

**Title: Exemption from the retiree deferral form requirement**

**PEBB Program Administrative Policy 21-1**

<b>Contact:</b>	Policy and Rules Coordinator, ERB Division	<b>Effective:</b>	January 1, <del>2024</del> 2022
		<b>Rescinded:</b>	
<b>Associated RCW:</b>	41.05.080	<b>Supersedes:</b>	
<b>Associated PEB Board Policy Resolutions:</b>			
<b>Associated WAC:</b>	182-12-109 182-12-171 182-12-180 182-12-200 182-12-205		
<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>	Form: <ul style="list-style-type: none"> <li>• HCA 51-403F</li> <li>• <b>PEBB Retiree Election Form (form A) 51-4031</b></li> <li>• <b>PEBB Retiree Change Form (form E) 51-0007</b></li> </ul> Publication: <ul style="list-style-type: none"> <li>• Retiree Enrollment Guide HCA 51-0205</li> </ul> PEBB Website: <ul style="list-style-type: none"> <li>• Deferring Coverage</li> </ul> Pers/Pay Extranet: <ul style="list-style-type: none"> <li>• PEBB Retiree Health Insurance Checklist</li> </ul>	<b>Approved by:</b>	
		<b>Position:</b>	Director of the PEBB Program
		<b>Date approved:</b>	

**Purpose:**

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). Under the procedural “deferral form requirement,” the retiree must submit a **PEBB Retiree Coverage Election Form (form A) or a PEBB Retiree Change Form (form E)** requesting deferral within the required time frame.

The exemption applies to certain retirees who are not required to submit a form and all retirees during the first year of implementation, in 2001, when the new form was not consistently available.

WAC 182-12-109: "Subscriber" means the employee, retiree, continuation coverage enrollee, or survivor who has been determined eligible by the PEBB Program, employer group, or state agency, is enrolled in PEBB benefits, and is the individual to whom the PEBB Program and contracted vendors will issue all notices, information, requests, and premium bills on behalf of an enrollee.

WAC 182-12-171 (1)(d): To defer enrollment in a PEBB retiree insurance coverage, the employee or the school employee must meet substantive eligibility requirements...and defer enrollment as described in WAC 182-12-200 or 182-12-205.

WAC 182-12-180 (3)(d): To defer enrollment in a PEBB ~~health plan~~ retiree insurance coverage the official or the survivor must meet deferral enrollment requirements as described in WAC 182-12-200 or 182-12-205.

WAC 182-12-205(4): To defer enrollment in PEBB retiree insurance coverage, the required forms must be submitted to the PEBB Program.

**Policy:**

1. A subscriber is exempt from the deferral form requirement under the following circumstances:
  - a. A retiring employee, a retiring school employee, or a retiree enrolled as a dependent in a health plan sponsored by Public Employees Benefits Board (PEBB), a Washington state educational service district, or School Employees Benefits Board (SEBB) as described in WAC 182-12-200;
  - b. The retiree met all procedural and substantive eligibility requirements between January 1, 2001 and December 31, 2001, as described in WAC 182-12-205(5);
  - c. The subscriber transitioned from one type of medical coverage ~~described in WAC 182-12-205 (3)(a) through (e)~~ to another type of medical coverage as described in WAC 182-12-205 (3)(a) through (e). To be eligible for this exemption, the subscriber must have met all procedural and substantive eligibility requirements when they first deferred enrollment in a PEBB retiree insurance coverage under WAC 182-12-205; or
  - d. PEBB retiree insurance coverage ~~for retiree's~~ is deferred by the PEBB Program when ~~they~~ the retiree returns to work and becomes eligible for the employer contribution toward PEBB benefits.
2. A subscriber who qualifies for exemption from the deferral form requirement in (1) must meet all other applicable requirements in WAC 182-12-200, and ~~WAC~~ 182-12-205 to be eligible to enroll in a PEBB ~~retiree insurance coverage~~ health plan after deferral.