



**NY17-24
PA17-18
PAEX17-17
PE17-21
SEHP17-12**

TO: Health Benefits Administrators
FROM: Employee Benefits Division (EBD)
SUBJECT: Revised Medicare/Retirement, COBRA, and M/C Life Policy Memos
DATE: December 8, 2017

The Employee Benefits Division (EBD) is in the process of reviewing and revising all New York State Health Insurance Program (NYSHIP) Policy Memos. The goal of this project is to make NYSHIP Policy Memos easier to understand while updating them to meet current legislative standards. Changes include revising language for clarity, withdrawing memos that have been rendered obsolete, consolidating memos that cover the same topic, and amending policy where necessary.

The language in all revised memos has been updated to make them easier to read. We have replaced jargon and outdated terminology with more understandable language.

EBD has divided the memos into categories and is reviewing them in phases. Updated Medicare/Retirement, COBRA, and M/C Life Insurance Policy Memos are now available to view online. <https://www.cs.ny.gov/employee-benefits/hba/shared/apps/policymemos/>

The tables below outline all the Policy Memos that were revised in this phase of the project, as well as a brief description of the change:

Summary of Medicare/Retirement Policy Memo Actions			
Previous PM	Action	New PM	Changes
5	Updated	5r2	Policy memo was updated to reflect current practice.
8	Withdrawn	39r2	Policy memo merged with PM-39r2. No change in policy.
9	Withdrawn	None	Policy was duplicative of Medicare's coordination of benefits rules and was withdrawn.

11	Updated	11r3	Change in policy. EBD or employer will provide Medicare Part B reimbursement for Medicare primary enrollees who live outside the country.
33	Withdrawn	None	Policy was duplicative of Medicare's coordination of benefits rules and was withdrawn.
37r1	Updated	37r2	PM-96 was merged with this memo. Rewritten for clarity. Added a chart for reference. No change in policy.
39r1	Updated	39r2	PM-8 was merged with this memo. Rewritten for clarity. No change in policy. Added detail, if an enrollee retires from one NYSHIP employer and returns to work for a different NYSHIP employer, the enrollee remains Medicare-primary.
70r1	Updated	70r2	PM-75r1 was merged with this memo. Rewritten for clarity.
75r1	Withdrawn	70r2	Duplicative of PM-70r1. Merged with PM-70r1 and withdrawn.
82r1	Updated	82r2	Rewritten for clarity. No change in policy.
85	Updated	85r1	Policy memo updated to include additional retirement systems that were not previously mentioned.
96	Withdrawn	37r2	Duplicative of PM-37r1. Merged with PM-37r2 and withdrawn.
99r2	Withdrawn	None	Policy withdrawn because Medicare primary Empire Plan enrollees can no longer be enrolled in non-NYSHIP HMOs.
105	Withdrawn	None	Policy memo was withdrawn. Memo was unnecessary because retiree eligibility criteria is addressed in NYS Regulations.
108	Withdrawn	None	Policy memo was withdrawn because it was duplicative of Section 167-a of Civil Service Law.
122r3	Withdrawn	122r1	Due to litigation, PM-122r3 and PM-122r2 are null and void. Therefore, PM-122r1 stands.

Summary of COBRA Policy Memo Actions			
Previous PM	Action	Proposed PM	Changes

19	Withdrawn	65r4	Memo was merged with PM-65r4. No policy change.
44	Withdrawn	None	Memo was withdrawn because policy is already covered under NYS COBRA extension ("mini-COBRA").
51	Withdrawn	None	Memo withdrawn because the policy appears in federal COBRA law and does not need clarification.
63r1	Updated	63r2	Policy memo rewritten for clarity.
65r3	Updated	65r4	PM-19 was merged with PM-65r3. Change in policy. NYSHIP COBRA coverage will not be terminated for COBRA enrollees who become entitled to Medicare and are in a coordination period due to End Stage Renal Disease (ESRD). COBRA coverage will be terminated when such individuals become Medicare primary. Also, the three-year maximum retroactive payment for Medicare Part B premium is now noted.
69	Updated	69r1	Policy memo rewritten for clarity.
76	Updated	76r1	Updated memo to codify the "15-day rule" for monthly premium payments.
83	Updated	83r1	Change in policy. Employees of Participating Agencies and Participating Employers are no longer given a three-month extension of COBRA coverage if they have already surpassed the 36 months of coverage allowed under NYS COBRA law.
90r1	Updated	90r2	Change in policy. All qualified beneficiaries may have the option to elect individual COBRA coverage when first eligible for COBRA.
109	Updated	109r1	Change in policy. List of examples was updated.
124	Updated	124r1	Memo was updated to reflect time frame stated under NYS COBRA extension ("mini-COBRA").

Summary of M/C Life Insurance Policy Memo Actions			
Previous PM	Action	New PM	Changes

10r1	Updated	10r2	Changed policy to reflect current practice of reducing enrollee's M/C Life Insurance coverage to \$15,000 when they retire at age 70 or older. The reduction of coverage is effective the September 1 coincident with, or next following, their retirement.
25	Withdrawn	None	Memo was withdrawn because eligibility criteria for M/C Life Insurance and Dental Insurance are stated in NYS Regulations.
91	Withdrawn	None	Policy memo was withdrawn because "13 pay period" policy does not exist in NYS Regulations, CS Law, or contract agreements.
141	Updated	141r1	Replaced "dependent stepchildren" with "stepchildren" because the term "dependent stepchildren" is no longer applicable per change in DFS Laws.