



HEALTH CARE PROGRAMS  
Oregon Educators Benefit Board

John A. Kitzhaber, MD, Governor

Oregon  
**Health**  
Authority

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May 23, 2011

[FIRST] [LAST]

[ADDRESS]

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**RE: Dependent Eligibility**

Dear OEBB Member:

In OEBB's continuing efforts to provide quality, low-cost benefits for Oregon's educational employees and their families, we plan to perform a dependent eligibility verification review in early 2012. In the midst of busy lives, sometimes circumstances change causing a dependent to lose eligibility but removing them from insurance coverage may be overlooked. Covering ineligible dependents on a benefits program increases costs for everyone. For OEBB, covering ineligible dependents on our plans mean all employees pay more through higher premiums and out-of-pocket costs and all educational entities pay more through higher contributions.

We will be providing additional information about the review process along with your open enrollment materials in early August 2011. However, in preparation for the upcoming open enrollment period and subsequent review, we ask that you take a moment at this time to review the dependent eligibility requirements at the end of this letter to ensure all of the dependents included on your plan(s) meet one of these definitions.

If you find that one or more of your covered dependents don't meet the definition of an eligible dependent under the OEBB benefits program, you must remove the dependent(s) from your OEBB plans prior to or during the 2011 Open Enrollment period (beginning August 15, 2011) to avoid the possibility of having coverage for the ineligible dependent terminated retroactive to the date eligibility was initially lost.

You can view your current dependent information by logging into MyOEBB.org and viewing your Benefits Summary.

Thank you for your cooperation in this effort to help control costs for all OEBB members. If you have any questions about the process, please contact OEBB

Member Services by phone at 888-469-6322 (888-4My-OEBB) or by email at [oebb.benefits@state.or.us](mailto:oebb.benefits@state.or.us).

Sincerely,



Joan Kapowich, OEBB Administrator

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## **DEPENDENT ELIGIBILITY REQUIREMENTS**

“Child” means and includes the following:

(a) An eligible employee’s, spouse’s, or domestic partner’s biological son, daughter, stepson, or stepdaughter; adopted child, child placed for adoption, or legally placed child, who is 25 or younger on the first day of the month. An eligible employee must provide the required custody or legal documents to their Educational Entity showing proof of adoption, legal guardianship or other court order if enrolling a child for whom the employee, spouse, or domestic partner is not the biological parent.

(b) A person who is incapable of self-sustaining employment because of a developmental disability, mental illness, or physical disability. There is no age limit for a dependent child who is incapable of self-sustaining employment because of a developmental disability, mental illness, or physical disability. When the dependent child is 26 years of age or older all the following requirements must be met:

- i. The disability must have existed before attaining age 26.
- ii. (B) The employee must provide evidence to the Educational Entity or OEBB that (1) the person had health plan coverage, group or individual, prior to attaining age 26, and (2) health plan coverage continued without a gap until the OEBB health plan effective date.
- iii. (C) The person’s attending physician must submit documentation of the disability to the eligible employee’s OEBB health insurance plan for review and approval. If the person receives health plan approval, the health plan may review the person’s health status at any time to determine continued OEBB coverage eligibility.

- iv. (D) The person must not have terminated from OEBB health plan coverage after attaining the age of 26.

(c) Eligibility for coverage under this rule includes people who may not be dependents under federal or state tax law and may require an Educational Entity to adjust an Eligible Employee's income based on the imputed value of the benefit.

"Spouse" means a person of the opposite sex who is a husband or wife. Except as provided in Oregon Constitution Article XV, Section 5a, a relationship recognized as a marriage in another state will be recognized in Oregon even though such a relationship would not be a marriage if the same facts had been relied upon to create a marriage in Oregon. The definition of spouse does not include a former spouse and a former spouse does not qualify as a dependent.

"Domestic partner," unless otherwise defined by a collective bargaining agreement or documented district policy in effect on January 31, 2008, means and includes the following:

(a) An unmarried individual of the same sex who has entered into a "Declaration of Domestic Partnership" with the eligible employee that is recognized under Oregon law; or

(b) An unmarried individual of the same or opposite sex who has entered into a partnership that meets the following criteria:

- i. Both are at least 18 years of age;
- ii. Are responsible for each other's welfare and are each other's sole domestic partners;
- iii. Are not married to anyone and have not had a spouse or another domestic partner within the prior six months. If previously married, the six-month period starts on the final date of divorce;
- iv. Share a close personal relationship and are not related by blood closer than would bar marriage in the State of Oregon;
- v. Have jointly shared the same regular and permanent residence for at least six months immediately preceding the date the Affidavit of Domestic Partnership is signed and submitted to the Educational Entity; and

- vi. Are jointly financially responsible for basic living expenses defined as the cost of food, shelter and any other expenses of maintaining a household. Financial information must be provided if requested.
  - vii. The eligible employee and domestic partner must jointly complete and submit to the Educational Entity an Affidavit of Domestic Partnership form, within five business days of the electronic enrollment date or the date the Educational Entity received the enrollment/change form. If the affidavit is not received, coverage will terminate for the domestic partner retroactive to the effective date.
- (c) The domestic partner must notify the Educational Entity within 31 days of meeting all criteria as defined in 111-010-0015 (15)(b) or obtaining the “Declaration of Domestic Partnership” which is recognized under Oregon law.
- (d) Educational Entities’ must calculate and apply applicable imputed value tax for domestic partners covered under OEGB benefit plans.

## **RETIREEES**

“Retirees” enrolled in OEGB retiree insurance plan that becomes eligible for Medicare coverage may not continue on an OEGB medical or vision plan, unless they are eligible for Medicare as a result of end-stage renal disease. OEGB benefits end the last day of the month prior to the Medicare effective date. The retiree is responsible for reporting to their Educational Entity and to OEGB when the retiree is covered by Medicare within 31 days after the Medicare coverage effective date. Failure to report within this timeframe may be considered intentional misrepresentation by OEGB and OEGB may retroactively terminate OEGB coverage back to the last day of the month prior to the Medicare effective date.

Eligible dependents of “Retirees” who were covered on an OEGB medical plan at the time of retirement who are eligible for Medicare, or who become eligible for Medicare, may not continue coverage on an OEGB medical or vision plan unless it is stated in a collective bargaining agreement or documented district policy in effect on or before February 1, 2010, that they may continue on OEGB medical plans until the retiree becomes eligible for Medicare with the following exception: OEGB coverage must end for Medicare-eligible dependents of a retiree enrolled on a Kaiser Permanente medical plan.