



## ***Benefits Administration Letter***

**Number:** 16-208

**Date:** September 15, 2016

**Subject: Federal Employees' Group Life Insurance (FEGLI) Program:  
Belated Open Season Elections and Open Season Election Errors**

On August 7, 2015, we issued [Benefits Administration Letter \(BAL\) 15-203](#) announcing a FEGLI Open Season that will be held from September 1 through September 30, 2016.

On March 17, 2016, we issued [Benefits Administration Letter \(BAL\) 16-204](#) providing information about the FEGLI Open Season and answers to commonly asked questions.

On July 19, 2016, we issued [Benefits Administration Letter \(BAL\) 16-206](#) providing information about the FEGLI Open Season website, sample emails for employees, and the data needs spreadsheet.

This BAL provides information about belated FEGLI Open Season elections and FEGLI Open Season election errors resulting in the inadvertent cancellation of Optional insurance.

### **BELATED OPEN SEASON ELECTIONS**

#### **Regulatory Authority**

[FEGLI regulations at 5 CFR 870.507\(d\)](#) allow a belated FEGLI Open Season election if, within 6 months after a FEGLI Open Season ends, an employing agency determines that an employee was unable to make an election on a timely basis for reasons beyond his/her control. If an agency makes such a determination, the employee must make the election within 60 days after the agency's notification. A belated election is effective the same date as a timely election and is subject to the same pay and duty status requirements. Agencies may use this authority to make belated election determinations through March 31, 2017.

#### **Special Authority for the FEGLI 2016 Open Season**

OPM is granting agencies the authority to accept belated FEGLI Open Season elections beyond the six month regulatory time limit for two categories of employees:

1. Employees who have been called to active military duty before October 1, 2016; and
2. Employees who have been sent overseas in a civilian military support capacity before October 1, 2016
  - a. This includes those deployed in support of a contingency operation as defined by section 101(a) (13) of title 10 and civilian employees in the Department of Defense eligible for FEGLI who are designated as “emergency essential” under section 1580 of Title 10

Employees in the first category may make an open season election within 60 days of returning to a covered civilian position, even if their return is after March 31, 2017. Employees in the second category may make an open season election within 60 days of returning to a covered position that is not in a military support capacity, even if that return is after March 31, 2017.

### **Effective Date of Elections Made under the Special Authority**

The effective date of coverage elected under this special authority is the same date as all other open season elections: The first day of the first pay period that begins on or after October 1, 2017, and follows a pay period during which the employee [meets pay and duty requirements](#).

To determine the effective date for a specific employee look at the normal effective date (October 1, 2017, for most biweekly employees) and see if the employee met the pay and duty status requirements in the preceding pay period. If not, move the effective date forward until you come to the start of a pay period that follows one in which the employee did meet the pay and duty status requirements. If the effective date is retroactive, the employee must pay premiums back to that date.

Note: These extended belated open season elections, like all other open season elections (both timely and belated), must be made on the [SF 2817 Life Insurance Election](#) or its electronic equivalent. Note in the Remarks section that you are allowing the belated election under the special authority granted in this BAL (or under the regulatory authority at 5 CFR 870.507(d) if that is the case).

Please keep track of the number of belated elections you allow under this authority, as OPM will request this information soon.

### **OPEN SEASON ELECTION ERRORS**

#### **Not Signing For All Coverage**

When making a FEGLI Open Season election, an employee must sign for **all** coverage the employee wants to have, not just the coverage he/she wants to elect or increase. Any coverage not elected is waived.

For example, an employee who has Basic and Option B may want to add Option C without

changing any other coverage. If the employee submits a FEGLI Open Season election for Basic and Option C (but not Option B), the employee has accidentally cancelled Option B.

### **Correction Authorized**

OPM authorizes agencies to correct an employee's error and reinstate the erroneously cancelled Optional coverage if the employee notifies his/her personnel office of the mistake before the end of the second pay period following the pay period in which the Open Season election became effective. For employees whose coverage goes into effect October 1, 2017, this would be the pay period ending November 11, 2017.

(Note: An employee must have Basic to have any Optional insurance. If an employee signs for Optional insurance only, note in the Remarks section of the SF 2817 that the employee forgot to sign for Basic. Process the FEGLI Open Season election as if the employee did sign for Basic.)

### ***Example***

*Abby has Basic and one multiple of Option B. During the FEGLI Open Season she wants to keep this coverage and add five multiples of Option C. She completes an SF 2817 electing Basic and five multiples of Option C. By not signing for Option B, Abby cancels her existing Option B coverage effective when her FEGLI Open Season enrollment becomes effective on October 1, 2017. (Abby is a biweekly employee who meets pay and duty status requirements.)*

### ***Scenario A***

*On October 20, 2017, Abby notices no withholding for Option B in the pay period when her election became effective. Abby contacts her personnel office on October 23, 2017, and explains that she made a mistake. Her personnel office can reinstate her Option B coverage retroactive to October 1, 2017. Abby must pay retroactive premiums for the Option B coverage.*

To fix a correctable error as described above, have the employee complete a new [SF 2817](#) signing for all coverage elected and mistakenly not elected. Note in the remarks section that you are allowing the reinstatement of erroneously cancelled coverage as authorized in this BAL.

### ***Scenario B***

*On October 20, 2017, Abby receives her pay but does not check her withholdings. In December, Abby finally notices that she had no withholding for Option B. Abby then contacts her personnel office and tells them she made a mistake.*

*It is too late for Abby's personnel office to reinstate her Option B coverage. Abby can get elect Option B again only by:*

- *Waiting a year after the effective date of the cancellation and passing a physical exam using [SF 2822 Request for Insurance](#),*

- *Electing it during a subsequent FEGLI Open Season, or*
- *Electing it within 60 days of a FEGLI qualifying life event*

You play a critical role in the success of this Open Season and we thank you in advance for your support.

Just a reminder -- the FEGLI Open Season ends on Friday, September 30, 2016.

Sincerely,

John O'Brien  
Director  
Healthcare & Insurance