student at an accredited secondary or preparatory school. Time spent in the military, not to exceed four years, shall be subtracted from the age of such child for purposes of determining the maximum age for student dependent eligibility.

a. In the event a child has had eligibility extended by virtue of military service, the child’s last day of coverage will be the last day of such extension, unless eligibility ceases at an earlier date for any other reason.

b. In the event a student **enrolls** in school and does not enter or return to school, coverage under the parent’s policy will terminate on the last day of the month in which the enrollee notifies the Health Benefits Administrator that the child will not be continuing as a full-time student.

- c. Students who enroll for the fall but do not attend must provide proof of enrollment in the previous spring semester, such as a grade transcript or tuition receipt. If proof is not provided, coverage as a dependent student under the parent's policy will terminate on the last day of the month in which the child was a full-time student. If a dependent child who was a full-time student in the spring semester does not enroll as a full-time student for the fall, coverage under the parent's policy will end on the last day of the month in which the student was a full-time student attending classes.
  - d. In the event a student withdraws from school for reasons other than a medical leave of absence, the last day of coverage will be the last day of the month in which the withdrawal takes place.
  - e. In the event the child marries, the last day of coverage will be the last day of the month in which the marriage takes place.
  - f. In the event the student child becomes eligible for group health insurance coverage with an employer, NYSHIP coverage ceases on the last day of the month prior to the month in which eligibility begins for the equivalent group health insurance coverage, or, if the enrollee requests, the end of the month in which eligibility for equivalent group health insurance coverage begins.
- 5) Domestic Partner Coverage is optional for Participating Agencies (See Section 2.5)
- b. Enrollees requesting family coverage must produce proof of the relationship of the dependents for whom coverage is being requested:
- 1) For spouses: Copies of: birth certificate, marriage certificate, social security number, proof of joint ownership/joint financial obligation if the marriage took place more than a year prior to the request to add the spouse to coverage.
  - 2) For domestic partners: Completed *Application for Domestic Partner Benefits* (PS-427.1) and *Dependent Tax Affidavit for Domestic Partners* (PS-427.3) and the applicable proofs as outlined in *Instructions for Enrolling Domestic Partners* (PS-427), and birth certificate and social security number.
  - 3) For natural children: child's birth certificate and social security number.
  - 4) For adopted children: adoption papers, child's birth certificate, social security number.
  - 5) For a child who is a full-time student with military service 26 to 30 years of age: Enrollees must provide written documentation from the U.S. Military (the DD-214 Release or Discharge from Active Duty form)

showing the dates of service and proof of full-time student status at an accredited secondary or preparatory school, college or other educational institution for each semester enrolled.

- 6) For “other children”: Completed PS-457, copies of birth certificate and social security card, and documentation of support and residence as outlined in Policy Memo 88.
2. The employee must complete a Statement of Dependence Form (PS-457), if they are applying for coverage on behalf of a dependent who is other than the employee’s spouse or own child, adopted child, or dependent stepchild. e.g. a grandchild
    - a. The employee must return the completed form to the agency Health Benefits Administrator. The Health Benefits Administrator will review the form and approve or disapprove the dependent based on the “other children” eligibility criteria. Particular attention should be paid to the following:
      - 1) If the dependent is 26 years of age or older and disabled, it will be necessary for the employee also to submit a completed Statement of Disability-Dependent 26 Years of Age or Older form (PS-451). In this case, the procedures set forth in Section 2.3 must be completed before final approval can be given.
      - 2) The dependent must reside permanently in the employee’s home. Residence of a temporary nature or limited duration, as in the case of an exchange student, is not sufficient to provide eligibility for coverage.
      - 3) The effective date of coverage of such eligible dependents will be the employee’s effective date of Individual and Dependent (i.e., Family) coverage or date of acquisition of the dependent, whichever is later. Requests for enrollment of “other children” past the date of first eligibility are subject to late enrollment rules.
  3. A spouse or child who is an eligible dependent on the date the employee is first eligible for coverage may be enrolled at the same time the employee enrolls.
  4. An eligible spouse or child acquired by an employee who is enrolled for Individual coverage acquires first eligibility for enrollment on the date they first becomes the dependent of the enrolled employee.
  5. Any eligible dependent acquired by an employee who is already enrolled for Family coverage is covered on the date he or she becomes a dependent under the plan definitions.
    - a. A new dependent child must be added to the enrollee’s record on NYBEAS (for Agencies without access, submit information to the Employee Benefits Division).

- b. A newly acquired spouse must also be added to the enrollee's record on NYBEAS (for Agencies without access, submit information to the Employee Benefits Division).
6. In no event will an individual specified in the following items be a dependent under the New York State Health Insurance Program:
- a. Any person who does not specifically meet one of the criteria outlined above for coverage as a dependent, e.g., parents or grandparents.
  - b. Any person who is in the armed forces of any country including students in an armed forces military academy of any country.