#11-3

Title: Correcting employing agency enrollment errors

Policy #11-3

Contact:	Rules Specialist, PEB Division	**Effective:**	January 1, 2015
		Rescinded:	
Associated RCW:	Chapter 41.05 RCW	**Supersedes:**	N/A
Associated WAC:	Chapters 182-08 WAC, 182-12 WAC, and 182-16 WAC.		
Assoc. fed law/reg:	PHSA §2712 [42 USC §300gg-12] Prohibition on rescissions. 26 U.S. Code §125 Cafeteria Plans.	**Owner:**	Policy & Rules Manager, PEB Division
Associated Procedures:			
Associated Forms & Communication		**Approved by:**	
		Position:	Deputy Division Director, PEB Division
		Date approved:	12-12-14

Purpose:

This policy clarifies the requirements placed on an employing agency when the employing agency corrects its enrollment errors as described in WAC 182-08-187.

Policy:

1. An employing agency must correct enrollment errors as described in WAC 182-08-187 and as described in this policy.

    a. An employing agency that fails to notify an employee of his or her eligibility for Public Employees Benefits Board (PEBB) benefits as described in WAC 182-12-113 or the employer group contract, before the end of the employee's thirty-one day election period, must correct the error. The employing agency must provide the employee a written notice of eligibility for PEBB benefits, offer a new enrollment period, and correct enrollment and premium payments as described in WAC 182-08-187.

    b. An employing agency that fails to enroll an employee in PEBB benefits as elected on the employee enrollment/change forms must correct the error. The employing agency must enroll the coverage the employee elected when correcting enrollment and related premium payments as described in WAC 182-08-187(1) and (2).

c. An employing agency that fails to enroll an employee in Uniform Medical Plan, Uniform Dental Plan, basic life insurance, and basic long-term disability insurance as described in WAC 182-08-197(1)(b) when the employee fails to return employee enrollment/change forms within required time limits must correct the error. The employing agency must enroll the employee in coverage as described in WAC 182-08-197(1)(b) when correcting enrollment and related premium payments as described in WAC 182-08-187(1) and (2).

d. An employing agency that fails to correctly enroll an employee's optional long-term disability (LTD) insurance coverage as elected must correct the error as follows:

   i. Correct the coverage election back to the effective date of the error.

   ii. Correct the collection of LTD premiums as described in WAC 182-08-187(2)(b).

e. An employing agency that fails to correctly enroll an employee's optional life insurance coverage as elected must correct the error according to instructions from PEBB.

2. "Recourse" as described in WAC 182-08-187(3) enables and requires an employing agency to provide an employee with an appropriate substitution for retroactive insurance coverage when the employing agency makes an enrollment error.

   a. An employing agency must determine which of the options described in WAC 182-08-187(3)(a) best provides recourse for the employee's unique circumstance.

   b. An employing agency must document the recourse solution and provide a copy to both the employee and the PEBB Program.

   c. An employing agency's written decision becomes effective fifteen days after receipt by HCA, unless the HCA determines the recourse plan is not acceptable within this time period and notifies the employing agency of its determination.

   d. An employee who does not agree with a recourse decision of the employing agency or the PEBB Program may appeal the decision by submitting an appeal within 30 days as described in chapter 182-16 WAC.