



New health care legislation

Closing coverage gaps for student dependents

Because you're a trusted source of information, it's important to keep up with the latest changes in health care. In 2009, new legislation regarding coverage for students on leave goes into effect—California law SB 1168 and federal law HR 2851. The laws prohibit termination of coverage for dependent students during a break in the school year or a medically necessary leave of absence. Read on to learn more about what these changes mean for employees with student dependents.

Q: What are SB 1168 and HR 2851?

A: California SB 1168 and federal HR 2851 are new laws that require coverage for full-time students who take a medically necessary leave of absence from school.

Q: When do the laws go into effect?

A: SB 1168 went into effect January 1, 2009. HR 2851 goes into effect on October 9, 2009, as contracts renew.

Q: Who is eligible?

A: Students who are 18 or older and covered under a parent's health care plan are eligible for the coverage.

Q: Which health care plans are affected by the new laws?

A: These laws apply to all commercial health care plans and insurers, including HMO, POS, and PPO. Products or plans that don't provide coverage for dependent students (e.g., Medicare or Medi-Cal) are not affected.

For additional clarification about the new laws, please contact your Kaiser Permanente representative or account manager.

Q: Is documentation required to be eligible for the coverage?

A: Yes. The law requires the health plan to receive documentation from a physician showing the leave of absence is medically necessary. The member's employer group should receive copies of the documentation to ensure coverage for their dependent student continues without interruption. Kaiser Permanente only requires documentation to be submitted when our health plan certifies students for coverage. Documentation is optional when the member's employer group certifies the students.

Q: When does the student's coverage period start?

A: Coverage begins on the first day of the medical leave of absence from school or on the date the physician determines the illness prevented the student from attending school, whichever comes first.

Q: How long does the coverage last?

A: Coverage continues for up to 12 months or until the benefits would normally terminate under the plan's terms and conditions, whichever comes first. For example, some plans have limiting ages for students. If the limiting age for a student under the parent's plan is 24 and the student's medical leave of absence starts at age 23½, the student would only be entitled to six months of coverage.

Q: Will the student's benefits change while on leave?

A: No. The student taking a medical leave of absence from school will have the same benefits they received as a dependent on their parent's plan while in school.

Q: What happens if the parents switch plans or change carriers while the student is on leave?

A: If the plan changes while the student is on leave—and the new plan provides coverage for dependent children—the student's coverage will continue under the new plan for the remaining eligibility period.

Q: Will Kaiser Permanente notify members about SB 1168 and HR 2851?

A: Yes. Information about coverage for dependent students on medical leave will be included in student certification notices beginning in April.

Information in this document was accurate at the time of printing. However, from time to time, new details become available after our release date. For the most current information, contact your Kaiser Permanente representative.