DIVISION 50

CONTINUATION OF COVERAGE

111-050-0010

Eligibility for Early Retiree Insurance Coverage

(1) An Eligible **Early Retiree** ~~retired employee~~ and their eligible dependents enrolled in an OEBB benefit plan or district benefit plan for active employees may continue participation in any OEBB retiree, dental, vision, life or accidental death and dismemberment insurance plan or plans available to his or her Employee Group if selected by an Educational Entity. Insurance coverage under the OEBB or district active benefit plans, as an employee or as a dependent of an employee, and retiree benefit plans must be continuous.

(2) Eligible **Early Retirees** ~~retired employees~~ and eligible dependents not yet eligible for Medicare due to age or a disability will have the option to continue enrollment in an OEBB retiree medical plan. Insurance coverage under the OEBB or district active benefit plan, as an employee or as a dependent of any employee, and the retiree benefit plan must be continuous.

(3) A**n Eligible Early Retiree** ~~retired employee~~ must be:

(a) Receiving a service or disability retirement allowance or pension under the Public Employees Retirement System (PERS) or under any other retirement or disability benefit plan or system offered by an OEBB participating organization for its employees;

(b) Eligible to receive a service retirement allowance under PERS and has reached earliest retirement age under ORS Chapter 238;

(c) Eligible to receive a pension under ORS 238A.100 to 238A.245 and has reached earliest retirement age as described in ORS 238A.165; or

(d) Eligible to receive a service retirement allowance or pension under another retirement benefit plan or system offered by an OEBB participating organization and has reached earliest retirement age under the plan or system.

(4) A**n Eligible Early Retiree** ~~retired eligible employee~~ may continue medical, dental, vision, optional life and accidental death and dismemberment coverage for themselves only or may continue to cover any eligible dependents who were enrolled in the employee's active plan immediately prior to the retirement as long as the coverage and plan options are included in the plans offered by the Educational Entity.

(5) Basic life and basic accidental death and dismemberment requires 100 percent mandatory enrollment unless otherwise specified in a collective bargaining agreement in effect on or before September 30, 2009, and the Educational Entity can provide documentation that supports the administration of this benefit.

(6) A former Eligible Employee who elects COBRA and is also eligible for **early** retiree benefits or later becomes eligible as a**n Eligible Early Retiree** ~~retired employee~~ will have the right to transfer the COBRA medical, dental, and vision insurance coverage to the OEBB **early** retiree benefit plans at any time during COBRA or within 30 days of the COBRA end date. Insurance coverage under the OEBB active, COBRA and **early** retiree benefit plans must be continuous.

111-050-0015

Medical, Dental and Vision Termination Dates for Early Retirees

(1) A**n Eligible Early** retiree enrolled in OEBB **early** retiree insurance plan that becomes eligible for Medicare coverage may not continue on an OEBB medical or vision plan, unless they are eligible as a result of end-stage renal disease. OEBB 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 OEBB 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 OEBB and OEBB may rescind OEBB coverage back to the last day of the month prior to the Medicare effective date.

(2) If a**n Eligible Early** retiree becomes eligible for Medicare coverage, but his or her currently-enrolled eligible dependents are not, these eligible individuals may continue OEBB medical, dental and vision insurance coverage until such time as they no longer meet OEBB eligibility requirements or become eligible for Medicare coverage for reasons other than end-stage renal disease, whichever occurs first. The eligible individuals must confirm intent to continue coverage with the retiree plan administrator within 31days after the retiree's eligibility for Medicare.

(3) Eligible dependents who were covered on a plan at the time of retirement who are eligible for Medicare, or who become eligible for Medicare, may not continue coverage on an OEBB 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 OEBB medical plans until the retiree becomes eligible for Medicare with the following exception: OEBB coverage must end for Medicare-eligible dependents of a retiree enrolled on a Kaiser Permanente medical plan.

(4) If the **Eligible Early** retiree is responsible for self-paying all or partial premiums and fails to remit the premium amount to their Educational Entity, all coverage will terminate on the last day of the month in which premiums are paid in full to OEBB.

