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**From:** Tombul Bridget E  
**Sent:** Thursday, August 02, 2007 3:05 PM  
**To:** Reno Lynn H  
**Cc:** Weinheimer Russell E; Campbell Carol A  
**Subject:** FW: Question

Hi Lynn:

The college student plan in this case would be qualified coverage ONLY IF the college student was a qualifying family member and the *eligible individual* independently satisfied the 30-day requirement with a separate individual policy. The 30-day requirement only applies to the eligible individual. If the eligible individual meets those requirements, it does not matter when the qualifying family member's coverage began or ended.

The college student health plan would be classified as an individual health plan for purposes of the HCTC. "Group" for tax code purposes has a peculiar meaning requiring that it be employment-related; college student plans are not employment-related and hence do not meet the tax code meaning of a group health plan even though they're provided on a group basis. If a college student ever became an eligible individual (i think this is rather unlikely but is possible) and had student coverage before the separation from employment making the college student an eligible individual, then the college student plan could be qualified coverage as an individual plan. It could also be qualified coverage, as mentioned above, if the college student was a qualifying family member and the eligible individual independently satisfied the 30-day requirement with a separate individual policy.

If you have any other questions, or if the information in this e-mail is unclear or not helpful, please contact me.

Regards,

*Bridget E. Tombul*  
*Special Counsel to Division Counsel (W&I)*  
*CC:WI*

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