

United States

Office of

Personnel Management

The Federal Government's Human Resources Agency



Benefits Administration Letter

Number: 13-209

Date: October 30, 2013

Subject: Coverage of Children of Same-Sex Domestic Partners

On October 30, 2013, the Office of Personnel Management (OPM) released final regulations to extend Federal Employees Health Benefits (FEHB) and Federal Employees Dental and Vision Insurance Program (FEDVIP) eligibility to children of same-sex domestic partners of Federal employees and annuitants. The regulation can be found at <https://www.federalregister.gov/articles/2013/10/30/2013-25734/federal-employees-health-benefits-program-and-federal-employees-dental-and-vision-insurance-program>. The purpose of this letter is to notify you of the change in regulation. OPM will be providing more detailed guidance shortly that will assist you in implementing this change and counseling employees for FEHB and FEDVIP.

As a result of these regulations, children of same-sex domestic partners are considered stepchildren for purposes of FEHB and FEDVIP. These regulations are consistent with Presidential Memoranda issued on June 17, 2009, and June 2, 2010, and will take effect on January 1, 2014. Eligibility will be extended only to the qualifying children of same-sex domestic partners. Employees or annuitants wishing to access these benefits must sign a domestic partnership certification in which they verify that certain criteria are met. Only those employees or annuitants living in a state that does not allow same-sex couples to marry will be able to access these benefits.

Employees and annuitants will have the opportunity to make enrollment changes to FEHB and FEDVIP based on a Qualifying Life Event. Please note that employees and annuitants not currently enrolled in FEDVIP and who wish to elect FEDVIP coverage for the child of their same-sex domestic partner for the 2014 plan year will need to enroll during this upcoming Open Season.

Thank you for your assistance. We will provide additional guidance to agencies on implementation of the regulation in the near future.

Sincerely,

John O'Brien
Director for Healthcare and Insurance