(5) Dental coverage may be continued subject to the Educational Entity's documented district policy or collective bargaining agreement. Coverage is based on the OEBB dental plans that the Educational Entity offers to retired OEBB Medicare-eligible individuals.

111-050-0016

Life and Accidental Death and Dismemberment Termination Dates for Early Retirees

(1) **Eligible Early Retirees** ~~Retired employees~~ may continue to participate in any or all coverage and plan options selected by the Educational Entity for his or her Employee Group until they reach age 65, unless otherwise specified in a documented district policy or collective bargaining agreement effective on or before February 1, 2010.

(2) **Eligible Early** Retirees or dependents of retirees who lose eligibility for basic or optional life insurance plans due to reaching age 65 can convert their coverage if requested within 31 days of the date the coverage ends. Requests for conversion of coverage must be made to the Life and AD&D insurance carrier.

111-050-0020

Initial Enrollment

(1) A**n Eligible Early Retiree** ~~retired eligible employee~~ has 60 calendar days from the end date of active eligible employee insurance coverage to:

(a) Continue enrollment in OEBB-sponsored medical, dental, vision, basic life, basic accidental death and dismemberment, optional life and optional accidental death and dismemberment plans with the same eligible dependents which were included on your coverage as an active employee; provided they are offered by the Educational Entity.

(b) Disenroll eligible dependents covered during active enrollment. Dependents cannot be re-enrolled once they are dropped from coverage.

(c) Disenroll in any or all plans. Once a retiree drops coverage the retiree cannot re-enroll.

(d) Change medical plan to a less expensive medical plan if the Eligible Early Retiree is no longer receiving a monetary contribution.

(2) All coverage and dependent enrollments must be continuous from the date the active coverage ends.

(3) Coverage not elected at the time of initial eligibility for early retiree benefits cannot be added at a later date.

(4) **An Eligible Early Retiree** ~~Retired eligible employees~~ may choose to continue enrollment in an OEBB-sponsored medical plan, dental plan, basic life, basic accidental death and dismemberment, optional life, or optional accidental death and dismemberment plan, or any combination of these, unless determined otherwise by a collective bargaining agreement or documented district policy with the following restrictions:

(a) The **Eligible Early** Retiree must enroll in an OEBB-sponsored medical plan to continue an OEBB-sponsored vision plan; and

(b) The **Eligible Early** Retiree must **be** enroll**ed** in an OEBB-sponsored optional life or optional accidental death and dismemberment plan to continue optional spouse or dependent life or accidental death and dismemberment, respectively.

(c) The Educational Entity offers the plan(s) to their retiree group.

(5) **Plan Change Periods**: OEBB will offer an annual plan change period for **Eligible Early Retirees** ~~retired eligible employees~~.

(6) **An Eligible Early Retiree** ~~retired eligible employee~~ can change benefit plans consistent with members of their former active Employee Group.

(7) **An Eligible Early Retiree** ~~A retired eligible employee~~ may not add dependents or enroll in coverage(s) he or she did not select during the initial enrollment period.

(8) **An Eligible Early Retiree** ~~A retired eligible employee~~ may choose to reduce the amount of optional life and optional accidental death and dismemberment coverage for themselves and/or their dependents, but may not increase coverage in these plans.

(9) **Qualified Status Changes** (**QSC**): **An Eligible Early Retiree** ~~A retired eligible employee~~ may make changes consistent with the OEBB QSC Matrix.

111-050-0025

Effective Dates

(1) Benefit plan changes or initial elections, unless otherwise specified in a collective bargaining agreement or documented district policy in effect on June 30, 2008, are effective on ~~the later of~~ **the first of the month following termination of the active employee coverages.**

~~(a) The first of the month following a completed online enrollment in the OEBB benefit management system or submission of a paper enrollment or change form,~~

~~(b) The first of the month following the date of eligibility; or~~

~~(c) The first of the month following the approval date of additional optional life insurance requested above the guarantee issue amount.~~

(2) **Effective Dates for Qualified Status Changes.** Covered dependent changes are effective the first of the month following the date of the event causing the dependent to be eligible under OEBB administrative rules with the following exceptions:

(a) Coverage for a newborn child is effective on the date of birth. Retired eligible employee must add the newborn child to their benefit plans within 60 calendar days from the date of birth for the newborn child to be eligible for benefit coverage.

