

## PROPOSED EMERGENCY REGULATORY ACTION BY CALPERS

### Amend § 599.500, § 599.501, § 599.502 and § 599.508 of Title 2 of the California Code of Regulations

#### § 599.500, subdivisions (a) through (r)

These subdivisions remain unchanged.

#### Proposed Amendment to § 599.500, subdivision (s)

- (s) “Health benefit(s) plan,” as defined in section 22777 of the Government Code, or “plan” means a health benefits plan contracted for or approved by the Board pursuant to includes any benefit design and premium rate structure offered by the board to employees, annuitants, and family members through contracts with carriers or self-funded plans administered by the board pursuant to Sections 22793, 22850 and 22853, of the Government Code. “Health benefit(s) plan” includes basic or supplemental plans.

#### Proposed Amendment to § 599.500, subdivision (t)

- (t) “Basic Plan” means a health benefit(s) plan providing benefits for employees, annuitants, and family members not enrolled in a supplemental plan.

#### Proposed Amendment to § 599.500, subdivisions (t) through (v) to renumber to § 599.500, subdivisions (u) through (w)

These subdivisions remain unchanged except for renumbering.

- (~~t~~u) “Conversion plan” means a nongroup contract offered by the carrier as its standard individual membership plan.
- (~~u~~v) “Control Period” means a period from January 1 through June 30 or July 1 through December 31.
- (~~v~~w) “Alternative benefit plan” means a health benefits plan approved, or contracted for, by the Board exclusively for employees or annuitants of contracting agencies pursuant to Section 22850(f)(2) of the Government Code.

#### Proposed Amendment to § 599.501, subdivision (a)

- (a) Each employee or annuitant other than those excluded by subsections (b) or (c) below, is eligible to be enrolled in a health benefits plan at the times and under

the conditions prescribed in this subchapter, provided however that no person shall be enrolled in a supplemental plan who at the time of enrollment is not also enrolled under Part A and Part B of Medicare. An eligible employee or annuitant enrolled in both Parts A and B of Medicare, or who has a family member who is so enrolled, may be enrolled in a basic plan contracted for by the Board with respect to persons not enrolled in Parts A and B, and in a supplemental plan ~~provided by the same carrier~~ with respect to all persons enrolled in Parts A and B.

**§ 599.501, subdivisions (b) through (i)**

These subdivisions remain unchanged.

**§ 599.502, subdivisions (a) through (e)**

These subdivisions remain unchanged.

**Proposed Amendment to § 599.502, subdivision (f)(6)(E)**

- (f)(6)(E) An employee or annuitant enrolled in a supplemental plan who moves, other than temporarily, out of the United States as defined in the Federal Social Security Act, may change his or her enrollment to ~~the a~~ basic plan provided by the carrier of the supplemental plan that provides coverage outside the United States.

**Proposed Amendment to § 599.502, subdivision (g)(4)**

- (g)(4) Employees and annuitants may not enroll in more than one plan. For the purposes of this subsection, “one plan” includes a combination of basic or supplemental plans. ~~Where an employee or annuitant has filed more than one enrollment form, in the absence of specific instruction from the employee or annuitant to the contrary, the last enrollment form filed shall be taken as indicating the plan in which the employee desires to enroll.~~

**Proposed New § 599.502, subdivision (g)(5)**

- (g)(5) Where an employee or annuitant has filed more than one enrollment form, in the absence of specific instruction from the employee or annuitant to the contrary, the last enrollment form filed shall be taken as indicating the plan in which the employee desires to enroll.

**§ 599.502, subdivisions (h) and (i)**

These subdivisions remain unchanged.

**Proposed Amendment to § 599.508, subdivision (a)(3)**

(a)(3) Provide for coverage of enrolled employees and annuitants, and covered members of their families in plans in which they are eligible to enroll.

**§ 599.508, subdivision (b)**

This subdivision remains unchanged.