



Benefits for Lesbian, Gay, Bisexual, and Transgender (LGBT) Federal Employees and Annuitants

A Supplemental Resource to the [Benefits for LGBT Federal Employees and Annuitants Panel Video](#)



Before the *Windsor* Supreme Court Decision in 2013

The Defense of Marriage Act (DOMA) provided that, when used in a Federal law:

- the term “marriage” would mean only a legal union between one man and one woman as husband and wife, and
- the term “spouse” referred only to a person of the opposite sex who is a husband or a wife.



After the *Windsor* Supreme Court Decision in 2013

- On June 26, 2013, the Supreme Court ruled that Section 3 of DOMA is unconstitutional.
- OPM was the first agency to implement the decision, extending benefits previously denied under DOMA to legally married same-sex spouses of Federal employees and annuitants.
- Note: On June 14, 2010, OPM issued final regulations to modify its definitions of “family member” and “immediate relative,” and add related definitions for purposes of the Sick Leave, Funeral Leave, Voluntary Leave Transfer, Voluntary Leave Bank, and Emergency Leave Transfer programs. Employees may use these benefits for same or different sex domestic partners and same-sex spouses.



Before the *Obergefell* Supreme Court Decision in 2015

- States had the choice to legalize same-sex marriage within their borders.
- Therefore, a Federal employee or annuitant could travel to a state that granted same-sex marriage licenses, legally get married, and reside in a state that did not recognize their marriage. In these circumstances, and as a result of *Windsor*, Federal agencies would recognize these marriages as legally valid for purposes of determining an individual's eligibility for Federal employee benefits.



After the *Obergefell* Supreme Court Decision in 2015

- On June 26, 2015, the United States Supreme Court ruled that the Constitution requires a State to license a marriage between two people of the same sex and to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out of state.
- How does this apply to the Federal workforce? Federal employees and annuitants, regardless of their sex, can now legally marry in any state in the United States of America, including their state of residence.



Health Coverage for Transgender Federal Employees and Annuitants

- Effective January 1, 2016, no carrier participating in the Federal Employees Health Benefits Program may have a general exclusion of services, drugs or supplies related to gender transition or “sex transformations.”
- Our [carrier letter](#) helps clarify OPM’s earlier guidance recognizing evolving professional consensus on the medical needs of transgender individuals.



Life Event: Marriage



Federal Employees Health Benefits (FEHB) Program Changes Based on Marriage

- Qualifying Life Event Window of Opportunity: 31 days before the marriage to 60 days after it
- Employees and annuitants under the FEHB Program may make an enrollment change to Self Plus One or to Self and Family based on a marriage. You may also change from one plan or option to another. The QLE determines what type of enrollment change is permitted. The enrollment change must be consistent with the QLE.
- Employees contact their Human Resources office to either complete [FEHB Health Benefits Election Form \(SF2809\)](#) or use the agency's electronic enrollment system (if available)
- Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) annuitants [contact OPM Retirement Services](#) to complete and submit [OPM Form 2809](#)
- If you are currently in a Self and Family plan, contact your health plan to inform them of the new family member. If your health plan questions whether someone is an eligible family member, the health plan may ask you or your Human Resources or Retirement Office for more information.



FEHB Resources for Marriage Benefits

- Go to www.opm.gov/FEHBbrochures for more information about insurance plans
- Visit www.checkbook.org to see if your agency subscribes to this plan comparison tool
- Learn more about Self-Plus One at www.opm.gov/SelfPlusOne



Federal Employees Dental and Vision Insurance (FEDVIP) Program Changes Based on Marriage

- Marriage is a Qualifying Life Event for FEDVIP allowing eligible employees to enroll in a dental plan, a vision plan, or both.
- Qualifying Life Event Window of Opportunity: 31 days before the marriage to 60 days after it. The effective date is the event date if individuals enroll 31 days prior.
- The marriage life event also allows an enrollee to increase their FEDVIP election, for example from Self Only to Self Plus One, and it allows the enrollee to change plans.
- To make any of these changes, visit www.BENEFEDS.com or call 1-877-888-FEDS.



