



Survivor Benefits for Children

Civil Service Retirement System (CSRS)

This pamphlet answers
questions most frequently
asked by:

- Children of Deceased
Employees and Retirees
- Students and School
Officials
- Guardians of Disabled
Children

U.S. Office of Personnel Management



Retirement information is provided on the Internet. You will find brochures, forms, and other information at:

www.opm.gov/retire

and

www.serviceline.opm.gov

You may also communicate with us using email at:

retire@opm.gov

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General Information

The Civil Service Retirement System pays monthly survivor annuity benefits to eligible children of deceased Federal employees or retirees. These benefits, as well as Federal health benefits, are administered by the Office of Personnel Management (OPM).

The government does not award children's survivor benefits automatically. When a Federal employee or retiree dies, the surviving parent or other person responsible for the eligible children must complete an *Application for Death Benefits*, Standard Form 2800, and send it to us along with a death certificate.

As the form instructs, list all surviving children on the *Application for Death Benefits*.

OPM pays annuity benefits to minor children as shown below.

- To a court-appointed guardian or other fiduciary, or
- To the surviving parent or other person who has care and custody of the children.

If the surviving parent also qualifies for monthly benefits, both benefits will be included in the monthly payment the parent receives.

OPM pays annuity benefits to adult children as shown below.

- To a student beneficiary who is age 18 or older if the student requests that the payments be made to him or her.
- To disabled, adult children who are competent to handle their own affairs.
- To the representative payee of disabled, adult children who are not able to handle their own affairs.

After survivor annuity benefits are approved for those eligible, a Survivor Annuity Benefits booklet is sent to the person who receives the annuity on behalf of the children. This booklet will include the names of the children awarded benefits and the amount each will receive.

Basic Eligibility Requirements For Survivor Annuity

A. To receive monthly survivor annuity benefits:

- the child must be the unmarried survivor of a Federal employee who has 18 months of creditable civilian service or of a civil service retiree (“child” includes an adopted child, stepchild, or recognized child born out of wedlock); and
- the child must have been dependent upon the deceased employee or retiree. A child is considered dependent if he or she:
 - was born within wedlock to the deceased employee or retiree;
 - is an adopted child of the deceased employee or retiree or a child who meets all of the following conditions:
 - ✓ the child lived with the deceased, and
 - ✓ the deceased filed a petition to adopt the child, and
 - ✓ the child was adopted by the surviving spouse after the employee or retiree died;
 - is a stepchild or recognized child born out of wedlock who lived with the employee or retiree in a regular parent-child relationship at the time of the employee’s or retiree’s death; or

- is a recognized child born out of wedlock for whom a judicial determination of support has been obtained.

In addition, we consider that a recognized child born out of wedlock was dependent if there is proof that the deceased employee or retiree made regular and substantial contributions to the child's support.

B. Annuity benefits terminate when a child:

- reaches age 18,
- marries, or
- dies.

Annuity benefits stop at the end of the month **before** the one in which any of the above terminating events occurs. For example, if a child turns 18 on June 29, annuity benefits would stop May 31. The last payment (annuity for May) would be issued on June 1. **Note:** An unmarried child under age 18 can continue to receive benefits even if employed or in the military service.

Annuity benefits can continue after age 18 if the person is incapable of self-support because of a disability incurred before age 18, or is a full-time student. Annuity benefits stopped because the child attained age 18 can be resumed if the person is unmarried and becomes a full-time student before reaching age 22. See the discussion starting on page 10 for more information. Annuity benefits terminated because the child married can be resumed if the marriage later ends and the child still meets the requirements stated in Section A on page 2. If a child's marriage ends, contact OPM and provide a copy of the divorce decree, annulment papers, or death certificate of the child's spouse. OPM will determine if the benefit can be reinstated.

When a student is no longer eligible, the payee (the person who receives the payments for the student) is responsible for notifying us at once. It is not the responsibility of the school officials.

If the student stops school, marries, or dies, write or call at the address shown below right away and report the student's name, CSF number, the full name of the deceased employee or retiree, and the nature and date of the event.

You may notify us by calling the Retirement Information Office toll-free at 1-888-767-6738, Monday through Friday between 7:30 a.m. and 7:45 p.m. Eastern time, or by calling the Retirement Surveys & Students Branch at (202) 606-0249, Monday through Friday between 7:30 a.m. and 5:00 p.m. Eastern time or write to:

U.S. Office of Personnel Management
Retirement Surveys & Students Branch
1900 E Street, NW
Washington, DC 20415-3563

Caution: If an error is made incorrectly paying benefits to a child who is not eligible, we must recover the amount paid in error. In case of fraud, the law provides for fine and imprisonment. In some instances, interest and penalties may be charged on the overpayment.

