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**FRESNO UNIFIED SCHOOL DISTRICT EMPLOYEE HEALTH CARE PLAN**

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**TO:** PARTICIPANTS OF THE FRESNO UNIFIED SCHOOL DISTRICT EMPLOYEE HEALTH CARE PLAN  
**FROM:** JOINT HEALTH MANAGEMENT BOARD  
**SUBJECT:** EMPLOYEE HEALTH CARE PLAN AMENDMENT 2020-1  
**DATE:** JANUARY 28, 2020

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**This notice defines clarifications to the Fresno Unified School District Employee Health Care Plan.**

The Joint Health Management Board of the Fresno Unified School District has modified the Plan Document to clarify that a disabled dependent child beyond the maximum age must neither be married nor in a domestic partnership to be considered an eligible dependent. Please note, this is a correction to the Plan Booklet, and not a change in policy.

The language set forth below replaces the definition of “**DEPENDENT**” and “**DISABLED CHILD**” in the section titled “**DEFINITIONS**” (on pages 10 and 11) of the Plan Booklet dated April 1, 2012:

**“Dependent”** means:

1. a legal spouse;
2. a Domestic Partner<sup>1</sup>;
3. any child<sup>2</sup> under the age of 26. For these purposes a “child” will include:
  - (a) an Employee’s, Domestic Partner’s, or Retirees’<sup>3</sup> natural child;
  - (b) a legally adopted child or child lawfully placed for legal adoption with the Employee or Retiree;
  - (c) a stepchild of an Employee or Retiree;
  - (d) a child of an Employee or Retiree subject to a Qualified Medical Child Support Order (QMCSO); and,
  - (e) a child placed in the permanent legal guardianship of the covered Employee/Retiree by court order. A child placed in the permanent legal guardianship becomes an eligible Dependent on the latter of the date the child is placed in the physical custody of the Employee/Retiree or the date the court awards legal guardianship to the Employee/Retiree. The child will cease to meet the eligibility requirements of the Plan once the permanent legal guardianship has ended, which can occur when the minor reaches legal age, or if the child dies, marries, enters the military or is adopted (or any other reason declared by a court.)
4. a mentally or physically Disabled Child beyond the maximum age, provided the child is:
  - (a) not married and not in a domestic partnership;
  - (b) incapable of self-sustaining employment and is dependent upon the Employee/Retiree for support and maintenance; and,
  - (c) the mental or physical condition existed prior to such child reaching the age of 26.

Proof of any mental or physical disability shall be required prior to 31 days of such child’s 26th birthday and the District’s Benefit Department may require additional proof from time to time.

An eligible Dependent **does not** include:

1. a spouse who is legally separated or divorced from the Employee/Retiree;
2. an individual whose Domestic Partnership with the Employee/Retiree has terminated; or
3. any child who is covered as a fully benefitted Employee under this Plan, where fully benefitted includes medical coverage.

**“Disabled Child”** means a physically or mentally disabled Dependent child who is not married or in a domestic partnership, is incapable of self-sustaining employment and is dependent upon the Employee/Retiree for support and

maintenance, and further provided that the condition existed prior to such Disabled child reaching the age of 26. Proof of physical or mental disability shall be required prior to 31 days of such child's 26th birthday and the District's Benefit Department may require additional proof from time to time.

The language set forth below replaces the section titled "**DEPENDENT ELIGIBILITY**" (on pages 66 and 67) of the Plan Booklet dated April 1, 2012:

An eligible Dependent of an Employee or Retiree is:

1. a legal spouse;
2. a Domestic Partner<sup>1</sup>;
3. any child<sup>2</sup> under the age of 26. For these purposes a "child" will include:
  - (a) an Employee's, Domestic Partner's, or Retirees'<sup>3</sup> natural child;
  - (b) a legally adopted child or child lawfully placed for legal adoption with the Employee or Retiree;
  - (c) a stepchild of an Employee or Retiree;
  - (d) a child of an Employee or Retiree subject to a Qualified Medical Child Support Order (QMCSO);and,
  - (e) a child placed in the permanent legal guardianship of the covered Employee/Retiree by court order. A child placed in the permanent legal guardianship becomes an eligible Dependent on the latter of the date the child is placed in the physical custody of the Employee/Retiree or the date the court awards legal guardianship to the Employee/Retiree. The child will cease to meet the eligibility requirements of the Plan once the permanent legal guardianship has ended, which can occur when the minor reaches legal age, or if the child dies, marries, enters the military or is adopted (or any other reason declared by a court.)
4. a mentally or physically Disabled Child beyond the maximum age, provided the child is:
  - (a) not married and not in a domestic partnership;
  - (b) incapable of self-sustaining employment and is dependent upon the Employee/Retiree for support and maintenance; and,
  - (c) the mental or physical condition existed prior to such child reaching the age of 26.

Proof of any mental or physical disability shall be required prior to 31 days of such child's 26th birthday and the District's Benefit Department may require additional proof from time to time.

An eligible Dependent **does not** include:

1. a spouse who is legally separated or divorced from the Employee/Retiree;
2. an individual whose Domestic Partnership with the Employee/Retiree has terminated; or
3. any child who is covered as a fully benefitted Employee under this Plan, where fully benefitted includes medical coverage.

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<sup>1</sup> A Domestic Partner will be covered under the Fresno Unified School District's Health Plan provided the Participant is a same-sex or opposite-sex partner, as defined under California Family Code 297, who has filed a Declaration of Domestic Partnership with the California Secretary of State, or by validly forming a legal union in a jurisdiction other than California consistent with the requirements of Family Code Section 299.2.

<sup>2</sup> If a Dependent child is born after the effective date of an Employee's coverage hereunder, benefits will only be available for Allowable Expenses of the child, provided the newborn child is enrolled within 31 days following the date of birth. After the 31-day period, coverage for the child will be available only if the Employee has notified the District's Benefit Department of the birth and has enrolled the child under the "Open Enrollment" provisions of the Plan.

<sup>3</sup> Some but not all Retirees may enroll dependent children under the Plan. For example, Dependent child coverage is not provided under the Retiree Continuation Coverage provisions of the Plan Ed Code 7000.