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**STATE OF CONNECTICUT
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**DECLARATORY RULING
No. 2025 – 1, as amended on April 15, 2026**

IN THE MATTER OF:

Health Care Coverage Eligibility of the Dependent Minor Child of a Retired Employee of the Probate Court System under the State Health Plan pursuant to Section 45a-56 of the Connecticut General Statutes

I. Procedural Background

This Declaratory Ruling is issued by the Office of the State Comptroller (“OSC”) pursuant to Connecticut General Statutes (“C.G.S.”) § 4-176, in response to a petition for a declaratory ruling filed on September 11, 2025, by Attorney Russell Zimmerlin on behalf of a retired employee of the Probate Court System (the “Petitioner”). The ruling concerns the interpretation and application of C.G.S. § 45a-56 as it pertains to eligibility for health care coverage under the State Health Plan for a dependent minor child of the Petitioner. The ruling was amended on April 15, 2026, and this version supersedes the earlier version.

II. Issue Presented

Whether the dependent minor child of a retired employee from the Probate Court System may be deemed eligible for health care coverage under the State Health Plan pursuant to C.G.S. § 45a-56.

III. Findings of Fact

1. During active employment, the Comptroller must procure and arrange health care insurance coverage for various groups, including Probate Court judges and employees. C.G.S. § 5-259(a)(5).
2. Upon retirement, Probate Court judges and employees may elect to receive health care insurance pursuant to C.G.S. § 45a-56.
3. The State Health Plan, administered by the OSC pursuant to C.G.S. § 5-259, provides health care coverage to eligible state employees, retirees, their dependents, and other groups as defined by statute, collective bargaining agreements, and the State Health Plan documents.
4. The Probate Court Retirement System is administered by the State Employees' Retirement Commission and is distinct and separate from the State Employees Retirement System.

Regulations of Connecticut State Agencies (“R.C.S.A.”) § 5-155-2.

5. The Petitioner is a former employee of a Connecticut probate court who receives retirement benefits from the Probate Court Retirement System and seeks to enroll her dependent minor child under the State Health Plan.

IV. Applicable Law

1. **C.G.S. § 45a-56.**

Provides that the Comptroller “shall arrange and procure a group [health] plan for the probate judges and employees retirement system with coverage equal to that available under section 5-259 ... to retired state employees and their spouses and surviving spouses.”

2. **C.G.S. § 5-259.**

Authorizes the Comptroller to arrange for group hospitalization and medical and surgical insurance for “state employees, retirees and their dependents,” and to administer such plans in accordance with applicable laws and collective bargaining provisions.

3. **C.G.S. § 5-259(a)(5).**

Specifies that judges of probate and probate court employees are one of the groups for whom the Comptroller must arrange group hospitalization and medical and surgical insurance.

4. **C.G.S. § 45a-34 et seq.**

Establishes conditions for retirement and benefits for retired probate court judges and employees.

5. **R.C.S.A. § 5-155-2(f).**

Provides that the State Employees' Retirement Commission administers “the Probate Judges and Employees' Retirement System ... in cooperation with the judicial department and the office of the probate court administrator.”

6. **State Health Plan Summary Plan Description (SPD).**

Defines eligibility for retiree health benefits as determined by statute, collective bargaining agreements and memoranda issued by the OSC.

V. Discussion and Analysis

The Petitioner is a retired employee of the Connecticut Probate Court system. Probate Court employees are not considered employees of the State of Connecticut but instead serve at the pleasure of the judge of the court of probate in which they are employed. C.G.S. § 45a-21. The Petitioner is only eligible for retirement and benefits specific to probate court employees under the conditions set forth in statute. For example, a probate court employee must work for more than four hundred thirty (430) hours per year or for at least one thousand (1,000) hours per year to be considered an employee, depending on the employee’s date of hire. C.G.S. § 45a-34(3). Similarly, Connecticut law also defines the age at which probate employees are eligible for retirement depending on date of hire, length of employment, and years of “credited service.” C.G.S. § 45a-36(b) to (d). These conditions for probate court retirees are not aligned with those of other types of state employees.

One of the benefits afforded to probate court retirees is that the OSC must “arrange and procure a group hospitalization and medical and surgical insurance and dental insurance plan for [them] with coverage equal to that available under section 5-259 ... to retired state employees and their spouses and surviving spouses.” C.G.S. § 45a-56. In other words, the OSC must provide retired

probate employees access to health insurance benefits equivalent to those benefits provided to retired state employees and their surviving spouses. There is no statutory requirement, however, to provide access to health care coverage to other dependents of retired probate employees, such as dependent minor children.

Section 45a-56 continues to specify that employees make the decision whether to participate in the group health insurance plan, and upon their death, any surviving spouse(s) make the decision concerning plan participation.¹ There is no reference in this Section to any type of dependent (beyond spouses) who may be offered coverage under the group plan. Furthermore, the statute explains in detail how much the premiums are for both the retiree and spouse and how the premiums should be paid.² Once again, however, there is no reference in this Section to premiums for coverage of dependent minor children.

VI. Conclusion

Consequently, due to the lack of statutory authority to offer health insurance for a dependent minor child of a retired employee from the Probate Court System, Petitioner's dependent minor child is not deemed eligible for health care coverage in the State Health Plan.

¹ "Any member of the probate judges and employees retirement system who is retired and receiving benefits from such system, and the spouse of any such member, and upon the death of any such member, such member's surviving spouse, while receiving benefits from such system, may elect to participate in the group insurance plan procured by the Comptroller under subsection (a) of this section." C.G.S. § 45a-56(b).

² "The premium charged for any such member and spouse or surviving spouse who elects to participate in the group hospitalization and medical and surgical portion of such coverage shall be paid from funds appropriated to the State Comptroller, for Fringe Benefits, for Retired State Employees Health Service Cost. Twenty per cent of the premium charged for any such member and spouse or surviving spouse who elects to participate in the group dental portion of such coverage shall be paid from said funds, and the remainder of the premium for such coverage shall be paid by the participant." C.G.S. § 45a-56(c).

VII. Declaratory Ruling

It is hereby DECLARED that:

1. Under C.G.S. § 45a-56, a dependent minor child of a retired employee from the Probate Court System may not be deemed eligible for health care coverage in the State Health Plan.
2. Accordingly, the dependent minor child of Petitioner is not eligible for health care coverage under the State Health Plan.

**Amended Version issued this 15th day of April 2026,
Hartford, Connecticut**

By:

A handwritten signature in black ink, appearing to read "Sean Scanlon". The signature is written in a cursive, flowing style.

**Sean Scanlon
State Comptroller**