

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

**PEBB Program Administrative Policy 21-1**

<b>Contact:</b>	Rules Specialist, ERB Division	<b>Effective:</b>	January 1, 2019
		<b>Rescinded:</b>	
<b>Associated RCW:</b>	41.05.080	<b>Supersedes:</b>	
<b>Associated WAC:</b>	182-12-109 182-12-171 182-12-200 182-12-205		
<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: • HCA 51-403F Publication: • Retiree Enrollment Guide HCA 51-205 PEBB Website: • <a href="#">PEBB Retirement Overview</a> Pers/Pay Extranet: • K-12 & ESD Retirement Checklist • KBID #60	<b>Approved by:</b>	<i>DLZ</i>
		<b>Position:</b>	Director of the PEBB Program
		<b>Date approved:</b>	11/29/2018

**Purpose:**

This policy exempts certain retirees from the “deferral form requirement” under WAC 182-12-171 (1)(d) and WAC 182-12-205 (4)(a). Under the procedural “deferral form requirement,” the retiree must submit a Retiree Coverage Election Form 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, state agency, or charter school and is the individual to whom the PEBB Program and contracted vendors will issue all notices, information, requests, and premium bills on behalf of enrollees.

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

WAC 182-12-205(4): To defer PEBB health plan enrollment, 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. The subscriber enrolled in a Public Employees Benefits Board (PEBB), Washington state school district, Washington state educational service district, or a Washington state charter school employer-sponsored medical plan as a dependent as described in WAC 182-12-200; or
  - 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; or
  - 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 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 health plan under WAC 182-12-205; or
  - d. The retiree's PEBB health plan is deferred by the PEBB Program when they return to work and become 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 health plan after deferral.