Domestic Partner Eligibility

FAQs
for Benefits Professionals

1. **How many newly-eligible domestic partners are expected to sign up during Open Enrollment?**

UC does not have data on domestic partners of employees who are not currently enrolled in benefits, so we do not have a means of estimating the number of people who will be newly-eligible and enrolled, or the total cost of covering those individuals. None of our health and welfare vendors increased premiums based on the eligibility policy change; rather, the additional cost to UC will result from the increase in the number of covered lives. UCOP will report out after Open Enrollment closes how many new domestic partners were enrolled during OE.

2. **How do employees/retirees enroll their partners in health & welfare benefits during OE?**

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<thead>
<tr>
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<th>Employees – PPS</th>
<th>Employees – UCPath</th>
<th>Retirees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical, Dental, Legal</td>
<td>AYSO Open Enrollment</td>
<td>UCPath Open Enrollment</td>
<td>AYSO Open Enrollment</td>
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<tr>
<td>Vision</td>
<td>AYSO Open Enrollment</td>
<td>UCPath Open Enrollment</td>
<td>Directly with VSP</td>
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<tr>
<td>Dependent Life</td>
<td>UPAY850, from Jan 1-31, 2019</td>
<td>UCPath via Life Events page, from Jan 1-31, 2019</td>
<td>N/A</td>
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<td>AD&amp;D</td>
<td>UPAY 850, any time after Jan 1, 2019</td>
<td>UCPath via Life Events page, any time after Jan 1, 2019</td>
<td>Directly with Prudential</td>
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<td>Supplemental Life (see #5)</td>
<td>UPAY850, from Jan 1-31, 2019</td>
<td>UCPath via Life Events page, from Jan 1-31, 2019</td>
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3. **May retirees add a new domestic partner?**

Yes, retirees can add new domestic partners to health and welfare benefits, but new partners acquired after retirement are not eligible for UCRP survivor benefits (similar to married spouses).

4. **May individuals who are receiving UCRP Disability Income add a new domestic partner?**
Yes, individuals who are receiving UCRP Disability Income and who are enrolled in UC health benefits may add a newly-eligible domestic partner. If the domestic partner is enrolled in medical and/or dental benefits, and Family Member Eligibility Verification is completed successfully, the domestic partner will be considered the survivor under UCRP (subject to additional eligibility criteria).

5. **Is having a newly-eligible domestic partner a Qualifying Life Event that allows the employee to make changes to any health and welfare benefits during January, 2019?**

Yes, the date the eligibility policy change goes into effect – January 1, 2019 – triggers the “Acquisition of Eligible Family Member” rule for a PIE in the GIRs if the employee has a newly-eligible domestic partner:

> “1003.D.15. Acquisition of Eligible Family Member – Upon the acquisition of a newly eligible Family Member, an Eligible Employee may enroll him/herself, the newly eligible Family Member and any other eligible Family Members in a plan. The Eligible Employee may also increase coverage for Supplemental Life Insurance and AD&D Insurance.

If already enrolled in a plan, the Eligible Employee may add the newly eligible Family Member, and any other eligible Family Members not already enrolled, to that plan or enroll him/herself and all eligible Family Members in a different Plan.

The PIE begins with the date the Family Member first meets the eligibility requirements described in Part II.1.C.” [in this case, January 1, 2019]

6. **What triggers the start date of a domestic partnership that is not registered with the state?**

OR

**How does an employee know when a non-registered domestic partnership meets UC criteria?**

A non-registered domestic partnership may be established with UC as of the date that all UC criteria for domestic partnership are met. The employee is responsible for reviewing the list of requirements and determining when they believe all requirements are met. For example, the partners may begin to share a common residence or become financially interdependent, such as buying a home or a car together. It is important to remember that for a partnership that is not registered with the state, all of the following criteria must be met:

- Parties must be each other’s sole domestic partner in a long-term, committed relationship and must intend to remain so indefinitely.
- Neither party may be legally married or be a partner in another domestic partnership.
- Parties must not be related to each other by blood to a degree that would prohibit legal marriage in the state of California. For example, not parents and children, brothers and sisters, half-brothers and half-sisters, uncles and aunts, nieces and nephews, or ancestors and descendants of every degree (this means grandparents and grandchildren, great-grandparents and great-grandchildren, etc.).
- Both parties must be at least 18 years old and capable of consenting to the relationship.
• Parties must be financially interdependent.
• Parties must share a common residence.

7. How does the Benefits Office validate a new domestic partnership?

The Benefits Office does not need to validate a partnership. All validation is completed through the FMEV process. This is true for marriages and domestic partnerships.

