

Limiting Age for Eligible Children

When do covered children lose eligibility for coverage due to age?

An eligible child may generally maintain coverage until the end of the calendar year in which he or she turns age 26. The following exceptions apply:

Children who are determined to be incapacitated prior to reaching the limiting age may be covered after age 26—see *Eligible Active Employees and Family Members* section for more information.

If the employee is covering an “Other Child” who is under a court order giving sole permanent custody to the employee/retiree and/or the employee’s/retiree’s spouse, coverage may continue until the end of the year in which the “Other Child” turns age 26 if:

- The child is unmarried;
- The child’s principal place of residence is with the employee/retiree;
- The child is a member of the employee’s/retiree’s household;
- The child receives over half of his/her support from the employee/retiree;
- Sole permanent custody of the child is awarded prior to the child’s 18th birthday; and
- The child’s custody is not shared between anyone other than the employee/retiree and legal spouse.

Covered children who turn age 26 during the calendar year will automatically be removed from coverage on December 31 of that year. If the loss of eligibility due to age results in a change in membership level, that change will be made automatically by DHRM.

DHRM provides reports to agencies in their FTP folder of employees/retirees whose BES records indicate that they are covering children who are losing eligibility due to age. The agency sends, based on timing provided by DHRM, a notice to those employees/retirees about the impending loss of eligibility. DHRM supplies the model notice for agency use, including an Extended Coverage/COBRA Election Notice.

What changes are allowed based on a child’s loss of eligibility due to reaching the limiting age?

Loss of eligibility for coverage of a child is a change in status event. Any changes would be governed by the general consistency rule which requires that the election change must be on account of and correspond with a change in status that affects eligibility for coverage under the plan. Applying the consistency rule, the following changes would be allowed:

- The employee may terminate coverage only for the child losing eligibility.

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- The employee may decrease or cease a health FSA election for the child losing eligibility.
- A plan change may be made if it is determined to be consistent with the event. Contact OHB for assistance with determining consistency of a plan change.