

## Attachment 1

### Step by Step Instructions for FEHB and FEDVIP Enrollment Changes

We have outlined procedures below for the most common situations for making changes to FEHB and FEDVIP enrollments resulting from adding a newly eligible stepchild.

Note that the employee/annuitant only needs to complete one FEHB/FEDVIP Declaration of Domestic Partnership. If the employee/annuitant has already filled these documents out for purposes of FEHB, they do not need to fill them out again to change their FEDVIP enrollment. The same is true for employees/annuitants that have already completed documents for FEDVIP and are making changes to their FEHB enrollment. However, if an employee or annuitant has on file a Declaration of Domestic Partnership for the FLTCIP, a new Declaration of Domestic Partnership must be submitted for the FEHB/FEDVIP programs as the declarations for these programs are not identical. The employing office/retirement system need only file the FEHB/FEDVIP Declaration of Domestic Partnership in the Official Personnel folder or retirement file one time. For purposes of the Official Personnel Folder, this document is DG 78 – The Declaration of Domestic Partnership. This document should go on the permanent side of the Official Personnel Folder.

The employing office or retirement system should also file a copy of all Tax Certification forms that are received from the employee or annuitant in the Official Personnel folder or retirement file. For purposes of the Official Personnel Folder, the tax form is known as DG 86 - Annual Certification Of Dependent Tax Status For Purposes of Coverage Under FEHB and FEDVIP. This document should go on the permanent side of the Official Personnel Folder. The submission of the Declaration of Domestic Partnership is considered a QLE for FEHB and FEDVIP. If the employee/annuitant does not make the necessary enrollment changes to FEHB or FEDVIP within 60 days of completing the Declaration of Domestic Partnership, they will be required to wait until the next Open Season to make any changes.

### Federal Employees Health Benefits (FEHB) Program

With respect to the below situations regarding communications to payroll offices (Steps 4-5), OPM has provided the recommended approach involving providing information on the SF 2809 to notify payroll offices about a non-tax dependent<sup>1</sup> child. However, we understand that different payroll providers may need to use other methods to receive this information from the employing office/retirement system. We encourage you to speak with your payroll office to discuss the preferred method of communication. In all cases, the payroll office will need to know the number of children on the employee or annuitant's FEHB plan who are NOT tax dependents.

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<sup>1</sup> The term "tax dependent" as used in this document means a dependent as defined in Internal Revenue Code Section 152 (determined without regard to subsections (b)(1) (b)(2) and (d)(1)(B)) or a stepchild as defined under state law who, as of the end of the taxable year, has not attained age 27, whether or not that stepchild can be claimed as a dependent on the employee's or annuitant's tax return.

**If the enrollee has a Self and Family Enrollment and wishes to add a child of a same-sex domestic partner as a stepchild**

1. the employee/annuitant must submit the Declaration of Domestic Partnership to his/her employing office/retirement system to cover the newly eligible stepchild;
2. the employing office/retirement system confirms that the employee/annuitant does not live in a state in which same-sex marriage is allowed (See Attachment 5 for a list of states that allow same-sex marriage);
  - a. **If** the employee/annuitant lives in a state in which same-sex marriage **is allowed** the employing office/retirement system must notify the employee/annuitant that he/she is not eligible for this benefit.
3. the employing office/retirement system must file the Declaration of Domestic Partnership and the Tax Certification in the employee's Official Personnel Folder/annuitant's retirement file;
4. the employing office/retirement system must then notify the FEHB plan and the payroll office of the newly eligible stepchild by completing an SF 2809;
  - a. The SF 2809 only needs to be transmitted to the payroll office if the child is NOT a tax dependent as indicated on the Tax Certification or if a Tax Certification is not submitted.
    - i. The agency will indicate in the Remarks section— "A(# of children)" for example, if the employee/annuitant is adding one child who is not a tax dependent the agency will indicate "A1"; if the employee/annuitant is adding 2 children who are not tax dependents the agency will indicate "A2" n the remarks section and so on.
  - b. The SF 2809 will be an information only form and does not need an Event Code.
  - c. The employing office/retirement system should use a paper SF 2809 to communicate with the FEHB plan.

