

The Commonwealth of  
Virginia

Line of Duty Act

Dependent Benefits



Virginia Department of Accounts

Financial Accountability. Reporting Excellence.

**4) Definition of—dependent:**

“The term —dependent” applies to those persons who were dependent on the deceased/disabled employee. This definition would normally include the deceased/disabled employee’s children, including those who are born after the employee’s death. Children of a deceased/disabled employee’s divorced spouse who later remarries and subsequently had children from the other marriage should not be considered as dependents of the deceased/disabled employee.

**5) Definition of—child:**

“The term —Child” applies to the following list: natural child, adopted child, illegitimate child, or stepchild.

**6) Definition of—full-time college student:**

A student is considered a full-time college student, if he or she is enrolled with a minimum of 12 semester credit hours at a college.

**7) Definition of—college:**

For the purposes of this benefit, accredited colleges and universities only will qualify.

**8) Full-time college student dependent information:**

The following information is required of any dependent who is considered a full-time college student for the purposes of claiming benefits under this Act:

- a. the name, address, and phone number of the college the dependent is enrolled, along with the anticipated graduation date.
- b. any change in the student’s college enrollment status will be communicated to the Comptroller’s office.
- c. if the student becomes enrolled in a college other than the one noted, the Comptroller’s office must be notified.
- d. each semester proof of full-time student status is to be sent to the Comptroller’s office.

**Department of Accounts**

P. O. Box 1971

Richmond, Virginia 23218-1971

Phone: 804-786-1856

Fax: 804-371-0444

E-mail: [lineofduty@doa.virginia.gov](mailto:lineofduty@doa.virginia.gov)



## **DEPENDENTS:**

### **1) General Information:**

These are the general requirements for a child to be considered a dependent for the purposes of this benefit. Further detailed requirements are listed in items 2) through 8). In addition, please refer to the Virginia Line of Duty Act which can be found in Section 9.1-400 through 9.1-402 of the Code of Virginia.

- a. The child is under the age of 21, **AND** is **NOT** married, **AND** is **NOT** covered under an alternate health insurance plan.
- b. The child is a full-time college student under the age of 25.
- c. The child is over 21, but is mentally or physically disabled.

### **2) Children who meet the requirements above, but are not considered to be a dependent by the deceased employee:**

Any child (children) that is conceived by the spouse (or ex-spouse) of the deceased employee, but was not considered a dependent per the wishes of the deceased employee, will **NOT** be considered a dependent for the purposes of this benefit. Please refer to the following examples.

#### **Example:**

- a. An ex-spouse of the deceased employee becomes re-married to someone other than the deceased employee, and has a child born of that marriage. That child will **not** be covered by the health benefits available under this Act.
- b. A child is born to the spouse of the deceased employee, and was not considered a dependent by the deceased employee. That child will **not** be covered by the health benefits available under this Act.

### **3) Termination of Dependent Coverage:**

Continued health insurance provided by this benefit shall terminate upon the occurrence of any one of the following situations:

- a. the dependent's death,
- b. the dependent marries,
- c. the dependent is covered by an alternate health insurance plan,
- d. the dependent turns 21 years of age **AND** is **NOT** mentally or physically disabled **OR** is **NOT** enrolled as a full-time college student. (Note: Dependents age 21 or more may be covered, if they meet full-time college student eligibility requirements. Please see the section entitled "FULL-TIME COLLEGE STUDENT")
- e. the dependent is 21 or older, was deemed a full-time student during the application process and has ceased to be a full-time student.
- f. the dependent is a full-time college student and reaches the age of 25.