8. Is there a waiting period between terminating one domestic partnership and adding another?

No, similar to married spouses, there is no waiting period.

9. Are Domestic Partners’ medical expenses eligible for reimbursement through a Flexible Spending Account?

A Health or Dependent Care FSA may be used to cover eligible expenses incurred by a domestic partner and/or the partner’s children, if they are the employee’s tax dependent(s). The FSA eligibility rules for domestic partners and dependents are established by the IRS and are different from UC rules for eligibility for other plans.

10. Are former employees on COBRA able to add their domestic partners during Open Enrollment?

Yes, individuals on COBRA have the same plan options and are subject to the same eligibility rules as active employees. COBRA members will receive information about UC’s Open Enrollment options (including domestic partner changes) from WageWorks.

11. If a UC employee registers their domestic partner with the state of California or another jurisdiction that recognizes the union, but hasn’t enrolled the partner in health insurance (i.e., hasn’t completed FMEV), and has not completed a UBEN 250, and the employee passes away, will UC recognize the partnership and provide UCRP survivor benefits? In other words, is state registration enough to recognize the union for purposes of UCRP survivor benefits?

Yes, a registered domestic partner can submit proof of state registration after an employee dies to validate the partnership, just the same as a spouse can submit a marriage certificate. However, in the case of a non-registered partnership, if the partnership is not established by enrolling in health insurance and completing the FMEV process, or by submitting the UBEN 250, prior to the death, then UCRP survivor benefits are NOT payable to the domestic partner.

12. Will domestic partners who are enrolled in health benefits and who have been verified through the FMEV process prior to January 2019 be recognized for UCRP survivor benefits purposes?
Yes. All current UCRP members – employees and retirees - who have domestic partners enrolled in health benefits and who have been verified through the FMEV process will be notified that their domestic partner will be considered their survivor under UCRP (subject to additional eligibility criteria), beginning January 1, 2019.

13. What if an employee disenrolls their domestic partner from health benefits, after the partnership has been verified through the FMEV process – will the domestic partner continue to be considered the survivor for UCRP purposes?

Yes, if the FMEV process was completed successfully, the domestic partnership will remain valid for UCRP purposes if the partner is disenrolled from health benefits (for example, if the partner obtains benefits through their own employer).

If a partnership ends, instructions for terminating the domestic partnership can be found in the Benefits for Domestic Partners booklet.

14. If an employee has a long-term unregistered domestic partner who was enrolled in health benefits for a few years and then disenrolled prior to the FMEV process being established, and no UBEN 250 was submitted establishing the partnership, will that partnership be recognized for survivor benefits, based on the past history of health benefits coverage?

No. A domestic partner must have been verified through the FMEV process in order to be eligible as the UCRP survivor.

15. If a postdoctoral fellow, resident or academic student employee – who is not subject to the FMEV process conducted by Unify HR – obtains a faculty, non-faculty academic, or staff appointment, will that individual be required to complete the FMEV process?

If the individual is appointed to a position eligible for the faculty/staff benefits program, then yes - the individual will be asked by Unify HR to complete the FMEV process.

16. Do the benefits available to domestic partners vary by UCRP Tier?

Yes, the benefits for surviving family members differ depending on the employee’s UCRP Tier. This has not changed with the expansion of eligibility on the H&W side, but to review:

Registered domestic partners in all UCRP Tiers are treated the same as legal spouses and can submit their proof of registration at any time prior to or following the employee’s death.

For domestic partners not registered with the state of California or another jurisdiction:

- Employees who are UCRP members before 7/1/2013 (1976 Tier) must establish their domestic partnership prior to the death of the employee (or at retirement, if they do not die before retiring) in order for the “automatic” postretirement survivor benefit or pre-retirement survivor benefit to be awarded
• Employees who are 2013 Tier UCRP members must establish their domestic partnership prior to the death of the employee in order for the partner to receive pre-retirement survivor benefits

• Employees who are 2016 Tier (Pension Choice) UCRP members must establish their domestic partnership prior to the death of the employee in order for the partner to receive pre-retirement survivor benefits

• Employees who are Savings Choice members should name their domestic partner as their beneficiary prior to the point of death in order for the partner to receive the Savings Choice account balance

All UCRP members are asked for documentation of partnership/marriage at the point of retirement and any newly-acquired partners/spouses following retirement are not eligible for UCRP benefits. A partner/spouse acquired during retirement can be named the beneficiary for Savings Choice and enrolled in health and welfare benefits.