Note: This is also an opportunity for employees and annuitants to change plans

**If the enrollee has a Self Only Enrollment and wishes to change to Self and Family to cover a child of a same-sex domestic partner as a stepchild**

1. the employee/annuitant must submit the Declaration of Domestic Partnership to his/her employing office/retirement system to cover the newly eligible stepchild;
2. the employing office/retirement system confirms that the employee/annuitant does not live in a state in which same-sex marriage is allowed (See Attachment 5 for a list of states that allow same-sex marriage);
  - a. **If** the employee/annuitant lives in a state in which same-sex marriage **is allowed**, the employing office/retirement system must notify the employee/annuitant that he/she is not eligible for this benefit
3. the employing office/retirement system must file the Declaration of Domestic Partnership and Tax Certification in the employee's Official Personnel Folder/annuitant's retirement file;
4. the employing office/retirement system must receive the SF 2809 to change enrollment from Self Only to Self and Family within 60 days of the date they received the

Declaration of Domestic Partnership. (The employee/annuitant should submit the SF 2809 at the same time as the Declaration of Domestic Partnership and Tax Certification, but is not required to do so.);

- a. If the child is not a tax dependent or if a Tax Certification is not submitted, the agency will indicate in the Remarks Section—"A(# of children)" for example, if the employee/annuitant is adding one child who is not a tax dependent the agency will indicate "A1"; if the employee/annuitant is adding 2 children who are not tax dependents the agency will indicate "A2" in the remarks section and so on.
5. the employing office must process the SF 2809 by sending the form to the payroll office and the FEHB plan in the same manner as it processes all other changes in enrollment.

Note: This is also an opportunity for employees and annuitants to change plans

**If the employee is not currently enrolled and wishes to enroll to cover a child of a same-sex domestic partner**

1. the employee must submit the Declaration of Domestic Partnership to his/her employing office to cover the newly eligible stepchild;
2. the employing office confirms that the employee/annuitant does not live in a state in which same-sex marriage is allowed (See Attachment 5 for a list of states that allow same-sex marriage);
  - a. **If** the employee lives in a state in which same-sex marriage **is allowed**, the employing office must notify the employee that he/she is not eligible for this benefit
3. the employing office must file the Declaration of Domestic Partnership and Tax Certification in the employee's Official Personnel Folder;
4. The employing office must receive the SF 2809 to enroll within 60 days of the date they received the Declaration of Domestic Partnership. (The employee may prefer to submit the SF 2809 at the same time as the Declaration of Domestic Partnership and Tax Certification, but is not required to do so.);
  - a. If the child is not a tax dependent or if a Tax Certification is not submitted (except for an annuitant adding a child under FEDVIP), the agency will indicate in the remarks section—code A(# of children) for example, if the employee/annuitant is adding one child who is not a tax dependent the agency will indicate "A1"; if the employee/annuitant is adding 2 children who are not tax dependents the agency will indicate "A2" in the remarks section and so on.
5. the employing office must process the SF 2809 by sending the form to the payroll office and the FEHB plan in the same manner as it processes all other changes in enrollment.

Note: Annuitants who are not enrolled in FEHB will not be allowed to enroll.

**If the enrollee has a Self and Family Enrollment and is no longer covering a child who is not a tax dependent (i.e. a child of a same-sex domestic partner as a stepchild.)**

1. The employee/annuitant informs the agency/retirement system within 30 days from when or she is no longer covering a child who is not a tax dependent.
  - a. This could be that the child is now a tax dependent (employee/annuitant submits new Tax Certification form) or that the child no longer meets the requirements of coverage (i.e. the employee has moved to a state that allows same-sex marriage.)
2. the employing office/retirement system must then notify the FEHB plan and/or the payroll office by completing an SF 2809;
  - a. The SF 2809 only needs to be transmitted to the payroll office and NOT the FEHB plan if the child is now a tax dependent but is still covered under the enrollment.
    - i. The agency will indicate in the Remarks Section—“B(# of children being no longer being taxed)” for example, if the employee/annuitant is indicating one child who is now a tax dependent the agency will indicate “B1”, if the employee/annuitant is indicating 2 children who are now tax dependents the agency will indicate “B2” in the remarks section and so on.
  - b. The form needs to be transmitted to both the payroll office and the FEHB plan if the employee/annuitant is removing a child from the enrollment who was not a tax dependent.
    - i. The agency will indicate in the remarks section—code B (# of children being dropped) for example, if the employee/annuitant is indicating one child who is being dropped who is not a tax dependent will indicate B1, if the employee/annuitant is indicating 2 children who are being dropped who are not tax dependents the agency will indicate B2 in the remarks section and so on.

