

PROPOSED REGULATORY ACTION BY CALPERS

Adoption of Title 2, Chapter 2, Subchapter 3, Article 1 DEFINITIONS, COVERAGE, ENROLLMENT

§599.500. Definitions.

(o) In addition to “child,” as described in Government Code section 22775, “family member” also includes any child for whom the employee or annuitant has assumed a parent-child relationship, in lieu of the relationship described in subdivision (n), as indicated by intentional assumption of parental status, or assumption of parental duties by the employee or annuitant, as certified by the employee or annuitant at the time of enrollment of the child, and annually thereafter up to the age of 26, unless the child is disabled as described in section 599.500, subdivision (p). This section should not be construed to include foster children.

Certification of the parent-child relationship by the employee or annuitant under this subsection shall be provided to the employing office and shall include:

(1) A CalPERS-issued Parent-Child Affidavit signed by the employee or annuitant, and the following:

(A) If under nineteen years of age, a copy of the most recent income tax return filed by the employee or annuitant listing the child as a tax dependent during the previous tax year. In lieu of a tax return, for a time not to exceed one tax filing year, the employing office may accept other documentation that can substantiate the child’s financial or economic dependence upon the employee or annuitant.

(B) If between nineteen and twenty-six years of age:

(i) A copy of the most recent income tax return filed by the employee or annuitant listing the child as a tax dependent; or

(ii) Documents that clearly and conclusively substantiate that the child is financially dependent upon the employee or annuitant, provided that the child:

(I) Either lives with the employee or annuitant for more than 50 percent of the time, or is a full-time student, and

(II) Is financially dependent upon the employee or annuitant for more than 50 percent of the child’s support.

If the employee or annuitant fails to provide the employing office any of the above required documents, the child shall not be enrolled, or if enrolled, the employee or annuitant shall be given notice that all coverage of the child will be terminated effective as of the last day of the month following said notice.

NOTE: Authority Cited: Sections 22775, 22794, 22796, 22800, 22830, 22846(a), Government Code. Reference: Sections 22750-22944, Government Code.