

HUMAN RESOURCES MEMORANDUM 11-011		DATE ISSUED: 5/10/2011
SUBJECT: New Affidavit for Dependent Children, Parent-Child Relationship (DPA 025) Dental and Vision Programs Eligibility Criteria and Annual Certification for Dependents in a Parent-Child Relationship		REFERENCE: None
TO: DGS Managers, Supervisors, Personnel Liaisons and Attendance Clerks		SUPERCEDES: None

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose

Effective immediately, an Affidavit of Eligibility for Dependent Children (CalHR Form 025, version 1/1/11) must be completed and certified at the time of enrollment and annually thereafter to enroll dependent children by affidavit up to age 26. Departments may no longer use form CalHR 025 (12/02 version); it is obsolete and no longer accepted.

New Federal Regulations

As of January 1, 2011, the Patient Protection and Affordable Care Act (Act), as amended by the Health Care and Education Affordability Reconciliation Act of 2010 (Reconciliation Act) extended dependent eligibility for dental and vision benefits to age 26 and limited the criteria employers are allowed to use in determining dependent eligibility.

To conform to Federal law, CalPERS amended California Code of Regulations 599.500(o) in order to differentiate the prior definition of "Economically Dependent Children" and what is now known as "Dependent Children, Parent-Child Relationship". The amendment eliminated the use of economic-dependency as eligibility criteria for children who are not the employee's natural child, stepchild, or adopted child. The employee must demonstrate that he/she has assumed a parental role with respect to the child, and is the primary care parent. This regulatory amendment requires that an Affidavit of Eligibility for Dependent Children (CalHR form 025, version 1/1/11) must be completed, and certified at the time of enrollment. Additionally, the amendment to 599.500(o) requires annual recertification of children enrolled by affidavit and hold that foster children are not eligible for enrollment.

Who is Eligible

An employee or annuitant may enroll a child, up to the age of 26, (other than an adopted, step or recognized natural child) if the employee or annuitant:

- Has assumed a parental role, and
- Is considered the primary care "parent"

Who is not Eligible

An employee or annuitant cannot enroll a child, up to the age of 26 if the child is a:

- Spouse of a recognized natural, adopted, or step-child
- Foster child

Affidavit of Eligibility for Dependent Children (DPA 025)

The employee must complete and submit an *Affidavit of Eligibility For Dependent Children* (CalHR 025) at the time of enrollment for each child and annually thereafter up to age 26. The Personnel Specialist (Health Benefits Officer) can request supporting documentation to assist with the eligibility determination. The Health Benefits Officer may also reject the affidavit and enrollment request based on an incomplete affidavit or information submitted by the employee for the purposes of enrolling the dependent(s) cannot be reasonably verified. Employees will be given reasonable time to correct any deficiencies in the materials required and/or requested by the personnel office to verify the parent-child relationship.

The [Affidavit of Eligibility For Dependent Children \(CalHR 025\)](#) is available for use or you may contact your Attendance Clerk or Personnel Specialist for a copy of the form.

Annual Certification

The annual certification will take place during the health and dental benefits open enrollment period. Employee(s) that have dependents enrolled in a dental plan where the employee has assumed a parental role with respect to the child, and is the primary care parent must submit a new Affidavit of Eligibility For Dependent Children (CalHR 025) during the open enrollment period.

Effective Dates

Employees have 60 days from the date the employee assumed a primary parental role to request enrollment. If the request is received within 60 days, the child's enrollment is effective the first of the month following receipt of the paperwork by the personnel office.

An employee who does not request enrollment within 60 days of assuming a parent-child relationship can enroll for loss of other coverage (if applicable) or during any open enrollment period.

Questions

If you have any questions, please contact your Personnel Specialist.

/s/

BETH TOWNSEND, Personnel Officer
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