

PROPOSED REGULATORY ACTION BY CALPERS

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

Only subdivision (o) of section 599.500 is being amended with this rulemaking.

§599.500. Definitions.

(o) In addition to a "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 (PCR), in lieu of a ~~parent-child~~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 "Affidavit of Parent-Child Relationship," Rev. June 2015, which is hereby incorporated by reference, signed by the employee or annuitant, and the following:

(A) For a PCR dependent under age 19:

1. A copy of the first page of the employee or annuitant's income tax return from the previous tax year listing the child as a tax dependent. In lieu of a tax return, for a time not to exceed one tax filing year, the employee or annuitant may submit other documents that substantiate the child's financial dependence upon the employee or annuitant.

(B) For a PCR dependent from age 19 up to age 26:

1. A copy of the first page of the employee or annuitant's income tax return from the previous tax year listing the child as a tax dependent; or

2. Documents that substantiate that the child is financially dependent upon the employee or annuitant provided that the child:

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

b. Is 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 22760, 22775, 22777, 22778, 22794, 22796, 22800, 22830, 22831, 22846(a), 22850, 22860 and 22864, Government Code. Reference: Sections 22750-22944, Government Code.