



UNDER SECRETARY OF DEFENSE
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WASHINGTON, DC 20301-4000

Jan 28 2008

PERSONNEL AND
READINESS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
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UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
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SUBJECT: Determinations of Dependency for Health Care Benefits for Out-of-Wedlock Children

This memorandum, issued under the authority of DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))." October 17, 2006, expands the eligibility criteria to qualify for dependent child status for certain children of members of the Uniformed Services.

Under current Department policy, out-of-wedlock children are considered dependent children for health care benefits under two circumstances: pursuant to a judicial determination of paternity; and pursuant to a determination that the child is living in the household of the member and is dependent upon the member for more than fifty percent of his or her support.

In coordination with the Office of the General Counsel of the Department of Defense, the policy is expanded to include the children of members who sign legally binding voluntary acknowledgements of paternity. Guidance on making these new determinations is attached.

This policy change will be incorporated into the next revision of DoD Instruction 1000.13, "Identification (*ID*) Cards for Members of the Uniformed Services, Their Dependents, and Other Eligible Individuals," December 5, 1997. My point of contact for this action is Ms. Heidi Boyd, (703) 696-0404.

David S. C. Chu

Attachment:
As stated

Attachment 1
Implementation Guidance for
Voluntary Acknowledgment of Paternity

Effective immediately, Uniformed Service sponsors will be eligible to voluntarily acknowledge paternity of a child born out of wedlock to facilitate entitlements to military benefits provided to children of Uniformed Service members.

This policy applies to male Uniformed Service members of the Military Departments; the Coast Guard, under agreement with the Department of Homeland Security, the Commissioned Corps of the United States Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA) under agreements with the Department of Health and Human Services and Commerce, respectively. The child may be enrolled at any time before their 21st birthday.

Each State maintains a procedure to allow a father to voluntarily acknowledge paternity of a child born out of wedlock. The State where the child and mother are located will normally be the State that the acknowledgment will come from. State of home record will apply to sponsors located overseas. These State forms will be used to determine eligibility for dependent child status. The sponsor will present the notarized form to the nearest ID card issuance site to have the child added to the Defense Enrollment Eligibility Reporting System (DEERS). All forms can be seen at: http://ocse.acf.hhs.gov/necsr/pubs/vap_forms/.

The State form and a birth certificate will be required to add the child to the Defense Enrollment Eligibility Reporting System (DEERS). The forms will be scanned into DEERS as part of the enrollment process.

After the child has been added to DEERS, the sponsor will be provided 30 days to remove the child from DEERS. After 30 days, the child will remain in DEERS as the sponsor's child until he/she is 21 or 23 if enrolled in a full-time course of study at an institution of higher learning approved by the administering Secretary, and is dependent on the member or former member for over one-half of the child's support or if the child is determined to be incapacitated.