

COUNTY OF SANTA BARBARA ELIGIBLE FAMILY MEMBERS

May enroll in:

Family Member	Conditions for Eligibility	Medical & Vision	Dental	HCRA*	DCRA*
Natural child, adopted child, stepchild, or foster child	<p>Eligible to age 23 if:</p> <ul style="list-style-type: none"> - unmarried - over 50% supported by you (except as noted below under “Special Rule for Divorce/Separation”) - is not a “qualifying child” of another individual (other than the child’s other parent in cases of divorce or separation)¹ <p>In addition to these criteria, adopted children must have been adopted by you (or placed for adoption with you) before reaching the age of 18, and foster children must have been placed with you by an authorized agency or by court order.</p> <hr/> <ul style="list-style-type: none"> - For DCRA eligibility, the child must be under age 13 and be your “qualifying child.” - If the child is age 13 or older, the child must be physically or mentally incapable of self-care, be either your “qualifying child” or your “qualifying relative,” and have the same principal place of abode as you for more than half the year. In order to be your “qualifying relative,” the child must, among other things, have gross income less than the personal exemption amount under Code § 151(c) (\$3,200 for 2005). 	•	•	•	•

¹ Note that a child is likely to be a “qualifying child” of another person if the child lives primarily with that other person and that other person is the child’s grandparent, aunt/uncle, or sibling.

- * HCRA – Health Care Reimbursement Account
- * DCRA – Dependent Care Reimbursement Account

COUNTY OF SANTA BARBARA ELIGIBLE FAMILY MEMBERS

May enroll in :

Family Member	Conditions for Eligibility	Medical & Vision	Dental	HCRA*	DCRA*
Person over whom you have legal guardianship	Eligible to age 23 if: - unmarried - over 50% supported by you - is not a “qualifying child” of another individual - was under age 18 when the court order was issued - if the person is not related to you (<i>e.g.</i> , a friend’s child) the person must, for the entire year, share your principal place of abode and be a member of your household.	•	•	•	
	- For DCRA eligibility, the person must be physically or mentally incapable of self-care, be either your “qualifying child” or your “qualifying relative,” and have the same principal place of abode as you for more than half the year. In order to be your “qualifying relative,” the person must, among other things, have gross income less than the personal exemption amount under Code § 151(c) (\$3,200 for 2005).				•
Child named in a Qualified Medical Child Support Order (QMSCO)	See above row for natural child, <i>etc.</i>	•	•		
	For HCRA eligibility, see above row for natural child, <i>etc.</i>			•	
	QMSCOs do not apply to the DCRA, but the child may still be eligible if he/she falls into one of the other permitted categories.				

COUNTY OF SANTA BARBARA ELIGIBLE FAMILY MEMBERS

May enroll in :

Family Member	Conditions for Eligibility	Medical & Vision	Dental	HCRA	DCRA
Disabled child age 23 or older	<p>Eligible if:</p> <ul style="list-style-type: none"> - unmarried - is physically or mentally handicapped on the date coverage would otherwise end because of age and continues to be handicapped. - is over 50% supported by you (except as noted below under “Special Rule for Divorce/Separation”) - is not a “qualifying child” of another individual (other than the child’s other parent in cases of divorce or separation) In addition to these criteria, adopted children must have been adopted by you (or placed for adoption with you) before reaching the age of 18, and foster children must have been placed with you by an authorized agency or by court order. <hr/> <ul style="list-style-type: none"> - For DCRA eligibility, the child must be physically or mentally incapable of self-care, be either your “qualifying child” or your “qualifying relative” and have the same principal place of abode as you for more than half the year. In order to be your “qualifying relative,” the child must, among other things, have gross income less than the personal exemption amount under Code § 151(c) (\$3,200 for 2005). 	•	•	•	•
Domestic partner	<p>Eligible if:</p> <ul style="list-style-type: none"> - is your sole spousal equivalent* - is 18 years old or older - is mentally competent to enter into contracts - resides with you and intends to do so indefinitely - is jointly responsible with you for common financial obligations - is unmarried and not related to you by blood to a degree that would bar marriage in the state of residence - the domestic partnership is registered with a state, county or city, and the domestic partner has not terminated another domestic partnership within the last 6 months 	•	•		

COUNTY OF SANTA BARBARA ELIGIBLE FAMILY MEMBERS

May enroll in :

