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Circular Letter

July 22, 2013

**TO: STATE, CALIFORNIA STATE UNIVERSITY AND
CONTRACTING PEMHCA AGENCIES**

**SUBJECT: DEFENSE OF MARRIAGE ACT: ONE-TIME EXCEPTION
ENROLLMENT FOLLOWING SUPREME COURT DECISION**

U.S. Supreme Court Ruling

On June 26, 2013, the United States Supreme Court struck down the portion of the Defense of Marriage Act (DOMA) that barred same-sex married couples from recognition as "spouses." With this ruling, an impediment to same-sex marriages was removed which may cause some couples to reconsider enrolling their eligible spouses and children.

One-Time Exception

For employees and retirees who previously chose not to enroll their spouse and eligible dependent children, CalPERS is offering a one-time exception opportunity to enroll in health coverage. Enrollment is limited to employees and retirees who married during the period in 2008 when California first issued same-sex marriage licenses but who chose not to enroll their spouse and dependent children. The one-time exception also applies to members who married a same-sex spouse in another state where same-sex marriage was legal prior to June 26, 2013.

Timeframe

The enrollment period is effective immediately and continues through December 31, 2013. The exception period provides access to health coverage earlier than transactions processed during Open Enrollment, which has a January 1, 2014 effective date. Members who miss this opportunity may add their spouse during a future Open Enrollment period, or when a qualifying event occurs, such as a loss of coverage. Members must submit their *Health Benefits Plan Enrollment form* and a copy of their marriage certificate to their Health Benefits Officer (or to CalPERS for retirees) by December 31, 2013.

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Defense of Marriage Act: One-Time Exception Enrollment Following Supreme Court Decision, Continued

Process for Submitting Health Enrollment

If you receive an enrollment request that fits the one-time exception criteria, please fax the completed and signed *Health Benefits Plan Enrollment form* to CalPERS fax number (916) 795-0883 for administrative processing. You will need to ensure the form is complete and free of errors, and that it validates the supporting documentation. In the remarks section (box 35) include “**One Time Exception Enrollment: Per DOMA CL 600-047-13.**” The qualifying event reason is marriage and the effective date is the first of the month following receipt of supporting documentation.

Retirees will submit the request for enrollment to CalPERS via mail, centralized fax, or using the member self-service application on the my|CalPERS website. Retirees will need to submit a copy of their marriage certificate, Medicare card (if applicable), dependents’ names, birthdates, social security numbers, and birth certificates (for children under age 26).

Newly married members have 60 days from the marriage date to enroll a new spouse and dependent children into health coverage. Employers will enroll the spouse using the same business rules and process for enrolling opposite sex spouses via the my|CalPERS system.

Additional Information

For your convenience, we have attached Frequently Asked Questions to this Circular letter regarding the one-time exception enrollment following the Supreme Court decision on the Defense of Marriage Act.

Questions

If you have any questions about this Circular Letter, please call our CalPERS Customer Contact Center at **888 CalPERS** (or **888-225-7377**).

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Enclosures:

[CalPERS Health Benefits Program FAQs](#) (PDF, 40 KB)