

Survivor Eligibility Criteria

Survivors

Survivors should contact the employee's agency Health Benefits Administrator. The Department sends information about eligibility, enrollment and payment methods to survivors during the extended benefits period which is provided to an employee's survivors after the employee's death.

Extended Benefits Period

If an employee dies while on the State's payroll, the enrolled dependents will continue to receive coverage for five biweekly payroll periods beyond the payroll period for which their last health insurance deduction was taken.

If an employee dies while on a Participating Employer or Participating Agency's payroll, the enrolled dependents will continue to receive coverage for three months beyond the month in which the employee died.

If the employee dies while retired or in vested status, the enrolled dependents will have health insurance coverage for three months beyond the month in which the employee died.

If the employee dies while enrolled in NYSHIP through COBRA, the enrolled dependents will be eligible for the balance of the COBRA continuation coverage (up to a maximum of 36 months from the original COBRA start date) and/or conversion to a direct-pay contract.

Continued Dependent Survivor Coverage

The *unremarried spouse*, or domestic partner who has not acquired another domestic partner, and eligible dependent children may be allowed to continue their coverage under NYSHIP after the extended benefits period ends.

Whether they are eligible for dependent survivor coverage depends on the following circumstances:

If a State, Participating Employer, or Participating Agency employee dies as a result of a work-related illness or injury, regardless of their age at the time of death or their length of service, their dependents are eligible for NYSHIP coverage for as long as the dependents otherwise remain eligible.

If the employee's death is not the result of a work-related illness or injury:

If at the time of the State, Participating Employer or Participating Agency employee's death the employee was an active employee who had 10 years of service with New York State or an agency eligible to participate in NYSHIP the dependents will be eligible for NYSHIP coverage. In addition, Participating Agencies have the option of including years of service with New York City in calculating the 10 years of service.

Enrollment Identification

During the extended benefits period, the employee's survivors should continue to use the card(s) they already have under the employee's identification number.

After the extended benefits period ends, if the dependent then enrolls for dependent survivor coverage, the Department will change the file to the survivor's own name and identification number, and issue a new card.

Employee's Eligible Dependents if Employee's Surviving Spouse Loses Eligibility or Dies

If the employee's surviving spouse or domestic partner loses eligibility or dies, the eligible dependent children may continue their coverage as dependent survivors until they no longer meet the eligibility requirements as dependents. If they no longer meet these requirements, they may enroll in COBRA or convert to a direct-pay contract.

Not Eligible for Dependent Survivor Coverage

If the employee's spouse or domestic partner and children are not eligible for survivor coverage under NYSHIP, they may be eligible to continue their coverage in NYSHIP under COBRA or convert to a direct-pay conversion contract.

Option Transfer for Dependent Survivors

Dependent survivors may change options at any time once in a twelve-month period. They are covered by the same rules as retirees for changing options.