

Berkshire Health Group

Eligibility of Divorced Employees & their Ex-Spouses

When your employee is divorced and the divorce decree states that he/she must cover the ex-spouse:

1. If the employee has not remarried, the unmarried ex-spouse can remain on the plan as a spouse.
2. If the employee remarries, the ex-spouse can no longer remain on the plan as a spouse – EVEN if the new spouse is not enrolling. If the ex-spouse must continue coverage, he/she must enroll on an individual plan at 100% of the premium cost. The employer is not required to contribute to the premium of an ex-spouse on an individual plan. The employee is responsible for paying for the coverage.
3. If the ex-spouse remarries, their cover ends as of the date of marriage.
4. Children of the ex-spouse (that are your employee's step-children) can no longer be covered as of the date of the divorce – unless the employee adopted them, or there is a court order for legal guardianship, etc.



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