Health Benefits Coverage

Children are eligible for continued health benefits coverage if:

- the deceased employee or retiree was enrolled in a self and family health benefits plan on the date of death; and
- the child was eligible for coverage as a family member when the employee or retiree died; and
- the child was under age 26; and
- at least one family member is eligible for an annuity as the survivor of the deceased employee or retiree.

OPM continues the health benefits coverage as long as possible, unless notified to cancel it.

If the student is the only family member receiving an annuity, the health benefits coverage stops if the student is no longer eligible for a monthly annuity. The health benefits may be reinstated if the student again becomes eligible for an annuity. A foster child who lived with the deceased employee or retiree in a regular parent-child relationship may receive health benefits coverage, if otherwise eligible. (A foster child, however, is not eligible for survivor annuity payments.)

Generally, health benefits coverage may continue for a child until he or she attains age 26.

Health benefits coverage can continue after age 26 if the person is incapable of self-support because of a disability incurred before age 26 which is expected to continue for more than one year. To establish eligibility for this coverage, you will need to give us enough information about the person's condition to permit determination whether the coverage can continue. Please call or write asking us to continue the person's coverage. Please do not contact us any sooner than 90 days before the person's 26th birthday. Call our toll-free number shown on page 4 or write to:

U.S. Office of Personnel Management
Retirement Operations Center
P.O. Box 45
Boyers, PA 16017-0045

You will be mailed complete instructions. You will need a doctor's statement to document the disability. You are responsible for any costs incurred in getting this information and sending it to us.

If the person is receiving a survivor annuity after attaining age 18 because of disability, it may not be necessary to submit a doctor's statement. To determine what is required, you should call or write to us about 90 days before the person's 26th birthday. You will receive a reply telling you what you should submit.

Health benefits coverage for a disabled person over 26 terminates if the person becomes able to earn a living. If the person's survivor annuity is reinstated later, health benefits coverage may also be reinstated.

Health Benefits Premiums

Generally, if the deceased employee or retiree is survived by a widow(er) who is eligible for survivor annuity benefits, the health benefits premiums are withheld from his or her annuity. If no widow(er) survives, the premiums are withheld from the annuity payable to the youngest eligible child. If the monthly annuity is not enough to pay the health benefits premiums, you can arrange to pay the premiums to the Office of Personnel Management so that the coverage can continue.

Children Who Lose Health Benefits Coverage

Temporary Continuation of Coverage

Generally, a child who loses eligibility for coverage may qualify for Temporary Continuation of Coverage under the Federal Employees Health Benefits Program. The coverage is also available to children who do not qualify for a survivor annuity. The temporary coverage would continue for up to 36 months after the regular health benefits coverage ends. The cost of the enrollment is the total premium plus 2 percent of the total premium for administrative expenses. There is no government contribution toward the cost of the coverage. When the temporary coverage ends, the child enrollee would be entitled to a 31-day extension of coverage and an opportunity to convert to a health benefits contract that is not a part of the Federal Employees Health Benefits group insurance (unless the temporary coverage ends because of cancellation or nonpayment of premiums).

You must notify your retirement system within 60 days after the child loses coverage and provide the child's mailing address. Your retirement system will notify the child of his or her Temporary Continuation of Coverage rights after receiving this information from you. If a child wants the temporary coverage, he or she must elect it within 60 days after receiving the notice (or after the date the child loses coverage, if later).

Important: The opportunity to elect temporary coverage ends 60 days after the event that caused the loss of coverage whether or not the retirement system is notified that a child has lost coverage.

The law requires that the effective date of the temporary coverage be the day after the 31-day extension of coverage the child received when his or her eligibility for regular coverage ended. Because the effective date of the temporary coverage cannot be changed, the first payment may cover several months premiums.

31-Day Temporary Extension of Coverage and Conversion to a Nongroup Contract

A child who loses regular health benefits coverage for any reason other than by cancellation (including cancellation caused by nonpayment of premiums) has a 31-day temporary extension of coverage, at no cost, for the purpose of converting to a contract that is not a part of the Federal Employees Health Benefits group insurance with his or her current health benefits plan. This is true even when the child also has the right to elect Temporary Continuation of Coverage as explained above. A child who elects temporary coverage instead of the conversion policy has another opportunity to convert to a contract that is not a part of the Federal Employees Health Benefits group insurance when the temporary coverage ends (other than by cancellation).

To convert the child's coverage to a nongroup plan, you or the child must apply directly to the health benefits plan within 31 days after the child's eligibility ends. Many plans provide fewer benefits under the converted contract that is not a part of the Federal

Employees Health Benefits group insurance and the premium rates are relatively more expensive.

