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Special: All PEMHCA Employers

# Circular Letter

TO: ALL PEMHCA HEALTH BENEFITS OFFICERS AND ASSISTANT HEALTH BENEFITS OFFICERS

SUBJECT: Process for Same-Sex Marriage Health Benefit Transactions

This Circular Letter provides a status update to Circular Letter number 600-032-08, dated June 17, 2008, "Interim Process for Same-Sex Marriage Health Benefit Transactions" and its attachment, "Frequently Asked Questions." The California Supreme Court decision made the designation of marriage available to both opposite-sex and same-sex couples. As a result, all Public Employees' Medical and Hospital Care Act (PEMHCA) covered employers were required to accept valid marriage certificates for same-sex couples issued after 5:00 p.m. (Pacific Time) on June 16, 2008. The marriage certificate is used to confirm marital status in order to enroll an eligible same-sex spouse and eligible dependent children, if any, into the CalPERS Health Program.

CalPERS updated its Automated Communication Exchange System (ACES) to accommodate this recent Supreme Court decision. Please keep in mind that all CalPERS Health Program benefits and business rules apply in the same manner to members in same-sex marriages as opposite-sex marriages. Effective immediately, please follow the processes outlined below:

## New Enrollment

Employee requests enrollment of same-sex spouse and eligible dependent children.

The employee completes the *Health Benefits Plan Enrollment Form* (HBD-12) to enroll the new spouse and eligible dependent children. The employee submits a copy of the marriage certificate. The HBD-12 must be complete, signed by both the employee and the HBO, and contain the following:

HBD-12 Box 11	Primary Care Physician (HMO Only)	Providing this information will assist in the timely issuance of identification cards.
Box 14	<b>Reason Code</b> 201	Adding Spouse/Step Children due to Marriage.
Box 15	Permitting Event Date	Date of the marriage.
Box 16	Effective Date	1 <sup>st</sup> of the month following HBO received date, if the HBO received date is within 60 days of the marriage.
Box 21	Employee Signed (or Signature) Date	Within 60 days of the marriage date. <b><i>Please include employee's daytime phone number.</i></b>
Box 33	HBO Received Date	The date the HBO received the completed HBD-12.

**NOTE: The chart may also be used for non-ACES users.**

### Change of Relationship

Employee submits a marriage certificate and currently maintains a registered domestic partner enrolled on his or her health plan enrollment.

Upon receipt of a valid marriage certificate, the HBO will verify that the spouse is the same person enrolled in the employee's health plan enrollment as a registered domestic partner.

- If the spouse is not the same person, the employee may not enroll the new spouse until the existing registered domestic partnership is **terminated**. The marriage certificate issued for the new spouse must be after the termination date of the previous domestic partnership. Once all paperwork is submitted, you may process the cancellation of the domestic partner in ACES, and follow the process previously outlined under "new enrollment" to add the new spouse.
- If the spouse is the same person, follow the process below:

The employee completes the HBD-12 form to change the health enrollment from a Domestic Partner to a spouse (and eligible dependent children). The HBD-12 must be complete and signed by both the employee and the HBO.

### **IMPORTANT**

**Enrollment changes requires processing two transactions in ACES. Transaction #1 removes the status of domestic partner. Transaction #2 adds the status of spouse and can only be processed upon notification of transaction #1 successfully processing. Failure to process the transactions in this sequence could result in no health coverage for the spouse.**

Follow these steps to process the following two transactions in ACES:

#### **TRANSACTION #1 Remove status of domestic partner in the "Delete Dependent" folder**

<b>HBD-12</b> Box 14	<b>Reason Codes</b> 322 323	Change Domestic Partner to Spouse. Change Domestic Partner Child to Step-Child (if applicable).
Box 15	Permitting Event Date	Date HBO Receives the completed HBD-12 form and copy of the marriage certificate.
Box 16	Effective Date	1 <sup>st</sup> of the month following HBO received date.
Box 21	Employee Signed (or Signature) Date	Date employee completes and signs HBD-12. <b><i>Please include employee's daytime phone number.</i></b>
Box 33	HBO Received Date	Date the HBO received the completed HBD-12.

#### **TRANSACTION #2 Add the status of spouse in the "Add Dependent" folder**

<b>HBD-12</b> Box 11	Primary Care Physician (HMO Only)	Providing this information will assist in the timely issuance of identification cards.
Box 14	<b>Reason Code</b> 218	Change Domestic Partner <b>and</b> Children to Spouse/Step Children.
Box 15	Permitting Event Date	Date HBO Receives the completed HBD-12 form and copy of the marriage certificate.
Box 16	Effective Date	1 <sup>st</sup> of the month following HBO received date.
Box 21	Employee Signed (or Signature) Date	Date employee completes and signs HBD-12. <b><i>Please include employee's daytime phone number.</i></b>
Box 33	HBO Received Date	Date the HBO received the completed HBD-12.

**Usage of new reason codes**

Reason codes 322, 323, and 218 are only to be used for transferring the relationship of an enrolled Domestic Partner and their children to Spouse and step-children.

The permitting event date is the date the HBO receives the completed HBD-12 form and copy of the marriage certificate. Since the dependent is already covered on the employee's health coverage as a Domestic Partner, there is no time limit after the marriage for making this change of relationship status.

If you have any questions about the information provided in this Circular Letter, please contact the CalPERS Employer Contact Center at **888 CalPERS** (or **888-225-7377**).

Sincerely,

Holly A. Fong, Chief  
Office of Employer and Member Health Services