

WSR 21-17-113
POLICY STATEMENT
HEALTH CARE AUTHORITY
(Public Employees Benefits Board)
[Filed August 17, 2021, 9:09 a.m.]

Notice of Administrative Policy Statements

The following is a list of administrative policies published by the public employees benefits board (PEBB) program. These policies are effective January 1, 2022. You can download the complete policy statements on the PEBB program rules and policies page at hca.wa.gov/pebb-rules.

The following policies were amended to support the PEBB program:

Policy 11-3: Correcting employing agency and contracted vendor enrollment errors. This policy clarifies the requirements placed on an employing agency or contracted vendor when they correct their own enrollment errors as described in WAC 182-08-187.

Policy 17-1: Determining faculty eligibility for summer/short class session. This policy clarifies a higher education institution's role in defining faculty for the purposes of PEBB benefits and clarifies higher education institutions must consider class sessions that have different time frames than traditional quarters and semesters, including summer sessions, when determining a faculty's eligibility for PEBB benefits and the employer contribution toward PEBB insurance coverage. This policy also provides a method for calculating the percentage of full-time for faculty teaching these nontraditional class sessions and a method for determining when the employer contribution toward PEBB insurance coverage begins and ends for faculty teaching these nontraditional class sessions.

Policy 17-3: Determining faculty eligibility for off-quarter/semester or for decreases in workload. This policy clarifies when an employee in a faculty position qualifies for the employer contribution toward the PEBB program benefits during an off-quarter/semester or when there is a decrease in workload.

Policy 19-1: Termination due to loss of eligibility or enrollment error. This policy applies whenever coverage for a subscriber or a subscriber's dependent is terminated due to loss of eligibility, or because a subscriber or dependent was enrolled when they were not eligible for coverage.

Addendum 19-1A: Termination due to loss of eligibility or enrollment error: Employee.

Addendum 19-1B: Termination due to loss of eligibility or non-payment: Self-Pay Subscriber.

Policy 21-1: Exemption from the retiree deferral form requirement. This policy exempts certain retirees from the "deferral form requirement" under WAC 182-12-171 (1) (d), 182-12-180 (3) (d), and 182-12-205 (4) (a).

Policy 26-1: Administering PEBB retiree medical plan enrollment in coordination with medicare Part D. This policy administers PEBB program retiree medical plan enrollment in order to participate in the employer incentive program established in 42 U.S.C. § 1395w-132.

Policy 31-1: Verifying dependent eligibility before enrollment. This policy clarifies which documents the PEBB program considers valid for dependent verification and identifies which accounts are included in the dependent verification process.

Policy 31-2 Use of PEBB premium surcharge attestation help sheet and spousal plan calculator tools. This policy provides direction when

a PEBB subscriber enrolled in PEBB, but not enrolled in medicare Part A and Part B and in the medicare risk pool as described in RCW 41.05.080(3), is determining if a premium surcharge will be applied for a spouse or state registered domestic partner enrolled in PEBB medical.

Policy 37-1: Certifying eligibility for an extended dependent child. This policy applies when a subscriber submits the required forms to enroll an extended dependent child in the subscriber's PEBB health plan coverage.

Policy 45-2: Special open enrollment (SOE). This policy applies whenever a subscriber requests an enrollment change or election change outside of the PEBB program annual open enrollment period.

Addendum 45-2A: Special open enrollment (SOE) matrix: Summary of permitted election changes.

Policy 56-1: Continuation coverage and retiree insurance coverage reinstatement for subscribers with mental or physical impairment or incapacitation. This policy applies whenever a subscriber (or another party acting on behalf of the subscriber) requests reinstatement of continuation coverage or retiree insurance coverage due to nonpayment of premiums, or applicable premium surcharges, for reason of mental or physical impairment or incapacitation; when a state of emergency is declared by the governor of Washington state, as described in chapter 43.06 RCW, or when a federal emergency is declared under 44 C.F.R. Part § 206, Subpart B, the Internal Revenue Service (IRS) recognizes the emergency for purposes of delaying deadlines, and the emergency prevents an applicant from making a timely election.

This policy establishes the methodology that the PEBB program will use to make a determination of mental or physical impairment or incapacitation for the purpose of reinstatement of coverage terminated due to nonpayment of premiums, or applicable premium surcharges. The policy also establishes the methodology the PEBB program will use to make a determination when a state of emergency is declared by the governor of Washington state, as described in chapter 43.06 RCW, or when a federal emergency is declared under 44 C.F.R. Part § 206, Subpart B, the IRS recognizes the emergency for purposes of delaying deadlines, and the emergency prevents an applicant from making a timely election.

This policy provides timing requirements for requesting reinstatement due to nonpayment of premiums, or applicable premium surcharges, for reason of mental or physical impairment or incapacity; when a state of emergency is declared by the governor of Washington state, as described in chapter 43.06 RCW, or when a federal emergency is declared under 44 C.F.R. Part § 206, Subpart B, the IRS recognizes the emergency for purposes of delaying deadlines, and the emergency causes an applicant to be unable to make premium payments and applicable premium surcharges.

Policy 56-2: Election period tolling for applicants with mental or physical impairment or incapacitation. This policy applies whenever an applicant (or another party acting on behalf of the applicant) requests tolling of the continuation coverage, retiree insurance coverage, new employee eligibility, regained eligibility, annual open enrollment or special open enrollment election period. Tolling may be requested for reason of mental or physical impairment or incapacitation, when a state of emergency is declared by the governor of Washington state, as described in chapter 43.06 RCW, or when a federal emergency is declared under 44 C.F.R. Part § 206, Subpart B, the IRS recognizes the emergency for purposes of delaying deadlines, and the emergency prevents an applicant from making a timely election.

This policy establishes the methodology that the PEBB program will use to make a determination of mental or physical impairment or incapacitation for the purpose of tolling the election period of continuation coverage, retiree insurance coverage, new employee eligibility, annual open enrollment, or special open enrollment. The policy also establishes the methodology the PEBB program will use to make a determination when a state of emergency is declared by the governor of Washington state, as described in chapter 43.06 RCW, or when a federal emergency is declared under 44 C.F.R. Part § 206, Subpart B, the IRS recognizes the emergency for purposes of delaying deadlines, and the emergency prevents an applicant from making a timely election.

This policy provides timing requirements to request tolling of the election period for reason of mental or physical impairment or incapacity.

Policy 91-1: Requesting a reasonable alternative for completing wellness incentive program requirements or avoiding the tobacco use premium surcharge. This policy applies when a subscriber who is eligible to participate in the PEBB wellness incentive program is seeking a reasonable alternative to a wellness incentive program requirement in order to receive a wellness incentive as described in WAC 182-12-300.

This policy also applies when an enrollee on a PEBB medical plan is seeking a reasonable alternative so that a subscriber can avoid paying the tobacco use premium surcharge as described in WAC 182-08-185 (1)(c)(iii).

Policy 91-2: Tobacco as it relates to religious or ceremonial use. This policy applies whenever a PEBB subscriber is attesting to an enrolled member's tobacco use status and clarifies the exception for the religious or ceremonial use of tobacco.

Policy 91-3: Washington wellness worksite designation program incentive requirements. This policy provides a set of requirements for state agencies to use when offering wellness incentives under the Washington wellness worksite designation program.

To receive a hard copy of the policy statements, contact Stella Ng, P.O. Box 42684, Olympia, WA 98504-2684, email Stella.Ng@hca.wa.gov.