

Do you have insurance coverage with more than one health plan? In order to determine which of your plans is the primary payer, use the **Non-Dependent/Dependent, Active/Inactive** and **Birthday Rules** outlined below:



NON-DEPENDENT/DEPENDENT RULE

PRIMARY PAYER: The plan that covers an individual as an enrollee or subscriber.

SECONDARY PAYER: The plan that covers an individual as a dependent (for example, as a spouse).



ACTIVE/ INACTIVE RULE

PRIMARY PAYER: The plan that covers an individual as an active employee or as the dependent of an active employee.

SECONDARY PAYER: The plan that covers the individual as a retired or former employee or as the dependent of such an employee.



BIRTHDAY RULE

This rule determines whether a plan is the primary or secondary payer for a dependent child who is covered by both parents' benefit plans and those parents live together.

PRIMARY PAYER: The plan covering the parent whose birthday (month and day only) falls first in a calendar year provides primary coverage for the child.

If both parents have the same birthday, then the plan that has been in effect the longest is the primary payer.



A different set of rules applies to a **dependent child** whose parents are divorced, legally separated or are not living together, whether or not they have ever been married.

1. **If a court decree states that both parents are responsible** for the child's health care expenses/coverage, the Birthday Rule determines the order of benefits.
2. **If a court decree states that the parents have joint custody** without specifying that one parent has health care coverage responsibility, the Birthday Rule determines the order of benefits.
3. **If a court decree states that one of the parents is responsible** for the child's health care expenses/coverage ("health care coverage responsibility") and the plan covering that parent has actual knowledge of those terms, that plan is the primary payer. If the responsible parent has no coverage for the child's health care expenses, but that parent's spouse (i.e. a step parent) does, that plan is the primary payer.
4. **If there is no court decree allocating health care coverage responsibility** for the child, the order of benefits for the child is as follows:
 - a) The plan covering the custodial parent.
 - b) The plan covering the custodial parent's spouse (i.e. a step parent).
 - c) The plan covering the non-custodial parent.
 - d) The plan covering the non-custodial parent's spouse.