Federal Flexible Spending Account Program (FSAFEDS) Changes Based on Marriage

- Marriage is also a Qualifying Life Event for FSAFEDS, allowing an eligible non-enrolled Federal employee to enroll in a flexible spending account, “FSA”.
- Within 31 days before to 60 days after the marriage, an eligible employee can enroll in a health care FSA, dependent care FSA, or both. With a health care FSA, you and your new spouse’s eligible out of pocket health care expenses can be paid with tax-free income, saving participants an average of 30% on these expenses. With a dependent care FSA, your eligible day care expenses can be paid with tax-free income.
- You can also increase your existing FSA election when you get married. Please note that **life event elections are not permitted after September 30 in a given year**. If you get married after September 30, you can enroll during the annual Open Season from mid-November to mid-December.
- To enroll in FSAFEDS or make a life event change, visit www.FSAFEDS.com or call 1-877-FSAFEDS.



Federal Employees' Group Life Insurance (FEGLI) Coverage

- Marriage is a qualifying life event for FEGLI, allowing eligible employees to enroll in FEGLI or increase their coverage outside of a life insurance open season. With the FEGLI life event, an eligible employee can elect up to the maximum coverage offered by the program: Basic insurance, Option A, five multiples of Option B, and five multiples of Option C.
- While Basic, Option A, and Option B are all different amounts of coverage on the life of the employee, Option C is the only FEGLI that covers the lives of an employee's family members. One multiple of Option C covers the life of your spouse for \$5,000 and the life of each unmarried dependent child under age 22 for \$2,500. You can elect up to five multiples of Option C during your life event window.
- Learn more about the different kinds of coverage at www.opm.gov/life.



Federal Employees' Group Life Insurance (FEGLI) Changes Based on Marriage

- If you have FEGLI coverage and die without a valid designation of beneficiary on file with your employing agency, then the FEGLI coverage on your life will be paid according to the order of precedence provided by law.
- After *Windsor*, same-sex spouses are recognized in the order of precedence in the same manner for FEGLI benefits as different-sex spouses. Assuming you die with no designation, no court order on file with your agency, and you haven't assigned your coverage to a third party, then the order of precedence would pay your FEGLI life insurance benefits to your surviving spouse, same-sex or opposite-sex, if you have one.
- If an employee or annuitant had already purchased Option C coverage, a legally married same-sex spouse is automatically covered under the existing enrollment.



Federal Employees' Group Life Insurance (FEGLI) Changes Based on Marriage

- Qualifying Life Event Window of Opportunity: 31 days before the marriage to 60 days after it
- To make a life event change to your FEGLI coverage, submit a [Standard Form 2817 “Life Insurance Election”](#) (or its electronic equivalent) to your employing HR office.
- To designate beneficiaries, submit [Standard Form 2823 “Designation of Beneficiary”](#) to your employing HR office.
- Annuitants can never elect or increase FEGLI coverage, even if they have a marriage. Annuitants can change beneficiaries for existing coverage by submitting [Standard Form 2823 “Designation of Beneficiary”](#) to [OPM Retirement Services](#).



Federal Long Term Care Insurance Program (FLTCIP)

Changes Based on Marriage

- Within your first 60 days as a newly eligible employee, you and/or your spouse can apply for long term care insurance with abbreviated underwriting.
- If you get married, your new spouse can apply for long term care insurance with abbreviated underwriting within 60 days from the date of the marriage. You are not eligible for abbreviated underwriting based on the marriage. After the 60 days, you and/or your spouse can apply for long term care insurance at any time with full underwriting.
- The new spouse of a retiree can apply for coverage with full underwriting at any time following the date of the marriage.
- Each FLTCIP applicant applies separately. Your spouse can apply even if you do not.