Family Member	Conditions for Eligibility	Medical & Vision	Dental	HCRA	DCRA
Domestic Partner cont'd	<p>* This means in part that you cannot be married to someone else. <i>Note: Even though the domestic partner meets all of these conditions, you will not be able to pay for the domestic partner's coverage with pre-tax dollars unless the domestic partner meets all of the applicable requirements of a "qualifying relative."</i></p>				
	<p>For HCRA eligibility, the domestic partner must meet the foregoing conditions and be your "qualifying relative." To be your "qualifying relative" for health coverage purposes, the domestic partner must, for the entire year, share the same principal place of abode as you and be a member of your household. In addition, you must provide over half of the domestic partner's support and the relationship must not violate local law. In addition, your domestic partnership must be registered with the state of California or a city or county within California.</p>			•	
	<p>For DCRA eligibility, the domestic partner must be physically or mentally incapable of self-care, be your "qualifying relative," and have the same principal place of abode as you for over half the year. For purposes of DCRA eligibility, a "qualifying relative" must meet the requirements stated above for HCRA eligibility plus have gross income less than the personal exemption amount under Code § 151(c) (\$3,200 for 2005).</p>			•	
Child of domestic partner	<p>Eligible to age 23 <u>if you adopted the child before the child reached age 18</u> and the child meets the other requirements stated above for an adopted child. In addition, the child is eligible if he/she is under your legal guardianship and meets the requirements stated above for legal guardianship. Note, however, that it will be difficult for the child/person to meet the requirement that the adopted child/person not be a "qualifying child" of another person, since the domestic partner's child is likely to be the "qualifying child" of the domestic partner.</p>	•	•	•	•

COUNTY OF SANTA BARBARA ELIGIBLE FAMILY MEMBERS

May enroll in :

Family Member	Conditions for Eligibility	Medical & Vision	Dental	HCRA	DCRA
Spouse	Eligible under all plans while you are married and (for the DCRA) not legally separated. For the DCRA, additional requirements apply: the spouse must be physically or mentally incapable of self-care and must share the same principal place of abode as you for more than half the year.	•	•	•	•
<p>Special Rule for Divorce/Separation. The requirement that you provide over 50% of a child’s support does not apply if (i) you and the child’s other parent are divorced or legally separated under a decree of separate maintenance, are separated under a written separation agreement, or currently live apart and lived apart at all times during the last six months of the previous calendar year; (ii) the child receives over 50% of his or her support during the calendar year from you and the other parent; and (iii) the child is in the custody of one or both of you and the other parent more than 50% of the calendar year.</p> <p>This is only a summary of the eligibility requirements and is not intended to modify or supersede the requirements of the plan documents, and the plan documents will govern in the event of any conflict between this summary and the plan documents.</p> <p>Summarized below are the terms “qualifying child” and “qualifying relative.” These terms are used in Internal Revenue Code to define who qualifies as a dependent <u>eligible for tax-free coverage</u> under certain employee benefits. Consult your tax advisor if you have any questions regarding your own tax situation. Even though the IRS may qualify an individual for tax-free coverage, they must also be included as an eligible dependent under that plan.</p> <p>A “qualifying child” as defined in Internal Revenue Code section 152(c) must meet all of the following conditions:</p> <ul style="list-style-type: none"> • be the child of the taxpayer or a descendant of such a child (e.g., may include a grandchild), or be a brother, sister, stepbrother, or stepsister of the taxpayer or a descendent of any such relative, • have the same principal place of abode as the taxpayer for more than one-half of the taxable year, • satisfy age requirements (i.e., must not have attained age 19 before the close of the calendar year in which the taxable year of the taxpayer begins if not a student or, if a student, must not have attained age 24 before the close of the calendar year in which the taxable year of the taxpayer begins, or must be permanently and totally disabled), and • not have provided over one-half of such individual’s own support for the calendar year in which the taxable year of the taxpayer begins. <p>Note that this category includes relatives who are not actually “children” of the taxpayer.</p>					

A **“qualifying relative”** generally includes someone who meets all of the following conditions:

- is a child (including a stepchild, legally adopted child, child legally placed for adoption, or foster child), the child’s descendent (grandchild), a brother, sister, stepbrother, stepsister, a father or mother, an ancestor of either parent (grandparent), a stepfather or stepmother, a niece or nephew, an uncle or aunt, or an in-law (son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law). In addition, a “qualifying relative” may include someone (other than a spouse) who has the same principal place of abode as you, and is a member of your household.
- whose gross income is less than the personal exemption amount for federal income tax purposes (\$3,200 for 2005)
- who receives over one-half of their support from you, and
- who is not a “qualifying child” of any other person.

Note that this category includes some people who are not “relatives” of the taxpayer. Note also that the gross income limit applies for purposes of DCRA eligibility, but not to medical/dental/vision benefits or to the HCRA.