

Coverage of Dependents

New federal reforms involving health care were passed on March 23, 2010, through the Affordable Care Act. These reforms greatly changed regulations for coverage of dependents, and many regulations began on Sept. 23, 2010.

Are my children automatically covered under my health plan?

Your children will be covered under your health plan only if your plan provides coverage for dependents. If your plan does, then it must also cover your child with a disability.

Will my child with a disability still be covered under my policy after age 18?

If your plan offers coverage of dependents, federal law (The Affordable Care Act) requires the plan to make coverage available until your child reaches the age of 26. Your child can remain on your insurance plan until age 26 even if he or she does not live with you, is not claimed as a dependent on your tax return, is not a student, or is married. If your plan is job-based and your child can receive insurance coverage through his or her job, however, your plan does not have to provide coverage for your child. (Note: This exception ends Jan. 1, 2014.)

Open enrollment periods vary among insurance companies. If your child is not currently covered under your plan, ask your insurance company when you would be able to enroll your child.

Can my child with a disability be covered after the age of 26?

If your plan is fully insured, it is regulated by state laws in addition to federal laws. Minnesota state law (Minnesota statutes 62A.14 and 62L.02) requires that insurance coverage must continue even after the age of 26 if (1) a child with

a disability is not capable of self-sustaining employment because of the disability and (2) the child depends on the parent for support and maintenance.

What should I do to make sure my adult child with a disability remains covered?

Contact your insurance company before your child turns 26 and ask what documentation is required for proof of your child's disability and dependence on you for support and maintenance. The insurance company can also provide you with the procedure in writing if you ask. Be careful to submit all required documentation by the deadlines given by your insurance company.

Can my plan exclude my child with a disability from coverage or limit his or her coverage in any way?

If your plan provides dependent coverage, then it must cover your child with a disability at the same level it covers everyone else under the plan. This means that your plan can't place any special limitations or requirements for insuring your child just because your child has a disability.

I plan on switching health plans. Can my new health plan deny my child coverage based on a "pre-existing condition"?

Federal law prohibits plans from denying coverage based on a pre-existing condition to children under 19. The law, however, does not apply to individually purchased health plans that began before March 23, 2010. By 2014, no health plan will be able to deny coverage based on pre-existing conditions, regardless of age.