

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 1392*

Short Title: State Health Plan/Court-Ordered Guardianships. (Public)

Sponsors: Senator McKissick.

Referred to: Pensions & Retirement & Aging.

May 26, 2010

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW STATE EMPLOYEES TO ENROLL CHILDREN FOR WHICH
3 THEY ARE COURT-APPOINTED GUARDIANS AS DEPENDENTS IN THE NORTH
4 CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 135-45.1(10) reads as rewritten:

7 "**§ 135-45.1. General definitions.**

8 As used in this Article unless the context clearly requires otherwise, the following
9 definitions apply:

10 ...
11 (10) Dependent child. – A natural, legally adopted, or foster child or children of
12 the employee and or spouse, unmarried, up to the first of the month
13 following his or her 19th birthday, whether or not the child is living with the
14 employee, as long as the employee is legally responsible for such child's
15 maintenance and support. Dependent child also includes a child for which an
16 employee is a court-appointed guardian, as long as the employee is legally
17 responsible for the child's maintenance and support. Dependent child also
18 includes a stepchild of the member who is married to the stepchild's natural
19 parent. To be eligible, the stepchild must have his or her primary residence
20 with the member. Dependent child shall also include any child under age 19
21 who has reached his or her 18th birthday, provided the employee was legally
22 responsible for such child's maintenance and support on his or her 18th
23 birthday. Dependent children of firefighters, rescue squad workers, and
24 members of the National Guard are subject to the same terms and conditions
25 as are other dependent children covered by this subdivision. Eligibility of
26 dependent children is subject to the requirements of G.S. 135-45.2(d). The
27 Plan may require documentation from the member confirming a child's
28 eligibility to be covered as the member's dependent."

29 **SECTION 2.** This act becomes effective July 1, 2010.

