

Title: Verifying legal union's residency status

PEBB Program Administrative Policy 33-1

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		Rescinded:	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

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. ~~clarifies which documents the Public Employees Benefits Board (PEBB) Program considers valid for establishing state residency for subscribers who are in a legal union as defined in RCW 26.04.260 that is substantially equivalent to marriage in Washington state.~~

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

~~a-d. The relationship is not prohibited by RCW 26.04.020 (1)(a) or (2). requires subscribers with a legal union from another state to provide documents to verify their state residency.~~

~~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). Based on RCW 26.04.260 the subscriber's partner or spouse of a legal union from another state will only be eligible for PEBB benefits for one year after becoming a permanent resident of Washington state. The subscriber's partner or spouse would lose their eligibility for PEBB benefits if a marriage does not occur before the end of that one year.~~

~~4.4. 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.~~

~~2.—~~

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

Table 33-1