AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

§ 873.702 Proof of dependency.

(a) A child is considered to be dependent on a employee or former employee if he/she is:

(1) A legitimate child,

(2) An adopted child,

(3) A stepchild or recognized natural child who lived with the employee or former employee in a regular parent-child relationship,

(4) A recognized natural child for whom a judicial determination of support has been obtained, or

(5) A recognized natural child to whose support the employee or former employee makes regular and substantial contribution.

(b) For the purposes of a claim under this part, an otherwise eligible child must have been dependent on the employee or former employee at the time of the child's death in order to qualify as a family member.

(c) The following are examples of proof of regular and substantial support. More than one of the following proofs may be required to show support.

(1) Evidence of eligibility as a dependent child for benefits under State or Federal programs,

(2) Proof of inclusion of the child as a dependent on the employee's or former employee's income tax returns,

(3) Canceled checks, money orders, or receipts for periodic payments from the employee or former employee for or on behalf of the child.

(4) Evidence of goods or services which show regular and substantial contributions,

(5) Any other evidence which the Office of Federal Employees' Group Life Insurance shall find to be sufficient proof of support or of paternity or maternity.

(d) The Office of Federal Employees' Group Life Insurance may deny an individual coverage as a dependent child, if:

(1) Evidence shows that the employee or former employee did not recognize the child as his/her own despite a willingness to support the child, or

(2) Evidence calls the child's paternity or maternity into doubt, despite the employee's or former employee's recognition and support of the child.

(e) For the purposes of an employee's election of family optional insurance upon the acquisition of a child, as provided in § 873.205, the employing agency shall base any requisite determination of dependency on the criteria expressed in paragraphs (a), (c), and (d) of this section.

§ 873.703 Child incapable of self-support.

(a) Upon receipt of a claim for family optional insurance in the event of death of a child over the age of 21 years, the Office of Federal Employees' Group Life Insurance shall determine, on the basis of such evidence as it deems necessary, whether the deceased child was incapable of self-support because of a mental or physical disability which existed before the child became 22 years of age.

(b) In the event of an employee's election of family optional insurance under § 873.205, where the opportunity to elect is based solely on the acquisition of a child over age 21, the employee shall submit to the employing office at the time of filing the election, a certificate of the physician that the child is incapable of self-support because of a physical or mental disability which existed before the child became 22 years of age, and which can be expected to continue for more than one year. The certificate shall include a statement of the name of the child, the nature of his/her disability, the period of time it has existed, and its probable future course and duration. The certificate shall be signed by the physician and show his/her office address.

PART 874—ASSIGNMENT OF LIFE INSURANCE

Subpart A—Definitions of Terms

Sec.

874.101 Definitions.

Subpart B—Coverage

874.201 Assignments permitted.
874.202 Rights of the assignee.
874.203 Rights of the insured individual after assignment.

Subpart C—Assignment Procedures

874.301 Making an assignment.

874.302 Effective date of the assignment.
874.303 Notification of current address.
874.304 Reconsideration.

Subpart D—Amount of Insurance and Withholdings and Contributions

874.401 Amount of Insurance.
874.402 Withholdings and contributions.

Subpart E—Termination and Conversion

874.501 Termination.
874.502 Eligibility to convert.
874.503 Rates for converted insurance.
874.504 Notification of conversion rights.

Subpart F—Designations of Beneficiary

874.601 Designations and changes of beneficiary.

Subpart G—Annuitants and Compensationers

874.701 Annuitants and compensationers.
874.702 Reemployed annuitants.

AUTHORITY: 5 U.S.C. 8716.

SOURCE: 60 FR 51884, Oct. 4, 1995, unless otherwise noted.

Subpart A—Definitions of Terms

§874.101 Definitions.

The terms defined under §870.104 of this chapter have the same meanings in this part.

Subpart B—Coverage

§874.201 Assignments permitted.

(a) An insured individual may irrevocably assign ownership of life insurance coverage to one or more individuals, corporations, or trustees. An insured individual may assign ownership of basic life insurance, standard optional life insurance, and additional optional life insurance coverage, but may not assign ownership of family optional insurance or accidental dismemberment coverage. If an insured individual owns more than one assignable type of insurance, he or she must assign all the assignable insurance. An insured individual cannot assign only a portion of assignable insurance.

(b) An insured individual may not name contingent assignees in case the primary assignee dies before the insured individual.

(c) If the insurance is assigned to two or more individuals, corporations, or trustees, the insured individual must specify percentage shares, rather than dollar amounts or types of insurance, to go to each assignee.

(d) Once assigned, the value of the insurance increases or decreases according to any automatic increase or decrease in the value of the coverage as provided for in parts 870, 871, and 872 of this chapter.

(e) An insured individual who has elected a Living Benefit under subpart K of part 870 of this chapter may not assign his or her insurance coverage and an insured individual who has assigned his or her insurance coverage may not elect a Living Benefit.

(f) [reserved]

(g) An insured individual who has elected a Living Benefit may not assign his/her insurance and an insured individual who has assigned his/her insurance may not elect a Living Benefit. [60 FR 51884, Oct. 4, 1995 as amended at 60 FR 31375, June 15,1995]

§874.202 Rights of the assignee.

(a) An insured individual who assigns ownership of insurance continues to be the insured individual, but the assignee assumes the rights of an insured individual, except as provided in §874.203 of this part.

(b) The assignee assumes all rights to waive or decline insurance under this chapter according to the provisions of §§870.204, 871.204, and 872.204 of this chapter. When the insurance is assigned to two or more individuals, corporations, or trustees, all assignees must agree to waive or decline the insurance. A waiver of the basic insurance in accordance with the provisions of §870.204 of this chapter terminates all insurance under this chapter and terminates the assignment under this part.

(c) The assignee may not elect a Living Benefit under subpart K of part 870 of this chapter.

(d) The right of the assignee to designate beneficiaries is set forth in subpart F of this part.

(e) The rights of the assignee when the insured individual retires or becomes a compensationer are set forth in subpart G of this part.