



# COLORADO

## Division of Human Resources

Department of Personnel  
& Administration

### Section 1. Definitions

**Eligible Employee:** Any person employed by the State of Colorado who meets the definition of Employee as defined in C.R.S. 24-50-603(7). Under C.R.S. 24-50-603(7), an Employee means any officer or employee whose salary is paid by state funds or any employee of the department of education (with the exception of employees of the University of Colorado who are 50 percent or more appointed), the Colorado commission on higher education, or the Colorado school for the deaf and the blind whose salary is paid by state funds, or any Participant of the military employed pursuant to section 28-3-904 C.R.S. **Employee** includes any officer or employee of the legislative or judicial branch, any elected or appointed state official or employee who receives compensation other than expense reimbursement from the state funds, any elected state official who does not receive compensation other than expense reimbursement from state funds, and includes any Participant of the board of assessment appeals. **Employee** does not include persons employed on a temporary basis; except that it shall include a Participant of the military employed pursuant to section 28-3-904 C.R.S. for more than 30 consecutive days.

**Eligible Dependent:** Eligible dependents are specified in statutes, primarily § 24-50-603(5) and (6.5), C.R.S., as modified or further defined by other state statutes (e.g., Title 10) or federal regulations (e.g., Affordable Care Act [ACA], IRC on taxable income).

- A. Current Spouse, including Common Law Spouse.
  - 1. Spouse means a spouse as recognized under federal tax law.
  - 2. Common Law Spouse means an adult,
    - a. Who is at least 18 years of age; and
    - b. With whom the Employee cohabitates; and
    - c. Who represent themselves to the community as married to each other; and
    - d. There is no legal impediment to the marriage.
  
- B. Current Domestic Partner who is an adult:
  - 1. Who is at least 18 years of age; and
  - 2. Who is of the same gender as the employee; and
  - 3. With whom the Employee has shared an exclusive, committed relationship with that same person for at least one year prior to enrollment with the intent for the relationship to last indefinitely; and
  - 4. Who is not related to the Employee by blood to a degree that would prohibit marriage; and
  - 5. Neither the Employee nor partner is married to another person; and
  - 6. Neither the Employee nor partner is in a civil union with another person.
  
- C. *Current partner in a civil union* means an adult, regardless of the gender of either party, at least 18 years of age:
  - 1. who is not a partner in another civil union;
  - 2. who is not married to another person;

3. who is not under guardianship, unless the partner under guardianship has the written consent of his or her guardian; and
  4. neither partner is a relative of the other whether the relationship is by the half or the whole blood.
- D. A **child** through the end of the month in which the child turns age 26. The legal definition of child must be applied (e.g., first generation, parent-child relationship). As of July 1, 2011, marital status, student status, financial support, and residency are no longer factors under the Patient Protection and Affordable Care Act.

A child includes:

- a. a biological or natural child;
- b. a legally adopted child;
- c. a child legally placed for adoption or foster care;
- d. a step child as long as the employee and natural parent are married;
- e. a child of a same-gender domestic partner or a partner in a civil union as long as the employee and parent are in a committed relationship; and
- f. a child for whom the employee has a court order granting legal custody or parental responsibility that specifies the employee is responsible for providing health insurance coverage.

A physically or mentally **disabled child** who is 26 years of age or older and is;

- a. unmarried;
- b. certified by the State's medical carrier or third-party administrator as being disabled **prior** to the age of 26 (proof of disability and dependency must be provided prior to becoming covered under the medical plan and annually, if requested);
- c. not covered by any other government programs; and
- d. relying on the employee as the major source of financial support or the employee is directed by a court order to provide coverage.

**Exclusions**

Ex-spouses and their children, same-gender domestic ex-partners and their children, civil union ex-partners and their children, opposite-gender domestic partners and their children, parents, grandparents and grandchildren, siblings, aunts and uncles, nieces and nephews, cousins, and any other relatives or non-relatives in the household. The only exception is when a court determines a qualified dependent relationship exists and issues an order specifying responsibility for coverage.

**Section 2. Required Documents**

DEPENDENT	REQUIRED DOCUMENTS
Newborn	1. Birth certificate within 31 days of the date of birth. 2. Social Security number within 90 days of the date of birth.
Spouse	1. Marriage certificate 2. AND the first page of your most recent tax return; OR a document dated within the last 60 days showing current relationship status, such as a joint household bill or joint bank/credit account, etc. The documents must be dated and list your spouse's name at your mailing address.
Civil Union Partnership	1. A copy of the Civil Union Certificate received from the County Clerk and Recorder or a record of the Civil Union received from the State Registrar as presumptive evidence of the Civil Union. 2. AND the first page of your most recent tax return; OR a document dated within the last 60 days showing current relationship status, such as a joint household bill or joint bank/credit account, etc. The documents must be dated and list your partner's name at your mailing address.
Common-law Spouse	1. Common-law affidavit 2. AND a document dated within the last 60 days showing current relationship status, such as a joint household bill or joint bank/credit account, etc. The documents must be dated and list your partner's name at your mailing address.
Same Gender Domestic Partner	1. SGDP affidavit 2. AND a document dated within the last 60 days showing current relationship status, such as a joint household bill or joint bank/credit account, etc. The documents must be dated and list your partner's name at your mailing address.
Children	1. A copy of the child's birth certificate or adoption certificate, naming you or your spouse/SGDP/Civil Union Partner as the child's parent; OR appropriate custody or allocation of parental responsibility naming you or your spouse/SGDP or Civil Union Partner as the responsible party to provide insurance for the child.

