


**Title: Verifying legal union’s residency status**

**PEBB Program Administrative Policy 33-1**

<b>Contact:</b>	Policy and Rules Coordinator, ERB Division	<b>Effective:</b>	January 1, 2021
		<b>Rescinded:</b>	
<b>Associated RCW:</b>	26.04.260	<b>Supersedes:</b>	N/A
<b>Associated PEB Board Policy Resolutions:</b>			
<b>Associated WAC:</b>	182-12-260		
<b>Assoc. fed law/reg:</b>		<b>Owner:</b>	Policy, Rules, & Compliance Manager, ERB Division
<b>Associated Procedures:</b>			
<b>Associated Forms &amp; Communication</b>		<b>Approved by:</b>	
		<b>Position:</b>	Director of the PEBB Program
		<b>Date approved:</b>	September 17, 2020

**Purpose:**

This Public Employees Benefits Board (PEBB) Program policy sets forth special criteria, documentation criteria, and limitations for two persons in Washington state who have a legal union, other than a marriage, that was (1) validly formed in another state or jurisdiction; (2) provides substantially the same rights, benefits, and responsibilities as a marriage, and (3) does not meet the definition of a domestic partnership in RCW 26.60.030.

**Policy:**

1. Effective July 1, 2014, when a subscriber is in a legal union as described in RCW 26.04.260, the PEBB Program will treat the partner as having the same rights and responsibilities as a married spouse for a maximum of one year if the following criteria are met:
  - a. Both the subscriber and the partner live in Washington state;
  - b. The legal union is not a marriage or a domestic partnership as defined in RCW 26.60.030;
  - c. The legal union was issued at the state (or higher) level and provides substantially the same rights, benefits, and responsibilities as a marriage; and
  - d. The relationship is not prohibited by RCW 26.04.020 (1)(a) or (2).
2. In order for a subscriber to enroll their partner, the subscriber must provide the documentation required by PEBB Administrative Policy 31-1 and also must provide documentation that both the subscriber and the partner live in Washington state (see table 33-1).

3. This special criteria for partners of a legal union is available only when both persons live in Washington state, and it terminates if the persons do not enter into a marriage within one year after being permanent residents. Because it is difficult for the PEBB Program to know how long persons have already lived in Washington state, the PEBB Program will allow enrollment for partners of a legal union for the first year upon initial enrollment. The PEBB Program will terminate the partner's benefits one year after the partner's enrollment unless the subscriber submits documentation showing that a marriage or state-registered domestic partnership has been entered into (see PEBB Administrative Policy 31-1).
4. Table 33-1 shows a list of valid documents the PEBB Program will use to establish state residency. In order to enroll a partner of a legal union in PEBB benefits for the limited one-year period, documentation is required showing that both the subscriber and the partner live in Washington state.

<b>Document(s) needed to verify state residency</b>	
Provide one of these documents	A current voter's registration card
	A valid state driver's license
	A valid resident hunting and fishing license
	A valid state vehicle registration
Provide any two of these documents	A current federal income tax return with the home address
	A current bank account with the member's home address (black out the account number and financial information)
	Utility bill with the member's home address within the last 6 months
<b>Notes</b>	
1. Copies of any of the documents referenced within this table are acceptable 2. Other documents, as approved by the PEBB Program, may also be used to verify state residency	

Table 33-1