

Employee Benefits Division Policy Memorandum

Number: Policy Memo 142
Date Issued: February 8, 2011
Subject: Documentation of Paternity Establishment

PURPOSE:

To clarify the documentation necessary to establish paternity of NYSHIP enrollees' dependent children, particularly when the enrollee is not married to the child's mother and the enrollee-father's name is not on the child's birth certificate.

BACKGROUND:

It is necessary to document a child's eligibility for NYSHIP coverage when an enrollee seeks to add a dependent child to the enrollee's NYSHIP coverage. In instances where the enrollee is not married to the child's mother and the enrollee has represented that he is the father of the dependent child, it is necessary to ensure that the enrollee's status as the child's father has been established legally. When the enrollee cannot or does not produce adequate documentation to establish that he is the child's father, the enrollee can still add the child as a NYSHIP dependent as an "Other Child".

POLICY:

When an enrollee has represented that he is the father of a dependent child and seeks to add the child to his NYSHIP enrollment as a dependent, it is necessary for the enrollee to provide documentation that shows that his status as the child's father has been established legally.

The enrollee is required to produce one of the following documents:

1. The child's birth certificate noting his status as the father;
2. A court order noting that his status as the father has been adjudicated by a court;
3. A Voluntary Acknowledgment of Paternity that has been executed and filed with the County Registrar of the county in which the child was born, as authorized by Public Health Law Section 4135-b if the child was born in New York State. All states have a paternity acknowledgement process; if the child was born in another state, the enrollee may produce a filed Voluntary Acknowledgment of Paternity from the other state. *Note: this is a formal, state-regulated process and is not satisfied merely by the child's parents or an attorney signing a letter or other informal document stating that the man is the child's father.*

RATIONALE:

This policy memo is intended to clarify the types of documents that may be used to demonstrate that an enrollee's status as a child's father has been established legally. This policy memo does not represent a change of policy inasmuch as it merely reflects current New York State law.

UNIT RESPONSIBILITY:

All.