Federal Long Term Care Insurance Program (FLTCIP) Changes Based on Marriage

- Prospective enrollees can:
 - Apply online at www.ltcfeds.com
 - Complete a paper application, or
 - Call Long Term Care Partners, the administrator
 - 1-800-LTC-FEDS (1-800-582-3337)
 - TTY 1-800-843-3557
 - Counselors are available Monday-Friday, 9:00a.m. to 6:00 p.m. (ET)



Retirement Benefits Changes Based on Marriage

- Eligibility requirements for providing a survivor annuity are the same for everyone, regardless of gender.
- Learn about the eligibility requirements for the Federal retiree and for the spouse at <https://www.opm.gov/retirement-services/my-annuity-and-benefits/life-events/#url=MarriageDivorce>.
- If you are married at retirement, by law you must provide a full survivor benefit for your current spouse unless you get your spouse's consent for something less.
 - Full survivor benefit for CSRS: 55% of your **unreduced** annual basic benefits.
 - Full survivor benefit for FERS: 50% of your **unreduced** annual basic benefit.



Retirement Benefits Changes Based on Marriage Before Retirement

- If you are a **current Federal employee**, you can obtain detailed information and costs of providing a survivor benefit through your agency HR office.
- If you do not know who to contact at your agency, you can go to <http://apps.opm.gov/abo> to access the Directory of Headquarters Level Agency Benefits Officers.



Retirement Benefits Changes Based on Marriage After Retirement

- If you get married **after** retirement, you can elect a reduced annuity to provide a survivor annuity for your spouse.
- You must make this election **within two years of the date of your marriage**.
- If you remarry the same person to whom you were married at retirement, you cannot elect a survivor annuity greater than the one you elected at retirement.
- Write to OPM at Retirement Operations Center, P.O. Box 45, Boyers, PA 16017 and send us a copy of your marriage certificate showing the date of the marriage and the name of your spouse.
- We will send you information about the cost of the survivor benefit and ask you to confirm your election.



Retirement Benefits Changes Based on Marriage – Designation of Beneficiary

- The Retirement Designation of Beneficiary benefit includes any money in the retirement fund remaining upon your death and any unpaid annuity.
- To change your designation of beneficiary for retirement, [submit SF 2808](#) if you are under the Civil Service Retirement System or [SF 3102](#) if you are under the Federal Employees Retirement System.



Retirement Benefits Changes Based on Marriage – FEHB Benefits

In order for your spouse to maintain Federal Employees Health benefits as a survivor, you must

- Provide a survivor annuity to your spouse
- Meet the eligibility requirements to continue FEHB into retirement
- Be enrolled in a self and family or self+1 plan on the date of death



Retirement Benefits Changes Based on Marriage – Insurable Interest

- At retirement, an employee who can show he or she is in good health may elect an insurable interest survivor annuity benefit for anyone who has an insurable interest in the continued life of the employee.
 - OPM will presume that a same-sex domestic partner has an insurable interest in the continued life of the employee for purposes of processing an employee's election.
 - Note: The amount of an insurable interest annuity and its cost will differ from that of a spousal survivor annuity benefit.
- Employees: Contact your agency HR office to learn more.
- CSRS and FERS Retirees: If you provided an insurable interest annuity to someone and have recently gotten married to that person, [contact OPM Retirement Services](#) so we can discuss whether you want to convert the insurable interest to a regular survivor benefit for your new spouse.



General Notes on Common Law and Foreign Marriages

- Common-Law Marriages: Same-sex spouses in legally valid common-law marriages will be eligible for coverage under all the programs discussed.
- Foreign Marriages:
 - OPM recognizes the legal foreign marriages of opposite-sex couples for purposes of the programs in this presentation that OPM administers.
 - OPM recognizes legal same-sex marriages granted in countries that authorize such marriages, regardless of an employee's or annuitant's state of residency, for purposes of these programs.



