



# Key Advantage

**Notification of Changes to Your Member Handbook  
Effective October 1, 2010 (for certain school groups) and July 1, 2011  
The Local Choice Health Benefits Program  
Commonwealth of Virginia, Department of Human Resource Management**

**Keep this notification with your Key Advantage Member Handbook and the appropriate Benefits Summary Insert, for a full and complete description of your coverage.** You or your Benefits Administrator may view and print the most current member handbook from The Local Choice Web site at [www.thelocalchoice.virginia.gov](http://www.thelocalchoice.virginia.gov).

**Following are new eligibility rules regarding coverage for family members. These changes comply with new Federal Health Care Reform legislation.**

1. The following family members may be covered if the employee elects:

a. The employee's spouse.

The marriage must be recognized as legal in the Commonwealth of Virginia.

b. Children. Under the health benefits program, the following eligible children may be covered to the end of the year in which they turn age 26. (age requirement is waived for adult incapacitated children)

(1) Natural, adopted children or children placed for adoption.

(2) Stepchildren. A stepchild is the natural or legally adopted child of the participant's legal spouse. Such marriage must be recognized by the Commonwealth of Virginia.

(3) Incapacitated children. Adult children who are incapacitated due to a physical or mental health condition, as long as the child was covered by the plan and the incapacitation existed prior to the termination of coverage due to the child attaining the limiting age. The employee must make written application, along with proof of incapacitation, prior to the child reaching the limiting age. Such extension of coverage must be approved by the plan and is subject to periodic review. Should the plan find that the child no longer meets the criteria for coverage as an incapacitated child; the child's coverage will be terminated at the end of the month following notification from the plan to the enrollee. The child must live with the employee, as a member of the employee's household and be dependent upon the employee for financial support. In the case of a divorce, living with the spouse will satisfy the condition of living with the employee. Furthermore, the support test is met if either the employee or spouse or combination of the employee and spouse provide over one half of the child's financial support.

Adult incapacitated children of new employees may also be covered, provided that:

- (a) The enrollment form is submitted within 31 days of hire;
- (b) The child has been covered continuously by group employer coverage since the disability first occurred; and
- (c) The disability commenced prior to the child attaining the limiting age of the plan.

The enrollment form must be accompanied by a letter from a physician explaining the nature of the incapacitation, date of onset and certifying that the dependent is not capable of self-support. This extension of coverage must be approved by the plan in which the employee is enrolled.

- (4) Other children. A child for which a court has ordered the employee to assume sole permanent custody. Additionally, if the employee or spouse shares custody with the minor child who is the parent of the "other child," then the other child may be covered. When a child loses eligibility, coverage terminates at the end of the month in which the event that causes the loss of eligibility occurs.

There are certain categories of persons who may not be covered as dependents under the program. These include dependent siblings, grandchildren, nieces, and nephews except where the criteria for "other children" are satisfied. Parents, grandparents, aunts and uncles are not eligible for coverage regardless of dependency status.

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