

Employee Benefits Division Policy Memo

Number: Policy Memo 23r2

Date Issued: January 23, 2017

Subject: Coverage for Adopted Children

PURPOSE

Determine eligibility for coverage of children who are in the process of being adopted.

BACKGROUND

There are occasions when enrollees request that their soon-to-be adopted children be covered under NYSHIP before adoptions are finalized.

POLICY

A child who is in the process of being adopted by a NYSHIP enrollee is eligible for NYSHIP coverage when a petition for adoption has been filed. Such child is eligible for NYSHIP coverage before adoption is finalized on the same basis as a natural child. In the case of a newborn child, if the petition for adoption has been filed prior to or within 30 days of birth, or if legal guardianship has been established as of the date of birth, the coverage may begin on the date of birth. Eligibility for coverage for adoptees shall cease if a notice of revocation of adoption has been filed and/or consent to the adoption has been revoked. This policy is in accordance with Section 115(b) and (c) of New York State Domestic Relations Law, Title 11, Section 52.18(e)(2) and (3) of New York State Codes, Rules and Regulations and Section 4235(f)(2) of New York Insurance Law.

If a child's eligibility as an adopted child terminates, coverage may continue if the child meets the "other child" eligibility requirements. See Policy Memo 88r1 and the NYSHIP General Information Book for more information on these criteria.