

**Title: Correcting School Employees Benefits Board Organization and contracted vendor enrollment errors**

**SEBB Program Administrative Policy 11-3**

<b>Contact:</b>	Policy and Rules Coordinator, ERB Division	<b>Effective:</b>	October 15, 2020
<b>Associated RCW:</b>	41.05.008 41.05.009 41.05.014 41.05.050 (1), (3) and (4) 41.05.160 41.05.740	<b>Rescinded:</b>	NA
<b>Associated SEB Board Policy Resolutions:</b>	SEBB 2019-09 SEBB 2019-10 SEBB 2020-06		
<b>Associated WAC:</b>	WAC 182-30-060	<b>Supersedes:</b>	NA
<b>Assoc. fed law/reg:</b>			
<b>Associated Procedures:</b>		<b>Owner:</b>	Policy, Rules, & Compliance Manager, ERB Division
<b>Associated Forms &amp; Communication</b>		<b>Approved by:</b>	<i>dd z hi</i>
		<b>Position:</b>	Director of the SEBB Program
		<b>Date approved:</b>	September 17, 2020

**Purpose:**

This policy clarifies the requirements placed on a School Employees Benefits Board (SEBB) Organization or contracted vendor when they correct their own enrollment errors as described in WAC 182-30-060.

**Policy:**

1. An SEBB Organization or contracted vendor must correct enrollment errors as described in WAC 182-30-060 and as described in this policy.

As defined in WAC 182-30-020,

"School employees benefits board organization" or "SEBB Organization" means a public school district or educational service district or charter school established under chapter 28A.710 RCW that is required to participate in benefit plans provided by the school employees benefits board.

"Contracted vendor" means any person, persons, or entity under contract or agreement with the HCA to provide goods or services for the provision or administration of SEBB benefits. The term "contracted vendor" includes subcontractors of the HCA and subcontractors of any person, persons, or entity under contract or agreement with the HCA that provide goods or services for the provision or administration of SEBB benefits.

2. If a SEBB Organization, or contracted vendor in the case of life insurance and accidental death and dismemberment (AD&D) insurance, fails to timely enroll a school employee, or their dependent, in SEBB benefits as elected by the school employee, then the SEBB Organization or contracted vendor must correct the error. The SEBB Organization or the applicable contracted vendor must enroll the school employee and the school employee's dependent, as elected when correcting enrollment errors, reconcile related premium payments and applicable premium surcharges as described in WAC 182-30-060 (2) through (4), and provide recourse as described in WAC 182-30-060(5).

"Timely" in this subsection means the enrollment was entered by the SEBB Organization or contracted vendor within the lower limit date.

The "lower limit date" is three calendar months before the current process month. For example, if the current process month is June, three calendar months before would be March; therefore, the lower limit date would be March 1.

"Current process month" identifies the specific period of time for which the insurance system is billing a SEBB Organization.

3. If a SEBB Organization fails to notify a school employee of their eligibility for SEBB benefits and the employer contribution as described in WAC 182-31-030, the SEBB Organization must correct the error. The SEBB Organization must provide the school employee a written notice of eligibility for SEBB benefits, offer at least a ten day enrollment period and correct enrollment, reconcile premium payments and applicable premium surcharges as described in WAC 182-30-060 (2) through (4), and provide recourse as described in WAC 182-30-060(5).
4. If a SEBB Organization fails to enroll a school employee and their dependents in SEBB benefits as elected in the required forms or apply the applicable surcharges as attested in the required forms, then the SEBB Organization must correct the error. The SEBB Organization must enroll the coverage the school employee elected and accurately reflect the school employee's premium surcharge attestations when correcting enrollment, reconcile related premium payments and applicable premium surcharges as described in WAC 182-30-060 (2) through (4), and provide recourse as described in WAC 182-30-060(5).
5. If a SEBB Organization or contracted vendor in the case of life insurance and accidental death and dismemberment (AD&D) insurance, fails to accurately enroll a school employee in Uniform Medical Plan Achieve 1, Uniform Dental Plan, Metlife vision, basic life insurance, basic AD&D insurance, or basic long-term disability insurance, and apply the tobacco use surcharge status as described in WAC 182-30-050 (1)(b) when the school employee fails to return the required school employee forms within required time limits as described in WAC 182-30-080 (1)(a), then the SEBB Organization or contracted vendor must correct the error. The SEBB Organization or contracted vendor must enroll the school employee as described in WAC 182-30-080 (1)(b) when correcting enrollment errors, reconcile related premium payments and applicable premium surcharges as described in WAC 182-30-060 (2) through (4), and provide recourse as described in WAC 182-30-060(5).

6. If a SEBB Organization fails to accurately enroll a school employee in supplemental long-term disability (LTD) insurance as elected, then the SEBB Organization must correct the error as follows:
  - a. Enroll the school employee in their elected LTD coverage back to the correct effective date of coverage; and
  - b. Collect all applicable LTD premiums as described in WAC 182-30-060 (4)(b).
7. If a SEBB Organization enrolls a school employee or dependent in SEBB insurance coverage when they are not eligible as described in WAC 182-31-040 or 182-31-140 and it is clear there was no fraud or intentional misrepresentation by the school employee involved, then the SEBB Organization must correct the error as follows:
  - a. Terminate the coverage prospectively as described WAC 182-30-060(3); and
  - b. Refund any premiums and applicable premium surcharges paid by the school employee to the employee without rescinding the insurance coverage as described WAC 182-30-060(4).
8. If a SEBB Organization fails to provide correct information regarding SEBB benefits to the school employee that they relied upon, then the SEBB Organization must correct the error. The SEBB Organization must correct the error in enrollment or termination as described in WAC 182-30-060(2), reconcile related premium payments and applicable premium surcharges as described in WAC 182-30-060 (3) and (4), and provide additional recourse as described in WAC 182-30-060(5).
9. "Recourse" as described in WAC 182-30-060(5) requires a SEBB Organization to work with the school employee and receive approval from the Health Care Authority (HCA) to implement retroactive insurance coverage when the SEBB Organization makes an enrollment error.
  - a. A SEBB Organization must work with the school employee to determine which of the options described in WAC 182-30-060 (5)(a) best provides recourse for the school employee's unique circumstance.
  - b. A SEBB Organization must document the recourse solution and provide a copy to the HCA for approval. A recourse solution may not be implemented until approved by the HCA.
  - c. A SEBB Organization must provide a copy of the approved recourse solution to both the school employee and the HCA.
  - d. A school employee who does not agree with a recourse decision of the SEBB Organization or the HCA may appeal the decision by submitting an appeal within 30 days as described in chapter 182-32 WAC.