If you need to know the benefits and costs of the converted health benefits coverage, contact the child's health benefits plan.

Annuity Benefits After Age 18

Children Incapable of Self-Support

A son or daughter incapable of self-support because of a physical or mental disability can receive annuity benefits after age 18 if the disability existed before the 18th birthday and he or she meets the Basic Eligibility Requirements listed on page 2.

You will need to provide enough information about the disabled person's condition to permit a determination whether the annuity payments can continue. If the disabled child is under age 18 when you apply for death benefits, we do not need information about the disability until about 90 days before the child's 18th birthday. At that time you should call our toll-free number shown on page 4 or write to:

U.S. Office of Personnel Management
Retirement Operations Center
P.O. Box 45
Boyers, PA 16017-0045

asking to continue the annuity payments because the child is disabled. Complete instructions will be sent to you.

If the disability exists and the person is age 18 (or within 3 months of age 18) at the time you apply for death benefits, indicate on the *Application for Death Benefits*, Standard Form 2800, that the child is disabled. We will send you complete instructions on how to apply for a disabled child's benefit.

In either instance, you will need a doctor's statement. You are responsible for any costs incurred in getting the information required and sending it to us.

If a disabled son or daughter age 18 or older is eligible for benefits, the payments will be in the same amount as for a child under age 18.

Annuity benefits continue for a disabled person age 18 or older until he or she:

- recovers from the disability;
- becomes capable of self-support;
- marries; or
- dies.

Notify us promptly if any of these events occurs.

If a son or daughter who recovers from a disability or becomes capable of self-support is a full-time student (or later becomes one), the benefits can be continued (or reinstated) if the student is under 22. Student benefits are discussed on the next page. If you believe the person meets these requirements, write to us and the necessary certification forms will be sent to you. If a lump sum is paid after the benefits for a disabled person terminated and he or she later becomes a full-time student before age 22, read the information starting on page 14, **Lump Sum Payments**, before requesting reinstatement of benefits.

Survivor Annuity for Disabled Children Who Were Married When the Former Employee Died

Disabled children who were married when the former employee died may be eligible for a child's monthly survivor annuity benefit if their marriage ends.

To be eligible the person must be:

- incapable of self-support because of a disability incurred before age 18; and
- unmarried.

The child must provide a doctor's statement certifying the disability and a copy of the divorce decree, annulment papers, or the death certificate of the child's spouse.

If the child is determined eligible for a benefit, for marriages ending on or after October 1, 1996, the benefit will begin the first day of the month in which the child's marriage ends, and for marriages ending before October 1, 1996, the benefit will begin as of October 1, 1996.

Amount Payable

The monthly rate is the same rate the child would have received had he or she been receiving benefits from the time the former employee died.

Health Benefits

The child may enroll in the Federal Employees Health Benefits Program if the former employee had self and family coverage at the time of death.

Unexpended Balance of Retirement Contributions

If OPM has paid the unexpended balance (lump-sum payment) of the former employee's contributions to the Civil Service Retirement and Disability Fund, the child's benefit cannot be authorized until the entire amount of the lump sum is paid back into the Fund.

Students Ages 18-22

A surviving child who meets the Basic Eligibility Requirements listed on page 2, is between the ages of 18 and 22, and is a full-time student at a recognized educational institution may be eligible for a monthly survivor annuity benefit.

If a person who meets these requirements is listed on the *Application for Death Benefits*, Standard Form 2800, we will send an *Initial Certification of Full-Time School Attendance*, RI 25-41. This form is completed by the person who expects to receive the payments and by the school. If a child under 18 receives annuity benefits, as the 18th birthday approaches, we notify the parent, guardian, or other payee of the date the annuity will stop and explain how to get continued benefits for a son or daughter who is a qualified student.

A recognized educational institution is a school that has a faculty and requires study or training to be done at the school, and is accredited by an organization recognized by the U.S. Department of Education. Examples include:

- high schools
- technical or vocational institutes
- business schools
- colleges
- junior or community colleges
- universities

Student benefits are not payable to students enrolled in correspondence courses, distance learning, “on-line” courses, Job Corps, elementary schools, United States military service academies, or any training programs, such as apprenticeship programs, where the trainee receives pay primarily as an employee.

The student must be attending day or evening classes at the school, with enough course work each semester or term to finish his or her education within the length of time generally considered normal by the school for a full-time day student. Full-time students must have a sufficient subject load to allow them to graduate within the minimum time which is considered normal for a full-time student of the school.

High schools generally require 25 to 35 actual clock hours of class attendance each week to consider a student as full-time. For special programs, they generally require a minimum of 20 hours per week.