General Notes on Domestic Partners

- Same-sex couples who are in a civil union or other forms of domestic partnership other than marriage will remain **ineligible** for most Federal benefits programs.
- Example: FEHB and FEDVIP Benefits
 - Both of these programs use the term “spouse” in their definitions of an eligible family member.
 - In 2014, OPM extended FEHB and FEDVIP eligibility to children of same-sex domestic partners of Federal employees and annuitants who would marry their partners but lived in states that did not allow same-sex couples to marry (“stepchildren”).
 - Based on the Supreme Court’s June 2015 decision in *Obergefell*, all states are now required to allow same-sex couples to marry. Now, no Federal employee or annuitant living in the U.S. lives in a state that does not allow same-sex couples to marry.
 - On October 5, 2015, OPM issued [Benefits Administration Letter 15-207](#), informing agencies and retirement systems that they should no longer add children of same-sex domestic partners to FEHB and FEDVIP enrollments as no new children are eligible.
 - **Stepchildren that are already covered under an enrollment for plan year 2015, based on a domestic partner certification, remain eligible family members only until the end of the plan year. For plan year 2016 and beyond, couples must be married in order to cover (or continue to cover) stepchildren under their FEHB and FEDVIP enrollment.**
 - Contact your HR office or retirement office for more information.



General Notes on Domestic Partners (Continued)

- Same-sex couples who are in a civil union or other forms of domestic partnership other than marriage will remain **ineligible** for most Federal benefits programs.
- Exceptions
 - Federal Long Term Care Insurance Program regulations allow those individuals who satisfy the same-sex domestic partnership standard to be treated as qualifying relatives for Federal employees and annuitants.
 - Employees in domestic partnerships may elect at retirement an insurable interest survivor annuity for a domestic partner as long as the retiree can show he or she is in good health.
 - Employees may use the following leave programs if they are in domestic partnerships—sick leave, funeral leave, the Voluntary Leave Transfer, Voluntary Leave Bank, or Emergency Leave Transfer programs



Life Event: New Child



Resources for Conception-Related Healthcare

- Go to www.opm.gov/insure to learn about the following:
 - Health plans by state
 - Health plan brochures
 - Directories of doctors and hospitals who participate with those plans
 - Links to the plan websites,
 - Information about how the plans benefits change from one year to the next
 - Explanations of the plans' patient safety initiatives
 - And much more!
- Visit www.checkbook.org to see if your agency subscribes to this plan comparison tool



Sick leave (SL), Voluntary Leave Transfer Program (VLTP), and Voluntary Leave Bank Program (VLBP)

- Since 2010, domestic partners (same or different-sex) and same-sex spouses are included in the definition of “family member” for the **SL**, **VLTP**, and **VLBP** (where offered) programs
- See [Fact Sheet: Definitions Related to Family Member and Immediate Relative for Purposes of Sick Leave, Funeral Leave, Voluntary Leave Transfer, Voluntary Leave Bank, and Emergency Leave Transfer](#) for a comprehensive list of definitions
- **Pregnancy:** an employee may use SL for any of her own incapacity related to pregnancy or to attend prenatal healthcare appointments, or to care for a same-sex female spouse or domestic partner who has any incapacity related to pregnancy or accompany her to any prenatal healthcare appointments
- **Childbirth:** employees may take **SL** or donated annual leave under the **VLTP** or **VLBP** for her own recovery from childbirth or to care for a family member (e.g., a same-sex domestic partner or same-sex spouse) following childbirth
- **Adoption**
 - An employee is entitled to use **SL** when he or she must be absent from work for purposes related to his or her adoption of a child.
 - **SL** may be used for any activities necessary to allow the adoption to proceed (e.g., appointments with adoption agencies, social workers, and attorneys; court proceedings, etc.)



Family and Medical Leave Act (FMLA)

- Since 2013 when DOMA was overturned, Federal employees with same-sex spouses have been entitled to use FMLA leave in the same manner as Federal employees with different-sex spouses.
- [CPM 2013-14](#) provides guidance to agencies about FMLA coverage of same-sex spouses until OPM finalizes regulations implementing a new definition of “spouse” in OPM’s Family and Medical Leave Act of 1993 (FMLA) regulations.
- FMLA can be used for the following:
 - The birth of a son or daughter of the employee and the care of such son or daughter;
 - The placement of a son or daughter with the employee for adoption or foster care; or
 - The care of spouse who has a serious health condition, which includes any incapacity due to pregnancy or childbirth or for prenatal care.
- Therefore, FMLA may only be used to care for a same-sex spouse who is pregnant or has given birth—it cannot be used to care for a same-sex domestic partner
- Find more information in the [Handbook on Leave and Workplace Flexibilities for Childbirth, Adoption, and Foster Care](#)



