

Michelle's Law

DELTA DENTAL OF NORTH CAROLINA

A new federal law was enacted that provides for continuation of dependent coverage for students who would otherwise lose eligibility under the terms of the plan because of a reduction in their full-time class status due to medical reasons or a medically necessary leave of absence from school itself.

Effective October 1, 2009, if an unmarried dependent child who was attending a postsecondary educational institution on a full-time basis and is currently covered under his/her parent's dental benefit policy becomes seriously ill or is injured, (s)he may continue to be covered. In order to remain covered, a physician must provide written documentation supporting the need for a medical leave.

Under the law, the student may remain covered under his/her parent's plan until the earlier of 12 months or until the coverage would otherwise terminate under the policy.

If an unmarried dependent child becomes disabled for an indefinite period of time, (s)he may be considered incapacitated. If the dental plan has an incapacitated dependent provision, the subscriber can apply to continue coverage. To be eligible, the dependent:

- Must be incapable of self-support because of mental retardation or any mental or physical disability
- Became disabled before reaching the age limit for coverage
- Depends on the subscriber for financial support and maintenance

In both cases, the subscriber needs to provide documentation of the illness, injury or incapacitation. Print and complete the Disabled Dependent/Michelle's Law Application found at www.deltadentalnc.org. Click on Subscribers > Forms & Publications. Once the form has been completed by the subscriber and the child's physician, send it to the employer's benefit representative who will provide the necessary information to Delta Dental.