Colleges, junior or community colleges, and universities generally require a minimum of 12 semester or quarter credit hours to graduate in the normal length of time. For tuition purposes, a student carrying fewer credit hours may be designated as full-time. Being designated full-time for tuition purposes does not necessarily establish eligibility for adult student benefits.

Vocational or technical schools generally require that students make this schooling their principal activity. This means that the student spends as much as 40 clock hours each week in activities related directly to training in the school. Normally, the activities take place at the school.

Acceptable work-study programs generally require some regularly scheduled class attendance; together, the class attendance and the work periods constitute a full-time course of training. High school work-study programs are considered full-time if the school gives the student credit for successfully completing the work-study program.

Generally, cooperative programs are not full-time academic course work. However, if the student receives full-time academic credit in a cooperative program and is not receiving pay primarily as an employee, the student may qualify for a monthly annuity.

OPM may request periodic certification from you that the student continues to meet the eligibility requirements. OPM may also request at any time that you provide proof of the school enrollment.

Annuity benefits continue between school years unless the break is longer than 5 months or the student does not plan to continue full-time school attendance. If the student plans to be out of school for more than 5 months, benefits are not paid during the break. If he or she plans to return to school within 5 months, but does not do so, benefits stop at the end of the month before the change of plans. Evidence of a change of plans includes entry into military service and failure to return to school on the date the new term begins. You must notify us immediately if there is a break of more than 5 months between school years or the student does not plan to continue full-time school attendance. Any benefits erroneously continued during the break must be repaid by the recipient.

A son or daughter whose annuity benefits as an adult student stopped because he or she is no longer a full-time student at a recognized school could qualify for benefits again before reaching age 22. In such a case, please request reinstatement of the annuity. Call our toll-free number shown on page 4 or write to:

U.S. Office of Personnel Management
Retirement Surveys & Students Branch
1900 E Street, NW
Washington, DC 20415-3563

Be sure to provide the child's full name, the survivor annuity claim number (CSF number), and the full name of the deceased Federal employee or retiree. (Before requesting this, please read the discussion about **Lump Sum Payments** on the next page.)

Annuity benefits stop for the student at the end of the month before the one in which he or she:

- turns 22 (however, if the 22nd birthday falls on or after September 1 and before the following July 1, payments continue to the end of the month preceding the one in which full-time schooling stops or to June 30, whichever comes first);
- marries;
- dies;
- stops attending school;
- transfers to a nonrecognized school;
- changes to less than full-time school attendance;
- enters military service or a U.S. military service academy (such as the U.S. Naval Academy); or
- fails to submit proof that he or she is attending school full-time when we request it.

If the student's 22nd birthday occurs on or after September 1 and before July 1 of the following year and the death of the employee/annuitant occurs during the same period, the student may be eligible for a monthly annuity.

Except when the student attains age 22 (or fails to submit proof that he or she is a student), you must notify us immediately at the above address when any of the events listed above occurs. If benefits are paid after one of these events, the person who received the payment will be indebted to the Civil Service Retirement System, and repayment will be required. OPM has the authority to enforce collection through court action and/or referral to a collection agency.

Lump-Sum Payments

Read the following information carefully. It applies to all children who are eligible for benefits or who may become eligible.

In some cases, OPM pays a one-time “lump-sum payment” when annuity payments to all eligible survivors end or when a Federal employee or retiree dies leaving no survivors who have applied and are eligible for an annuity. The lump-sum payment consists of any retirement contributions (plus any interest, if applicable) of the deceased employee or retiree remaining after all eligible persons who applied for annuity benefits receive payment.

The lump-sum benefit is paid to the individual the deceased employee or retiree designated as beneficiary. If the deceased did not designate a beneficiary, the lump sum is paid to the survivor(s) in the order set by Federal law. First is the widow or widower, if one survives; next in order come the children; then the parents; then the executor of the estate; and finally, the next of kin of the deceased.

If a lump-sum payment has been made and afterward OPM receives an application for survivor annuity benefits for an eligible child, **OPM cannot pay the annuity unless the entire lump sum is first repaid to us.**

For More Information

The booklets listed below offer more detailed information than it is possible to include in this publication. If you wish to request either or both of these booklets, you may call our toll-free number 1-888-767-6738, Monday through Friday between 7:30 a.m. and 7:45 p.m. Eastern time, or write to:

U.S. Office of Personnel Management
Retirement Operations Center
P.O. Box 45
Boyers, PA 16017-0045,

email at retire@opm.gov, or check the Internet at www.opm.gov/retire.

Title	Form Number
Information for Survivor Annuitants	RI 25-26
Information About the Federal Employees Health Benefits Program	RI 79-2



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Office of
Personnel Management**
1900 E Street, NW
Washington, DC 20415

www.opm.gov/retire