Employment Standards Administration, Labor § 725.219

§ 725.219 Duration of entitlement; child.

(a) An individual is entitled to benefits as a child for each month beginning with the first month in which all of the conditions of entitlement prescribed in §725.218 are satisfied.

(b) The last month for which such individual is entitled to such benefits is the month before the month in which any one of the following events first occurs:

1. The child dies;
2. The child marries;
3. The child attains age 18; and
   (i) Is not a student (as defined in §725.209(b)) during any part of the month in which the child attains age 18; and
   (ii) Is not under a disability (as defined in §725.209(a)(2)(ii)) at that time;
4. If the child’s entitlement beyond age 18 is based on his or her status as a student, the earlier of:
   (i) The first month during no part of which the child is a student; or
   (ii) The month in which the child attains age 23 and is not under a disability (as defined in §725.209(a)(2)(ii)) at that time;
5. If the child’s entitlement beyond age 18 is based on disability, the first month in no part of which such individual is under a disability.

(c) A child whose entitlement to benefits terminated with the month before the month in which the child attained age 23 and is not under a disability (as defined in §725.209(a)(2)(ii)) at that time;
5. If the child’s entitlement beyond age 18 is based on disability, the first month in no part of which such individual is under a disability.

(d) A child whose entitlement to benefits has been terminated pursuant to §725.219(b)(2) may thereafter again become entitled to such benefits upon filing application for such reentitlement, beginning with the first month after the marriage ends and such individual meets the requirements of §725.218. The individual shall not be required to reestablish the miner’s entitlement to benefits (§725.218(a)(1)) or the miner’s death due to pneumoconiosis (§725.212(a)(2)).