Federal Employees Health Benefits (FEHB) Program Changes Based on New Child

- Employees and annuitants under the FEHB Program may make an enrollment change to Self Plus One or to Self and Family based on a marriage. You may also change from one plan or option to another. The Qualifying Life Event (QLE) determines what type of enrollment change is permitted. The enrollment change must be consistent with the QLE.
- The definition of eligible family members has not changed. Eligible family members include:
 - A child up to age 26
 - A child age 26 or over who is incapable of self-support because of a mental or physical disability that existed before age 26 is also an eligible family member
- Reminder: Starting in 2016, children of same-sex domestic partners will no longer be eligible for FEHB coverage. You must marry your partner to cover your partner's children.



FEHB Program Changes Based on New Child (Continued)

- Enrollment types
 - A Self Only enrollment covers only the enrollee.
 - A Self and Family enrollment covers the enrollee and all eligible family members.
 - The new Self Plus One enrollment type covers the enrollee and one eligible family member you designate to be covered.
- Go to www.opm.gov/FEHBbrochures for more information about insurance plans
- Visit www.checkbook.org to see if your agency subscribes to this plan comparison tool
- Learn more about Self-Plus One at www.opm.gov/SelfPlusOne



FEHB Program Changes Based on New Child (Continued)

- Qualifying Life Event Window of Opportunity: 31 days before the marriage to 60 days after it
- Employees contact their Human Resources office to either complete [FEHB Health Benefits Election Form \(SF2809\)](#) or use the agency's electronic enrollment system (if available).
- Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) annuitants [contact OPM Retirement Services](#) to complete and submit [OPM Form 2809](#).
- If you are currently in a Self and Family plan, contact your health plan to inform them of the new family member.
- If your health plan questions whether someone is an eligible family member, the health plan may ask you or your Human Resources or Retirement Office for more information.



Federal Employees Dental and Vision Insurance (FEDVIP) Changes Based on a New Child

- Acquiring a newly eligible family member, such as a child, is a Qualifying Life Event for FEDVIP allowing an enrollee to increase coverage, such as from Self Plus One to Self and Family.
- This life event does **not** allow a non-enrollee to enroll in FEDVIP.
- Qualifying Life Event Window of Opportunity: 31 days before to 60 days after the child is added to the family
- To make any of these changes, visit www.BENEFEDS.com or call 1-877-888-FEDS.
- Reminder: Starting in 2016, children of same-sex domestic partners will no longer be eligible for FEDVIP coverage. You must marry your partner to cover your partner's children.



Federal Flexible Spending Account Program (FSAFEDS) Changes Based on a New Child

- Acquiring a newly eligible family member, such as a child, is also a Qualifying Life Event for FSAFEDS, allowing an eligible non-enrolled Federal employee to enroll in a flexible spending account.
- Within 31 days before to 60 days acquiring a newly eligible family member, an eligible employee can enroll in a health care FSA, dependent care FSA, or both.
- Please note that **life event elections are not permitted after September 30 in a given year**. If you acquire a newly eligible family member after September 30, you can enroll during the annual Open Season from mid-November to mid-December.
- Visit www.FSAFEDS.com
 - Access videos, eligible expense directory, savings calculator
 - Enroll in FSAFEDS or make a life event change
- Call 1-877-372-3337 or TTY 1-800-952-0450



Federal Employees' Group Life Insurance (FEGLI) Changes Based on a New Child

- Acquiring a newly eligible family member, such as a child, is a qualifying life event for FEGLI, allowing eligible employees to enroll in FEGLI or increase their coverage outside of a life insurance open season.
- While Basic, Option A, and Option B are all different amounts of coverage on the life of the employee, Option C is the only FEGLI that covers the lives of an employee's family members. One multiple of Option C covers the life of your spouse for \$5,000 and the life of each unmarried dependent child under age 22 for \$2,500. You can elect up to five multiples of Option C during your life event window.
- Learn more about the different kinds of coverage at www.opm.gov/life.



