

ATTACHMENT B
STAFF'S ARGUMENT

STAFF'S ARGUMENT TO ADOPT THE PROPOSED DECISION

Lynn Tremolada, Respondent, is a miscellaneous member of CalPERS, employed by the Marin County Schools

Respondent submitted a request for dependent coverage in order to add her disabled adult child, Sasha Tremolada, to her health insurance. CalPERS staff reviewed the relevant documents, regulations, and statutes and denied Respondent's request. Respondent appealed CalPERS' determination and a hearing was held on October 29, 2013.

Prior to the hearing, CalPERS explained the hearing process to Respondent and the need to support her case with evidence in the form of witnesses and documents. CalPERS provided Respondent with a copy of the administrative hearing process handbook. CalPERS answered Respondent's questions, and provided her with information on how to obtain further information on the process.

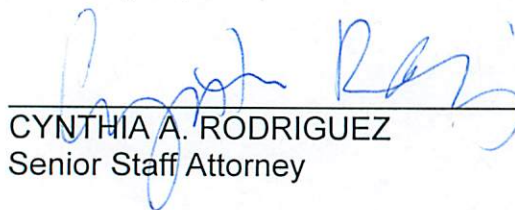
At the hearing, Respondent testified that her daughter Sasha Tremolada became disabled after Sasha was terminated from Respondent's health benefits. Subsequently, Respondent's daughter obtained health benefits through Sasha's own employment. When Sasha Tremolada left that employment and benefit plan, Respondent argued that since her daughter is an adult disabled child of Respondent, Respondent should be allowed to enroll her again under Respondent's CalPERS health insurance.

California Code of Regulations section 599.501(f) states that a disabled dependent must be enrolled within 60 days of initial enrollment of the parent. Section 599.51(g) states that a dependent is also required to be continuously covered, without termination. The Administrative Law Judge (ALJ) determined that these rules applied specifically to Respondent's situation.

The ALJ concluded that Respondent's appeal should be denied. The Proposed Decision is supported by the law and the facts. Staff argues that the Board adopt the Proposed Decision.

Because the Proposed Decision applies the law to the salient facts of this case, the risks of adopting the Proposed Decision are minimal. The member may file a Writ Petition in Superior Court seeking to overturn the Decision of the Board.

February 20, 2014



CYNTHIA A. RODRIGUEZ
Senior Staff Attorney