



Health Information and Education Center

Coverage of Dependents

Is my child automatically covered under my health plan? Your child will be covered under your health plan only if your plan provides coverage for dependents. If your plan does, then it must also cover your child with a disability.

Will my child with a disability still be covered under my policy after age 18? Your health policy states the age at which children no longer qualify as dependents under the plan. For example some plans provide that a child is no longer covered after a specific age (which varies from plan to plan and it can be extended if the child is a full time student). However, North Dakota state law requires that insurance coverage must continue if 1) a child with a disability is not capable of self sustaining employment because of the disability and /or the child depends on the parent for support and maintenance.

What should I do to make sure my adult child with a disability remains covered? First find out the policy's age limits for coverage of children. Within 31 days after your child reaches that age, you must give proof to your insurer that your child has a disability and depends on you for support and maintenance. Contact your health plan to find out what type of proof it requires.

Can my plan exclude my child with a disability from coverage or limit his or her coverage in any way? If your plan provides dependent coverage, then it must cover your child with a disability at the same level it covers everyone else under the plan. This means that your plan can't place any special limitations or requirements for insuring your child just because your child has a disability.

I plan to change jobs, but I have heard that the insurance at my new employer may not cover my child with a disability because he/she has a "pre-existing condition." Is this correct?

There is no simple answer to this question, because your rights depend upon the health plan that you have. A federal law called the Health Insurance Portability and Accountability Act (HIPAA) provides some protections under some plans. This law can help keep you from losing benefits you already have when you move from one group plan to another. It also prohibits some plans from denying insurance coverage to someone who has a disability. **This law is complicated.** If your child is denied insurance because of a disability, or if certain limits are placed on the coverage, it is important to investigate further to find out whether you are protected under HIPAA. If your child has been denied enrollment in a plan, ask the plan to provide the reason in writing. You may contact FVND for more information on HIPAA or contact the ND Insurance Department at 701.328.2440 - phone, 800.247.0560 - toll free.

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To contact FVND call 888-522-9654, www.geocities.com/ndfv/ or write PO Box 163 Edgeley, ND 58433