

## Coordination of benefits (COB)

COB exists when an enrollee is also covered by another plan and determines which plan pays first. The COB provision applies when you or your covered Dependent have health care coverage under more than one plan. When you are covered by two or more health plans, benefits provided by the other plan will be coordinated with those provided by this Plan.

### Order of Benefit Determination Rules

This Plan determines its order of benefits using the first of the following rules that applies:

1. A plan with no provision for coordination with other benefits is considered to pay its benefits before a plan that contains such a provision.
2. **Non-Dependent/Dependent.** The benefits of the plan that covers the person as an employee or Member (that is, other than as a Dependent) are determined before those of the plan that covers the person as a Dependent.
3. **Dependent Child Covered Under More Than One Plan.** Unless there is a court decree stating otherwise, when a dependent child is covered by more than one Plan the order of benefits is determined as follows:
  - (a) Dependent Child whose Parents are married or are living together, whether or not they have ever been married. Except as stated in (4) below, when this Plan and another plan cover the same child as a Dependent of different persons, called “parents”:
    - The benefits of the plan of the parent whose birthday falls earlier in a year are determined before those of the plan of the parent whose birthday falls later in the year.
    - If both parents have the same birthday, the benefits of the plan that covered one parent longer are determined before those of the plan that covered the other parent for a shorter period of time.
  - (b) Dependent Child whose parents are divorced or separated or not living together, whether or not they have ever been married. If two or more plans cover a person as a Dependent child of divorced or separated parents, benefits for the child are determined in this order:
    - If a court decree states that one of the parents is responsible for the dependent child’s health care expenses or health care coverage and the Plan of that parent has actual knowledge of those terms, that Plan is primary. This rule applies to plan years commencing after the Plan is given notice of the court decree.
    - If a court decree states that both parents are responsible for the dependent child’s health care expenses or health care coverage, the provisions of Subparagraph (3) above shall determine the order of benefits;
    - If a court decree states that the parents have joint custody without specifying that one parent has responsibility for the health care expenses or health care coverage of the dependent child, the provisions of Subparagraph (3) above shall determine the order of benefits; or
    - If there is no court decree allocating responsibility for the dependent child’s health care expenses or health care coverage, the order of benefits for the child are as follows:
      1. The Plan covering the Custodial parent;
      2. The Plan covering the spouse of the Custodial parent;
      3. The Plan covering the non-custodial parent; and then
      4. The plan covering the spouse of the non-custodial parent
  - (c) For a dependent child covered under more than one Plan of individuals who are the parents of the child, the provisions of Subparagraph (a) or (b) above shall determine the order of benefits as if those individuals were the parents of the child.

4. **Active/Inactive Employee.** The benefits of a plan that covers a person as an employee who is neither laid off nor retired (or as the employee's Dependent) are determined before those of a plan that covers that person as laid off or retired (or as that employee's Dependent). If the other plan does not have this rule, and if, as a result, the plans do not agree on the order of benefits, this requirement will be ignored.
5. **COBRA or State Continuation Coverage.** If a person whose coverage is pursuant to COBRA or under a right of continuation provided by a federal or state law right of continuation is also covered by another plan, the following will be the order of benefit determination:
  - The benefits of the plan covering the person as an employee, member, subscriber or retiree or covering the person as a dependent of an employee, member, subscriber or retiree is the Primary plan and the COBRA or state of other federal continuation coverage is the Secondary plan. If the other Plan Does not have this rule, and as a result, the Plans do not agree on the order of benefits, this rule is ignored. This rule does not apply if the rule labeled D(1) can determine the order of benefits.
6. **Longer/Shorter Length of Coverage.** The Plan that covered the person as an employee, member, policyholder, subscriber or retiree longer is the Primary plan and the Plan that covered the person the shorter period of time is the Secondary plan
7. If the preceding rules do not determine the order of benefits, the Allowable expenses shall be shared equally between the Plans meeting the definition of Plan. In addition, This plan will not pay more than it would have paid had it been the Primary plan.

FirstCarolinaCare will have the right to release and obtain from any Physician, other medical professional, insurance company or other person or organization, any claim information (including copies of records) to pay to any other organization any amount determined to be warranted by this Policy. FirstCarolinaCare may recover any overpayment, which may have been made to any person, insurance company or organization under the provisions of this section. Each Member claiming benefits by this Policy must give FirstCarolinaCare any information it needs to pay the claim.