(b) Coverage for a newly adopted child is effective the date of the adoption decree or date of placement for adoption. Retired eligible employee must add the adopted child to their benefit plans within 60 calendar days from the date of the decree or placement for the newly adopted child to be eligible for benefit coverage; and

(A) ~~The~~ **Eligible Early Retiree** ~~retired eligible employee~~ must submit the adoption agreement with the enrollment forms to the Educational Entity.

(B) Claims payments will not be made for expenses incurred prior to the date of decree or placement.

(c) Coverage for an eligible grandchild is as follows:

(A) If the legal guardianship is finalized within the first 60 days following the birth of the grandchild, coverage will be effective retroactive to the date of the birth.

(B) If the legal guardianship is finalized 61 or more days from the date of birth of the grandchild, the coverage will be effective the first of the month following the date the guardianship documents are finalized.

(C) If the legal guardianship is finalized 61 to 180 days from the date of birth of the grandchild, and the effective date of legal guardianship is retroactive to the grandchild's date of birth, coverage will be effective retroactive to the date of birth. If legal guardianship is finalized after 180 days coverage will be effective the first of the month following the date the guardianship documents are finalized.

111-050-0030

Correcting Enrollment and Processing Errors

(1) ~~Employee~~ Enrollment Errors. Enrollment errors occur when a**n Eligible Early Retiree** ~~retired eligible~~ employee provides incorrect information or fails to make correct selections when making benefit plan changes. The **Eligible Early Retiree** ~~retired eligible employee~~ is responsible for identifying enrollment errors or omissions.

(a) OEBB authorizes Educational Entities to correct enrollment errors reported by the **Eligible Early Retiree** ~~retired eligible employee~~ within ~~60~~ **45** calendar days of the original eligibility date, annual plan change period end date, or Qualified Status Change date.

(b) Enrollment errors identified after ~~60~~ **45** calendar days of the eligibility date, annual plan change period end date or Qualified Status Change date must be submitted to OEBB for review and approval based on OAR 111-080-0030.

(2) Benefit Administrator Processing Errors. Processing errors or omissions occur when benefit plan changes are processed incorrectly in the benefit system.

(a) OEBB authorizes Educational Entities to correct processing errors identified within ~~60~~ **45** calendar days of the eligibility date, annual plan change period end date, or Qualified Status Change date. The Educational Entities must reconcile all premium discrepancies.

(b) Processing errors identified after ~~60~~ **45** calendar days of the eligibility date, annual plan change period end date, or Qualified Status Change date must be submitted to OEBB for review and approval based on OAR 111-080-0030. If approved, corrections are retroactive to the original effective date as identified in 111-040-0001. The Educational Entity must reconcile all premium discrepancies within 30 calendar days of any adjustments made in the system.

111-050-0035

Late Enrollment

(1) Late enrollment occurs when a**n Eligible Early Retiree** ~~retired eligible employee~~ fails to enroll for benefits within 60 days of retirement or fails to **notify their educational entity of the Qualified Status Change** ~~add an eligible dependent~~ within 31 calendar days of:

(a) The date a spouse, domestic partner, or child gains eligibility;

(b) The date of marriage to a spouse who was most recently enrolled as a domestic partner; or

(c) The date of birth of the retired eligible employee's biological newborn child.

(d) The date the child was adopted of the date the retiree became the legal guardian.