FEGLI Changes Based on a New Child (Continued)

- Qualifying Life Event Window of Opportunity: 31 days before to 60 days acquiring a newly eligible family member
- To make a life event change to your FEGLI coverage, submit a [Standard Form 2817 “Life Insurance Election”](#) (or its electronic equivalent) to your employing HR office.
- To designate beneficiaries, submit [Standard Form 2823 “Designation of Beneficiary”](#) to your employing HR office.
- Annuitants can never elect or increase FEGLI coverage, even if they have a marriage. Annuitants can change beneficiaries for existing coverage by submitting [Standard Form 2823 “Designation of Beneficiary”](#) to [OPM Retirement Services](#).



Federal Long-Term Care Insurance Program (FLTCIP) Changes Based on a New Child

- **Children are not eligible to apply** for long term care insurance under FLTCIP until they are **18 years old**.
- Eligible employees and their qualifying relatives can apply at any time with full underwriting.
- Prospective enrollees can:
 - Apply online at www.ltcfeds.com
 - Complete a paper application, or
 - Call LTCFEDS
 - 1-800-LTC-FEDS (1-800-582-3337)
 - TTY 1-800-843-3557
 - Counselors are available Monday-Friday, 9:00a.m. to 6:00 p.m. (ET)



Retirement Benefits Changes Based on a New Child

- Survivor benefits for eligible children are automatically provided by law.
- If you are a Federal employee, consult with your agency benefits officer to learn more.
- If you want to research online, you can go to www.opm.gov/retire and read the information about survivor benefits for child beneficiaries.
- In most cases under the Federal Employees Retirement System (FERS), the Social Security benefit will eliminate the children's benefit.



Leave Benefits for Other Events Happening Over An Employee's Lifetime

- Leave benefits that may be used if an employee's partner, spouse, or child has a medical emergency or a serious health condition
 - Sick Leave
 - Voluntary Leave Transfer Program
 - Voluntary Leave Bank Program
- Sick leave may also be used for general family care purposes—minor illness, medical appointments
- FMLA benefits can be used for care for a spouse (regardless of sex), son, daughter (under 18, or over 18 but incapable of self care because of a medical or physical disability) or parent who has a serious health condition
- FMLA benefits for service members
 - Federal employees are entitled to use **12 weeks** of FMLA leave for qualifying exigencies while a same-sex spouse is on covered active duty or has been notified of an impending call or order to covered active duty status
 - Federal employees are entitled to use **26 weeks** of FMLA leave to care for a same-sex spouse who is a covered service member with an injury or illness incurred or aggravated in the line of duty on active duty



Leave Benefits Resources

- Fact Sheets are available at <https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/>
- Examples:
 - Definitions Related to Family Member and Immediate Relative for Purposes of Sick Leave, Funeral Leave, Voluntary Leave Transfer, Voluntary Leave Bank, and Emergency Leave Transfer
 - Family and Medical Leave fact sheets
 - Sick leave fact sheets
 - Voluntary Leave Bank Program
 - Voluntary Leave Transfer Program



Life Event: Divorce



Federal Employees Dental and Vision Insurance (FEDVIP) Changes Based on a Divorce

- Divorce counts as a “loss of a covered family member” Qualifying Life Event for FEDVIP allowing an enrollee to decrease coverage, such as from Self Plus One to Self Only.
- Divorce does **not** allow an enrollee to cancel FEDVIP altogether, increase or enroll.
- To make this change, visit www.BENEFEDS.com or call 1-877-888-FEDS.