**Transmitting fair market value of coverage to payroll offices.**

OPM will send the per child fair market value of coverage to payroll offices with the annual premium feed.

Federal Employees Dental and Vision Insurance Program (FEDVIP)

**Please note that for FEDVIP, annuitants do not need to complete a tax form as there are no tax consequences for annuitants.**

**If the enrollee has a Self and Family Enrollment and wishes to add a child of a same-sex domestic partner as a stepchild**

1. the employee/annuitant must submit the Declaration of Domestic Partnership to his/her employing office or retirement system to cover the newly eligible stepchild;
  - a. the employing office/retirement system confirms that the employee/annuitant does not live in a state in which same-sex marriage is allowed (See Attachment 5 for a list of states that allow same-sex marriage);
    - i. **If** the employee/annuitant lives in a state in which same-sex marriage **is allowed** the employing office/retirement system must notify the employee/annuitant that he/she is not eligible for this benefit

- b. the employing office/retirement system should tell the employee/annuitant that they must contact BENEFEDS to add any additional family members by visiting BENEFEDS.com, or by calling the BENEFEDS Customer Service Center. The employing office/retirement system should also tell the employee/annuitant they will not receive FEDVIP coverage for their newly eligible stepchild until then;
    - i. If the employee/annuitant is making a QLE change, the employee/annuitant has 60 days from the Receipt Date of the Declaration of Domestic Partnership to make this change, but they will not receive FEDVIP coverage until they contact BENEFEDS.
  - c. if the employee's Tax Certification states that the newly eligible stepchild is not a tax dependent or if an employee does not submit a Tax Certification (annuitants do not need to submit a Tax Certification for FEDVIP). The employing office must send an email to [FEDVIPAdministration@ltpartners.com](mailto:FEDVIPAdministration@ltpartners.com) to notify BENEFEDS with the name of the enrollee, the state the enrollee lives in and the names of children that are NOT tax dependents.
2. the employing office/retirement system must file the Declaration of Domestic Partnership and Tax Certification (for the employee) in the employee/annuitant's Official Personnel Folder/retirement file;
  3. the employing office/retirement system does not need to communicate anything to the payroll office.

Note: This QLE only allows the employee/annuitant to change their enrollment type; it is not an opportunity for employees and annuitants to change plans or enroll for the first time.

**If the enrollee has a Self Plus One Enrollment and wishes to change to Self and Family to cover a child of a same-sex domestic partner as a stepchild**

1. the employee/annuitant must submit the Declaration of Domestic Partnership to his/her employing office or retirement system to cover the newly eligible stepchild;
  - a. the employing office/retirement system confirms that the employee/annuitant does not live in a state in which same-sex marriage is allowed (See Attachment 5);
    - i. **If** the employee/annuitant lives in a state in which same-sex marriage **is allowed** the employing office/retirement system must notify the employee/annuitant that he/she is not eligible for this benefit
  - b. the employing office/retirement system should tell the employee/annuitant that the employee/annuitant must contact BENEFEDS to add an additional family member and change to a Self and Family enrollment by visiting BENEFEDS.com, or by calling the BENEFEDS Customer Service Center. The employing office/retirement system should also tell the employee/annuitant they will not receive FEDVIP coverage for their newly eligible stepchild until then; and
    - i. If the employee/annuitant is making a QLE change, the employee/annuitant has 60 days from the Receipt Date of the Declaration of Domestic Partnership to make this change. However, the change in enrollment is not effective until the 1<sup>st</sup> day of the pay period following the date the change was made (i.e. the employee/annuitant contacts

BENEFEDS).

