



United States
Office of Personnel Management
Retirement and Insurance Service

Benefits Administration Letter

Number: 97-206

Date: August 15, 1997

Subject: Federal Employees Health Benefits (FEHB) Program: Continued Coverage for Disabled Children Over Age 22

A. Background

On July 18, 1997, the Office of Personnel Management (OPM) published final FEHB regulations in the Federal Register (62 FR 38433) concerning Opportunities to Enroll and Change Enrollment. These regulations, which take effect on August 18, 1997, include a provision that authorizes FEHB carriers to approve continued coverage for disabled children over age 22 under certain conditions.

B. Current regulations

Under FEHB law, a child's coverage ends at age 22 unless the child is determined incapable of self-support because of a physical or mental disability that existed before age 22. Under current FEHB regulations, only the employing office may determine incapacity. (The retirement system is the employing office for annuitants.) Consequently, enrollees who contact their insurance carrier to request continued coverage for a disabled child are referred to their employing office.

C. Reason for change

There are certain medical conditions that are so severe that there would be no question that they would not abate and that they would cause children to be incapable of self-support during adulthood. We believe that if an enrollee whose child has one of these conditions should contact the carrier instead of the employing office, the carrier should be able to extend coverage without referring the enrollee to the agency.

To assure that enrollees in this situation have uninterrupted coverage for their disabled children, we have revised our current regulations to permit **either** the employing office or the carrier to

*Civil Service
Retirement
System*

*Federal Employees
Group Life
Insurance*

*Federal Employees
Health Benefits
Program*

*Federal Employees
Retirement
System*

make determinations of incapacity when the child's medical condition appears on a list prepared by OPM.

D. New Procedures

Attached is an updated list of medical conditions that would cause children to be incapable of self-support. If an enrollee contacts his or her insurance carrier instead of the employing office for approval of continued coverage for a child over age 22, and the child's condition began before age 22 and appears on this list, the carrier may approve continued coverage for the child. If the child's condition does **not** appear on the list, the carrier will refer the enrollee to his or her employing office. The employing office then follows its usual procedures in making determinations of incapacity.


Note: The procedures that agencies must follow to make a self-support determination are located in Subchapter S12 of the FEHB Handbook for Personnel and Payroll Offices. The attached list replaces the one in the March, 1989 edition.

E. Notification

When employing offices determine incapacity, they must continue to communicate their determinations to the carrier in the same manner as they have always done. However, now that carriers are **also** authorized to make determinations in certain cases, the employing office needs documentation that the enrollee's child over age 22 has been determined incapable of self-support.

This is to alert you that we are instructing FEHB insurance carriers that if they approve continued coverage for an enrollee's child over age 22, they send the notice of approval to the enrollee and advise the enrollee to give a copy of the notice to his or her employing office. Therefore, some of your employees may soon begin providing you with notices from their FEHB carriers approving continued coverage for their disabled children over age 22. If you receive such a notice from an enrollee, please include it with the enrollee's FEHB enrollment documentation.

If you have any questions about this regulatory change, please contact Barbara Myers of my staff at (202) 606-0004, or [BMYERS @ OPM.gov](mailto:BMYERS@OPM.gov).


Abby L. Block, Chief
Insurance Policy and
Information Division

LIST OF MEDICAL CONDITIONS THAT WOULD CAUSE CHILDREN TO BE
INCAPABLE OF SELF-SUPPORT DURING ADULTHOOD

AIDS - Center for Disease Control classes A3, B3, C1, C2, and C3. (not seropositivity alone)

Any malignancy with metastases or which is untreatable.

Inborn Errors of Metabolism with complications such as the following:

Phenylketonuria

Homocysteinuria

Primary hyperoxaluria

Adrenoleukodystrophy

Tay-Sachs disease

Nieman-Pick disease

Gaucher disease

Glycogen storage diseases

Mucopolysaccharide disease

Lesch-Nyhan disease

Xeroderma Pigmentosa

Ectodermal Dysplasia

Chronic neurological disease, whatever the reason, with severe mental retardation or neurologic impairment, for example:

Encephalopathies

Cerebral Palsy

Uncontrollable Seizure Disorder

Severe acquired or congenital Heart Disease with decompensation which is not correctable

Severe Mental Illness requiring prolonged or repeated hospitalization

Severe Juvenile Rheumatoid Arthritis

Osteogenesis Imperfecta

Chronic Hepatic Failure

Chronic Renal Failure

Severe Autism

Severe Organic Mental Disorder

Mental Retardation with IQ of 70 or less

Advanced Muscular Dystrophy