



California Public Employees' Retirement System
P.O. Box 942715 | Sacramento, CA 94229-2715
888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442
www.calpers.ca.gov

Health Benefits

Circular Letter

April 4, 2022

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Distribution: Special

To: All Health Benefits Officers and Assistant Health Benefits Officers

Subject: Eligibility Criteria, Responsibilities, and Certification Forms for Disabled Dependents

Purpose

The purpose of this Circular Letter is to inform you the California Public Employees' Retirement System (CalPERS) has revised the Medical Report for the CalPERS Disabled Dependent Benefit (HBD-34), created a new Authorization to Disclose Protected Health Information (PERS-BSD-35) form, and discontinued the Member Questionnaire for the CalPERS Disabled Dependent Health Benefit (HBD-98) effective July 1, 2022. Further, we outline the eligibility criteria and responsibilities associated with the disabled dependent health benefit.

Disabled Dependent Benefit Regulations

As background, the CalPERS Health Benefits Program is governed by the Public Employees' Medical and Hospital Care Act (PEMHCA) commencing with Government Code section 22750 and implemented through regulations found in Title 2, California Code of Regulations (CCR). PEMHCA defines the eligibility requirements for a disabled dependent as follows:

- California Code of Regulations (CCR) section 599.501(d), A disabled child, as described in section 599.500, subdivision (p), who is age 26 or over is to be enrolled at the time of the initial enrollment of the employee or annuitant provided that satisfactory evidence of such disability is filed with the Board (CalPERS) within 60 days of the initial enrollment.

- CCR section 599.501(e), A disabled child, as described in section 599.500, subdivision (p), who attains age 26 is to be continued in enrollment if he or she is enrolled at the time he or she attains age 26, provided that satisfactory evidence of disability is filed with Board (CalPERS) during the period commencing 90 days before and ending 60 days after the child's 26th birthday.
- CCR section 599.500(p), "Disabled child" means a child, as described in Government Code section 22775 and section 599.500, subdivision (n) or (o), who at the time of attaining age 26, is incapable of self-support because of a physical or mental disability which existed continuously from a date prior to age 26 and who is enrolled pursuant to section 599.501, subdivisions (d) and (e), until termination of such incapacity.

Once enrolled, pursuant to CCR section 599.501(e), a disabled dependent's enrollment in a CalPERS health and/or dental benefits **must be continuous** once they attain age 26 if they remain incapable of self-support because of a physical or mental disability. If a disabled dependent over the age of 26 is removed from CalPERS health and/or dental benefits for any reason, the **removal is permanent**, and they are not eligible for future reinstatement.

New HBD-34 and Authorization to Disclose Protected Health Information Forms

The HBD-34 and HBD-98 have been merged to create a new HBD-34, and the Dependent Authorization section of the old HBD-34 has been extracted to create the Authorization to Disclose Protected Health Information form. All employees with disabled dependent(s) are required to use the new [Disabled Dependent Member Questionnaire and Medical Report \(HBD-34\) \(PDF\)](#) and the new [Authorization to Disclose Protected Health Information \(PERS-BSD-35\) \(PDF\)](#) form for all new certifications and recertifications beginning July 1, 2022.

The new HBD-34 and PERS-BSD-35 forms are available to download from the [CalPERS website](#). To locate the new forms, visit [Forms & Publications](#), select **View All**, then select **Forms** under **Document Type**. The HBD-34 has a revision date of January 2022.

CalPERS Responsibilities

Twelve months prior to the 26th birthday of a dependent child enrolled in CalPERS health benefits, we will mail a letter to the employee (subscriber) notifying them of the disabled dependent eligibility and enrollment process.

Ninety days before the enrolled dependent turns age 26, we will mail a letter to the employee advising them of the dependent's deletion from health benefits once they turn age 26. This letter will also contain information regarding the disabled dependent eligibility and enrollment process.

Thirty days before the enrolled dependent's 26th birthday, we will mail a deletion notification to the employee along with a final reminder of the disabled dependent eligibility and enrollment process.

For a dependent already enrolled as a disabled dependent, we will mail recertification reminder notices along with the HBD-34 and PERS-BSD-35 to the employee at 90 and 60 days prior to the certification end date.

Employer Responsibilities

Upon an employee's initial enrollment in CalPERS health benefits, employers are responsible for informing their employee about the disabled dependent certification requirements.

When an employee's child who is enrolled in health benefits is nearing age 26 or nearing their disabled dependent recertification end date and the employee requests CalPERS disabled dependent benefit information from the employer, the employer is responsible for providing all required disabled dependent certification forms to their employee.

Employee Responsibilities

Employees with a dependent child who is nearing age 26, or is age 26 and over, and who is incapable of self-support are responsible for requesting initial or continued enrollment of their dependent as a disabled dependent in CalPERS health benefits and confirming their dependent's eligibility by following the instructions on the Disabled Dependent Member Questionnaire and Medical Report (HBD-34).

The initial certification of the disabled dependent must occur during one of the following two eligibility periods (whichever applies):

- For an enrolled dependent, within 90 days before and ending 60 days after the dependent's 26th birthday
- For an unenrolled dependent age 26 or over, within 60 days of the newly eligible employee's initial enrollment in the CalPERS Health Program

Upon expiration of the certification, the recertification of the disabled dependent must be received no earlier than 90 days prior to the expiration date, and no later than the expiration date.

The completed HBD-34 must be submitted to CalPERS by the dependent's physician for review within the specified timeframes during the dependent's initial certification and recertification periods. It is the employee's responsibility to ensure timeframes are met.

Upon approval of eligibility by CalPERS, the disabled dependent's health enrollment will continue without a gap in coverage and a notification stating the certification period will be

mailed to the employee and employer. If the HBD-34 is not received by CalPERS within specified timeframes, the dependent will be deleted and will not be eligible for future reinstatement.

Additional Information

Review the health benefits guides for additional eligibility requirements.

- [Public Agency & Schools Health Benefits Guide \(PDF, 1.18 MB\)](#)
- [State Health Benefits Guide \(PDF, 2.42 MB\)](#)

Questions

We are committed to assisting you conduct business with the CalPERS Health Benefits Program. If you have any questions, visit the [CalPERS website](#) or call the CalPERS Customer Contact Center at **888 CalPERS** (or **888-225-7377**).

Rob Jarzombek, Chief
Health Account Management Division