(2) OEBB authorizes Educational Entities to **add and/or enroll** ~~approve late enrollment requests for retired eligible employees~~ **Eligible Early Retirees** and dependents ~~when the request is reported~~ within ~~60~~ **45** calendar days of the eligibility dates referenced in sections (1)(a) **and** (1)(b), ~~(1)(c)~~ **and within 60 calendar days of the eligibility dates referenced in (1)(c) and (1)(d).**

(3) OEBB must review and approve all late enrollment requests based on OAR 111-080-0030 when the request **and enrollment** is made more than ~~60~~ **45** calendar days after the eligibility dates referenced in sections (1)(a) **and** (1)(b), ~~(1)(c)~~ **and more than 60 calendar days after the eligibility dates referenced in sections (1)(c) and (1)(d).**

(4) Approved late enrollment requests, unless determined otherwise in a collective bargaining agreement or documented district policy in effect on June 30, 2008, are effective the first of the month following the date the request is received by a district benefits administrator or OEBB, except for approved requests to add newborn children **or newly adopted child** which are retroactive to the month the child was born **or adopted** along with any premium adjustments.

111-050-0045

Termination Dates

(1) Effective October 1, 2011, if ~~retired eligible employee~~ **an Eligible Early Retiree** requests a termination of coverage for ~~themselves~~ **themself**, a spouse, a domestic partner, or a child, coverage ends on the last day of the month that eligibility is lost. Requests for coverage termination must be made consistent with a **Qualified Status Change** ~~Qualifying Event~~, as defined by 111-040-0040.

(2) Retroactive termination of coverage may be made in the event of a delay in the Educational Entities' ~~administrative~~ **reconciliation** process **and shall generally be within 14 days of receiving notification from the Eligible Early Retiree of the qualified status change event and requested benefit changes.**

(**2**~~3~~) Effective October 1, 2011, benefit coverage termination that is considered by OEBB to be intentional misrepresentation may be rescinded in compliance with the law. If this occurs, OEBB shall give the affected individual 30 days notice of the rescission of benefit coverage and an opportunity to appeal before the rescission takes effect.

(**3**~~4~~) Benefit coverage for a spouse, domestic partner, or child ends on the last day of the month that a retired eligible employee dies, unless otherwise determined by a collective bargaining agreement or documented district policy in effect on June 30, 2008.

111-050-0050

Removing an Ineligible Individual from Benefit Plans

(1) ~~A retired eligible employee~~ **An Eligible Early Retiree who enrolls themselves and/or an eligible person** is responsible for removing ineligible spouses, domestic partners and children from their OEBB-sponsored benefit plans by submitting completed, applicable forms to their Educational Entity benefits administrator within 31 calendar days after the date the individual becomes ineligible. Coverage ends on the date identified under OAR 111-050-0045.

~~(2) A retired eligible employee ending a domestic partnership must complete and submit a Termination of Domestic Partnership form and enrollment update forms to the Educational Entity benefits administrator within 31 calendar days after the event for removal of the domestic partner and domestic partner's dependent children from their benefit plan. Benefit coverage for the domestic partner and domestic partner's dependent children ends on the date identified in OAR 111-050-0045.~~

(**2**~~3~~) An Educational Entity is responsible for removing ineligible individuals from the OEBB benefits management system. The Educational Entity must complete such removal within 14 calendar days after:

(a) An event resulting in loss of the ~~retired employee's~~ **early retiree's** eligibility, or

(b) The receipt of notification of an event resulting in loss of eligibility of the ~~retired employee's~~ **early retiree's** spouse, domestic partner or child.

(**3**~~4~~) If coverage of an ~~employee's~~ **early retiree's** spouse, domestic partner or child is terminated retroactively then:

(a) The ~~retired eligible employee~~ **early retire** may be responsible for claims previously paid by the benefit plans to the providers during the period of ineligibility at the carrier's discretion; and

(b) Premium adjustments will be made retroactively based on the coverage end date.

(5) OEBB shall conduct audits to monitor compliance with OEBB administrative rules governing eligibility and enrollment. **Eligibility audits will occur at different times throughout the plan year. The member is responsible to submit documentation upon request. In the event the member does not provide the required documentation in a timely manner to sufficiently prove the dependent meets eligibility requirements, or the documentation provided is insufficient, the dependent's coverage will be terminated. Retroactive terminations may occur if the documentation provided shows the dependent was not eligible for coverage and the member misrepresented the dependent as being an eligible dependent as defined by OAR 111-080-0045.**