Attachment 1

Step by Step Instructions for FEHB Enrollment Changes: Tribal Employees

We have outlined procedures below for the most common situations for making changes to FEHB enrollments resulting from adding a child of a same-sex domestic partner ("newly eligible stepchild.")

The tribal employer only needs file the FEHB Declaration of Domestic Partnership in the Official Personnel folder file one time.   The tribal employer should also file a copy of all Tax Certification forms that are received from the employee in the Official Personnel Folder. The submission of the Declaration of Domestic Partnership is considered a QLE for FEHB. If the employee does not make the necessary enrollment changes to FEHB 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.

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 the paymaster about a non-tax dependent child. We encourage you to speak with the National Finance Center to discuss the preferred method of communication. In all cases, the paymaster will need to know the number of children on the employee's FEHB plan who are NOT tax dependents.

If the enrollee has a <u>Self and Family Enrollment</u> and wishes to add a child of a same-sex domestic partner as a stepchild:

1. the employee must submit the Declaration of Domestic Partnership to his/her tribal employer to cover the newly eligible stepchild;
2. the tribal employer confirms that the employee does not live in a state in which same-sex marriage is allowed (See "http://www.opm.gov/retirement-services/publications-forms/benefits-administration-letters/2013/13-211attachment5.pdf" 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 tribal employer must notify the employee that he/she is not eligible for this benefit.
3. the tribal employer must file the Declaration of Domestic Partnership and the Tax Certification in the employee's Official Personnel Folder file;
4. the tribal employer must then notify the FEHB plan and their own payroll office of the newly eligible stepchild by completing an SF 2809 in TIPS and the payroll office must be notified;
   a. The SF 2809 only needs to be transmitted to the paymaster if the child is NOT a tax dependent as indicated on the Tax Certification or if a Tax Certification is not submitted
      i. The tribal employer will indicate— "A(# of children)." For example, if the employee is adding one child who is not a tax dependent the agency will indicate "A1"; if the employee is adding 2 children who are not tax dependents the tribal employer will indicate "A2" in the remarks section

and so on.
b. The SF 2809 will be an information only form and does not need an Event Code.

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

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

1. the employee must submit the Declaration of Domestic Partnership to his/her tribal employer to cover the newly eligible stepchild;
2. the tribal employer confirms that the employee 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 tribal employer must notify the employee that he/she is not eligible for this benefit;
3. the tribal employer must file the Declaration of Domestic Partnership and Tax Certification in the employee's Official Personnel Folder file;
4. the tribal employer must receive the paper 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 should submit the 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 tribal employer will indicate in the Remarks Section—"A(# of children)." For example, if the employee is adding one child who is not a tax dependent the agency will indicate "A1"; if the employee is adding 2 children who are not tax dependents the tribal employer will indicate "A2" in the remarks section and so on.

If the employee is <u>not currently enrolled</u> 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 tribal employer to cover the newly eligible stepchild;
2. the tribal employer confirms that the employee 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 tribal employer must notify the employee that he/she is not eligible for this benefit;
3. the tribal employer must file the Declaration of Domestic Partnership and Tax Certification in the employee's Official Personnel Folder;
4. The tribal employer must receive the paper 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.);

b. If the child is not a tax dependent or if a Tax Certification is not submitted, the tribal employer will indicate in the remarks section—code A(# of children). For example, if the employee is adding one child who is not a tax dependent the tribal employer will indicate "A1"; if the employee is adding 2 children who are not tax dependents the agency will indicate "A2" in the remarks section and so on.

If the enrollee has a Self and Family Enrollment that covers a non-tax dependent stepchild and the child either becomes a tax dependent or no longer meets the requirements for FEHB coverage

1. The employee informs the tribal employer within 30 days from when he 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 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 tribal employer must then notify the FEHB plan and the paymaster by completing an SF 2809 in TIPS and the payroll office must be notified;
   a. The SF 2809 only needs to be transmitted to the paymaster and NOT the FEHB plan if the child is now a tax dependent but is still covered under the enrollment.
      i. The tribal employer will indicate in the Remarks Section—"B(# of children being no longer being taxed)". For example, if the employee is indicating one child who is now a tax dependent the tribal employer will indicate "B1", if the employee is indicating 2 children who are now tax dependents the agency will indicate "B2" in the remarks section and so on.
   b. The information SF 2809 needs to be transmitted to both the paymaster and the FEHB plan if the employee is removing a child from the enrollment who was not a tax dependent.
      i. The tribal employer will indicate in the remarks section—code B(# of children being dropped). For example, if the employee is indicating one child who is being dropped who is not a tax dependent the tribal employer will indicate B1, if the employee is indicating 2 children who are being dropped who are not tax dependents the tribal employer 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 the Tribal Benefits Officer with the annual premium feed to be shared with their payroll office.