



NY 18-14
PE 18-05
PA 18-03
SEHP 18-04
PAEX 18-03

TO: Health Benefit Administrators
FROM: Employee Benefits Division
SUBJECT: Revised Participating Agency/Participating Employer and Miscellaneous Policy Memos
DATE: May 17, 2018

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. Jargon and outdated terminology have been replaced with more understandable language.

EBD has divided the memos into categories and is reviewing them in phases. Updated Participating Agency/Participating Employer and Miscellaneous Policy Memos are now available to view online. <https://www.cs.ny.gov/employee-benefits/hba/shared/apps/policymemos/>

Additionally, three brand new Policy Memos were included in the publication of this set of Policy Memos.

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 Participating Agency/Participating Employer Policy Memo Actions			
Previous PM	Action	New PM	Changes
28	Updated	28r1	Rewritten to include current practice. Under the current system agencies make payments to the NYS Health Insurance Pending Account. Agencies paying administrative charges for April 1989 through December 1989 should make them payable to the Department of Taxation and Finance.
80	Updated	80r1	Updated to include law citation and added detail about the type of data included in a claims experience report. Change in policy. Claims experience shall not be released for any months during which a Participating Agency or Participating Employer has eleven or less individuals enrolled in NYSHIP. Prior to this change, the amount of individuals was fewer than six.

122r3	Updated	122r1	122r1 stands as the current policy memo, since 122r3 and 122r2 are null and void due to litigation.
146	New	146	A PA cannot offer both the Empire Plan and the Excelsior Plan to the same class of employees at the same time.

Summary of Miscellaneous Policy Memo Actions			
Previous PM	Action	New PM	Changes
1	Updated	1r1	Policy memo was updated to reflect current practice. "Written" requests for an administrative exception are no longer necessary. Also, in cases where there is no physical evidence to support the agency request for an exception, a signed statement from the agency HBA or personnel office staff who received the original employee request is still required, but the co-signature from an agency's chief personnel officer is no longer needed.
6	Updated	6r3	Policy memo was merged with PM-35. No change in policy. Memo was rewritten for clarity.
11r3	Updated	11r4	Policy memo was revised to include a hold harmless provision for individuals who have lived outside the United States, who are not enrolled in Medicare, and who seek medical care when they return to the United States.
16	Updated	16r1	Policy memo was rewritten for clarity. No change in policy.
35	Withdrawn	6r3	Policy memo was merged with PM-6r3. No change in policy.
41	Updated	41r1	Policy memo was updated to reflect 36 months of COBRA instead of 18 months.
59	Updated	59r1	Policy memo was rewritten for clarity. Policy was extended to vision coverage.
66	Updated	66r1	Policy memo changed to allow NYSHIP benefits eligible employees to enroll in dependent survivor coverage at any time, not just following a separation or loss of employee coverage.
70r2	Updated	70r3	Policy memo changed in correlation with PM 11r4 to include provisions for individuals who live outside of the U.S.
71	Updated	71r1	Policy updated to eliminate advance vision premium payments when going on leave without pay, and to include a 60-day deadline as of the start of the leave to request dental and/or vision coverage at full share.
72	Withdrawn	None	Policy memo withdrawn because EBD does not pursue such recoupment.
76r1	Updated	76r2	Policy memo revised to reflect current practice.

77	Withdrawn	None	The policy memo was withdrawn because the practice is no longer in place.
101r1	Updated	101r2	Policy memo rewritten for clarity.
102r1	Updated	102r2	Policy memo was revised to allow for retroactive enrollments for any individual who is cancelled and later awarded any type of disability retirement. Retroactive enrollment was previously only granted for individuals awarded a work-related disability retirement.
103	Withdrawn	None	Policy memo was withdrawn in accordance with 11 NYCRR 52.16(c).
104r1	Updated	104r2	Policy memo was rewritten for clarity. Policy was updated to distinguish between pre-tax enrollees and post-tax enrollees.
131	Withdrawn	None	The policy memo was withdrawn because the practice is no longer in place.
144	New	144	Benefits-eligible seasonal employees who leave the payroll and return to work in any benefits-eligible position within the time frame specified in their contract may enroll in NYSHIP health, dental, and vision (where applicable) effective the first day of the third payroll period following their return.
145	New	145	When an enrollee adds previously eligible dependents to existing family coverage, such dependents shall experience a late enrollment waiting period.