Federal Flexible Spending Account Program (FSAFEDS) Changes Based on a Divorce

- Divorce is a Qualifying Life Event for FSAFEDS, allowing an employee to enroll, increase, or decrease their election consistent with the life event.
 - Ex: You might need to decrease your health care FSA election because you wouldn't be able to claim your spouse's eligible health expenses anymore.
 - Ex: You might need to increase your dependent care FSA because you now need to hire a day care provider to help watch your children.
- To enroll in FSAFEDS or make a life event change, visit www.FSAFEDS.com or call 1-877-FSAFEDS.



Federal Employees' Group Life Insurance (FEGLI) Changes Based on a Divorce

- Divorce is a qualifying life event for FEGLI, allowing eligible employees to enroll in FEGLI or increase their coverage outside of a life insurance open season.
- With the FEGLI life event, an eligible employee can elect up to the maximum coverage offered by the program: Basic insurance, Option A, five multiples of Option B, and five multiples of Option C.
- Learn more about the different kinds of coverage at www.opm.gov/life.
- Employees and annuitants can **cancel or reduce** their FEGLI life insurance at any time, without waiting for a life event or a life insurance open season.
- Making changes
 - If you are a Federal employee, contact your human resources office.
 - If you are retired, contact your retirement system.



Retirement Benefits Changes Based on Divorce

- If you divorce, an election made at retirement to provide a survivor annuity for your spouse terminates.
 - If you choose, however, you may elect a survivor annuity for your former spouse within 2 years of divorce, or a qualifying court order may award your former spouse a survivor benefit.
 - A court order may also award your former spouse a portion of your annuity.
- Federal **employees**, when submitting your retirement application, please include a copy of your divorce degree and any other court orders related to your divorce.



Retirement Benefits Changes Based on Divorce After Retirement

If you divorce after retirement

- Notify [OPM Retirement Services](#) of the divorce.
- If your annuity is currently reduced to provide a survivor benefit for your spouse, the reduction will be eliminated, unless you elect a survivor annuity for your former spouse or a qualifying court order provides a survivor annuity for your former spouse.
- Mail a certified copy of your divorce decree and any other court orders issued related to the divorce to OPM.

U.S. Office of Personnel Management
Retirement Operations Center
Post Office Box 45
Boyers, PA 16017



FEHB Benefits Changes Based on Divorce

- When you divorce, your former spouse is no longer a family member and cannot be covered under your family health benefits enrollment.
- Your children can continue to be covered. If there are no children, you should change to a self-only plan. Your court order may instruct you to continue to provide health benefits for your former spouse.
- If your court order does not instruct you to continue to provide health benefits coverage, your former spouse may qualify for temporary continuation of coverage for up to 36 months. If this temporary coverage is needed, you or your former spouse must make this change within 60 days after the divorce.
- Making changes
 - If you are a Federal employee, contact your human resources office.
 - If you are retired, contact your retirement system.



Life Event: Gender Transition



Gender Transition Resources

- [Carrier Letter 2015 12](#) states that effective January 1, 2016, no carrier participating in the Federal Employees Health Benefits Program may have a general exclusion of services, drugs or supplies related to gender transition or “sex transformations.”
- Go to www.opm.gov/insure to learn about the following:
 - Health plans by state
 - Health plan brochures
 - Directories of doctors and hospitals who participate with those plans
 - Links to the plan websites,
 - Information about how the plans benefits change from one year to the next
 - Explanations of the plans' patient safety initiatives
 - And much more!
- Visit www.checkbook.org to see if your agency subscribes to this plan comparison tool



Additional Resources



Where Can I Get More Information?

- Website: www.opm.gov
- Employees: Contact Human Resource office
 - If your local HR office refuses to process your paperwork, contact your Headquarters Benefits Officer. A list of Benefits Officers is on our website at <http://apps.opm.gov/abo/>.
 - If you feel you have been discriminated against based on your sexual orientation or gender identity, contact your Equal Employment Opportunity Office.
- CSRS and FERS Annuitants: Contact OPM Retirement Services
 - Email: retire@opm.gov
 - Phone: 888-767-6738 (7:40 a.m. – 5:00 p.m. ET)
 - Mail: U.S. Office of Personnel Management
Retirement Operations Center
Post Office Box 45
Boyers, PA 16017