Medical Child Support Order: How to Determine Qualification

Purpose

Under certain circumstances, the Research Foundation (RF) is required by the Employee Retirement and Income Security Act (ERISA) to offer medical benefits to dependent children outside of open enrollment without a waiting period. This document describes the procedure for determining if a medical child support order is qualified under ERISA.

Background

Under the following circumstances, the RF offers medical benefits to children outside of the open enrollment period without a waiting period:

- Marriage to a spouse who has dependent children
- Dependent's loss of other coverage
- Birth
- Placement for adoption
- Receipt of a Qualified Medical Child Support Order (QMCSO).

  This procedure assists RF benefit administrators in determining if a medical child support order is qualified, and then appropriately responding to such an order. The RF is not required to offer benefits to dependents under a medical child support order that is not qualified.

Procedure

For a medical child support order to be QMCSO, it must meet all of the following conditions:

- It must clearly specify the name and last known address of the participant.
- It must clearly specify the name and address of each alternate recipient (dependent) covered by the order (the mailing address of an official of a State or political subdivision thereof is acceptable).
- It must provide a reasonable description of the type of coverage to be provided to each such alternate recipient, or a way to determine what such coverage should be.
- It must provide the time period for which the order applies.
- It must grant only benefits that the RF currently offers.

  If a medical child support order is determined to be a QMSCO, then enroll the alternate recipients in accordance with the procedure relating to that medical plan (Graduate Student or Regular Employee), and notify the sender of the order that the order is qualified (see sample reply letter, referenced below).

  If a medical child support order is not qualified, then notify the sender of the order that the order is not qualified and that the alternate recipient(s) will not be enrolled (see sample reply letter, referenced below).

Sample Reply Letter

For all medical child support order requests, a reply letter should be issued to the sender of the order. A sample reply letter is provided for responding to the sender of the order. Complete the letter by filling in the appropriate information. Keep a copy of any correspondence for our RF records.

Change History

- **February 28, 2005** - New document.

Feedback

Was this document clear and easy to follow? Please send your feedback to webfeedback@rfsuny.org.