- c. if an employee's Tax Certification states that the newly eligible stepchild is not a tax dependent or if the employee does not submit a Tax Certification (annuitants do not need to submit a Tax Certification to cover a child under FEDVIP). The employing office must send an email to [FEDVIPAdministration@lhcpartners.com](mailto:FEDVIPAdministration@lhcpartners.com) to notify BENEFEDS with the name of the enrollee, the state the enrollee lives in and the names of children that are NOT tax dependents.
2. the employing office/retirement system must file the Declaration of Domestic Partnership and Tax Certification (for the employee) in the employee/ annuitant's Official Personnel Folder/retirement file;
3. the employing office/retirement system does not need to communicate anything to the payroll office.

Note: This QLE only allows the employee/annuitant to change their enrollment type; it is not an opportunity for employees and annuitants to change plans or enroll for the first time.

**If the enrollee has a Self Only Enrollment and wishes to change to Self and Family or Self Plus One to cover a child of a same-sex domestic partner as a stepchild**

1. the employee/annuitant must submit the Declaration of Domestic Partnership to his/her employing office or retirement system to cover the newly eligible stepchild;
  - a. the employing office/retirement system confirms that the employee/annuitant does not live in a state in which same-sex marriage is allowed (See Attachment 5);
    - i. **If** the employee/annuitant lives in a state in which same-sex marriage **is allowed** the employing office/retirement system must notify the employee/annuitant that he/she is not eligible for this benefit
  - b. the employing office/retirement system should tell the employee/annuitant that the employee/annuitant must contact BENEFEDS to add an additional family member and change to either Self and Family enrollment or Self Plus One enrollment by visiting BENEFEDS.com, or by calling the BENEFEDS Customer Service Center. The employing office/retirement system should also tell the employee/annuitant they will not receive FEDVIP coverage for their newly eligible stepchild until then; and
    - i. If the employee/annuitant is making a QLE change, the employee/annuitant has 60 days from the Receipt Date of the Declaration of Domestic Partnership to make this change. However, the change in enrollment is not effective until the 1<sup>st</sup> day of the pay period following the date the change was made (i.e. the employee/annuitant contacts BENEFEDS).
- c. if the employee's Tax Certification form states that the newly eligible stepchild is not a tax dependent or if the employee does not submit a Tax Certification (annuitants do not need to submit a Tax Certification to cover a child under FEDVIP ). The employing office must send an email to [FEDVIPAdministration@lhcpartners.com](mailto:FEDVIPAdministration@lhcpartners.com) to notify BENEFEDS with the name of the enrollee, the state the enrollee lives in and the names of children that are NOT tax dependents.

2. the employing office/retirement system must file the Declaration of Domestic Partnership and Tax Certification (for employees only) in the employee/annuitant's Official Personnel Folder/ retirement file;
3. the employing office/retirement system does not need to communicate anything to the payroll office.

Note: This QLE only allows the employee/annuitant to change their enrollment type; it is not an opportunity for employees and annuitants to change plans or enroll for the first time.

**If the employee/annuitant is Not Currently Enrolled and wishes to elect FEDVIP coverage under a Self and Family enrollment or Self Plus One enrollment to cover a child of a same-sex domestic partner as a stepchild for the 2014 plan year, they must follow the procedures above and elect coverage as an Open Season change during the regular Open Season between November 11 and December 9 OR as a 2014 belated Open Season enrollment change through March 9. There is no opportunity to enroll in FEDVIP mid-year in order to cover the child of a same-sex domestic partner as a stepchild if the individual is not currently enrolled.**

**If the employee is no longer covering a child who is not a tax dependent (i.e. a child of a same-sex domestic partner as a stepchild.)**

1. The employee informs the agency that the child is either no longer eligible under the enrollment or is now a tax dependent using the Tax Certification form.
2. The employing office must send an email to FEDVIPAdministration@ltcpartners.com to notify BENEFEDS with the name of the enrollee, the state the enrollee lives in and the names of children that are NOT tax dependents.