

2021 Annual PE Webinar Q&A

Live Webinar Held December 2, 2021

A Message from the Director of EBD

Q1: I would like to sign up to receive e-mail notifications from EBD.

A1: Here is the link to subscribe to the e-mail distribution list for PE HBAs:

<https://public.govdelivery.com/accounts/NYCS/signup/20307>

Q2: How do I check to see whether I have completed the HBA Confidentiality Agreement?

A2: Please send us an e-mail at PELU@cs.ny.gov, and we'll look into whether we received a signed HBA Agreement from you.

Benefits Administration - PA/PE Unit

Retiree Eligibility

Q3: If I'm understanding this correctly, even if the employee does not file with the Retirement System at the time of their separation, as long as they qualify for retirement they satisfy NYSHIP's requirements for retiring as a member of a retirement system.

A3: That is correct. They just need to be eligible to retire from the system. They do not need to file for retirement with the system or start collecting their pension.

Q4: How many years of service must an enrollee have to be considered a vestee?

A4: The number of years of service would be the same as the number of minimum service years your agency requires to be eligible to continue NYSHIP as a retiree.

Q5: What is the difference between qualifying as a vestee or a retiree? If they are separating and have met the vestee requirements, but are not retiring, then are they just considered a vestee?

A5: A vestee is someone who has met the minimum service requirement but is not yet eligible to retire from their retirement system.

Q6: Are corresponding letters sent to the separating employee, i.e., COBRA Notice, Vestee Coverage or does the PE send such notice?

A6: The Employee Benefits Division sends COBRA and Vestee notices to PE employees who have separated from service.

Q7: If we indicate an estimated pension date in comments (as NYSLRS has this actual info) we wouldn't know if the employee withdrew their retirement and would technically not be eligible for retiree coverage. How is this information confirmed at New York State Department of Civil Service?

A7: We also do not have a systematic way to confirm their retirement system status. The point we are trying to convey is that enrollees who work at a PA or PE with a 5-year service requirement are not eligible for NYSHIP retiree coverage unless they have 10 years of service in the retirement system. PAs and PEs should not be qualifying Tier 5 and 6 individuals for NYSHIP retiree coverage if they have less than 10 years of service. Enrollees cannot get around this requirement by terminating their membership.

Q8: How long can one defer their retiree benefits?

A8: As long as they would like. There is no maximum allowable time for deferment.

Q9: What plan must an employee be enrolled in at the time they separate from service to satisfy the NYSHIP retiree requirement of being enrolled in a health benefit option through an employer that participates in NYSHIP?

A9: The employee can be enrolled in NYSHIP, a Participating Employer's buy-out option, or in a non-NYSHIP plan that the Participating Employer offers.

Q10: If an employee is enrolled in a Participating Employer's buy out option at the time they separate, can they be eligible for NYSHIP health benefits in retirement or do they need to enroll in NYSHIP coverage before they retire?

A10: They would be eligible and do not need to enroll in a coverage option. Buyouts are considered "enrollment" in NYSHIP for retirement purposes in accordance with [Policy Memo 122r1](#).

Medicare and VDSA

Q11: When does the HBA need to update VDSA for active employees or dependents?

A11: VDSA is updated automatically. If you are inquiring about when Medicare must be updated for an active employee or dependent, this typically only happens when an employee or dependent is receiving Medicare due to End Stage Renal Disease (ESRD) or when a domestic partner turns age 65. Please see your *General Information Book* for more information on these scenarios.

Q12: We have been advised to not enter any retiree or Medicare information for our enrollees. We are usually directed to fax over any changes for updates. Has this changed?

A12: It is up to the HBA to make sure their active employees and new retirees have Medicare in place timely. When you are processing a RET on Job you should also be checking VDSA to make sure they have Medicare in time. (This will help speed up any process.) If the retiree is younger than 65 and is not entitled to Medicare at the time of retirement – EBD will be keying these. HBA should be making sure that everyone on the file has the correct spelling of their name and correct DOB on the file to help the feed from CMS happen

Q13: Are there any reports in NYBEAS to flag retirees turning 65?

A13: There is a report that is mailed out to your agency every month (if you have anyone in that category). The report is called Enrollee Eligibility for Medicare in 2 months. (This does report dependents as well.)

Worklists

Q14: Can we get a listing of what the codes represent on the reconciliation bill?

A14: The “codes” are just abbreviations of the transaction done in NYBEAS. If you don’t know the abbreviations, you can look in NYBEAS to see the transaction. The codes can also be found in HBA Memos [PA21-08 and PAEX21-06](#), on the attachment, “NYBEAS Action Reason Codes with Descriptions.”

Q15: Is there a separate reconciliation report for ACA w/Retiree information (addresses, etc) on it?

A15: “BEA_ACA_ENROLLMENT_INFO” is a query you can run. There is an HBA memo PE16-02 that explains it.

Young Adult Option (YAO)

Q16: Can a dependent be eligible for COBRA and YAO at the same time? If so, what is the advantage of YAO?

A16: Yes. Eligible enrollees may be enrolled in YAO until age 30, while enrollees may continue COBRA coverage for up to 36 months. YAO enrollees pay the full share monthly rate for the NYSHIP option, while the monthly cost for COBRA is the full share rate for the NYSHIP option plus an admin fee of \$1.62.

PELU Announcements

Tier 5 and Tier 6 HBA Memo

Q17: Please reexplain tier 5 and 6 requirements.

A17: Members who joined NYSLRS and NYSTRS on or after January 1, 2010 but before April 1, 2012 are Tier 5 members; members who join these retirement systems on or after April 1, 2012 are Tier 6 members. Tier 5 and 6 members of NYSLRS and NYSTRS must have 10 years of creditable service with their respective retirement system in order to retire from a retirement system. This is one of the requirements that must be met in order to continue NYSHIP benefits in retirement.

Q18: What does "Was not" a member but is 55 mean?

A18: This phrase comes from [Section 73.1\(e\)\(2\)](#) of the NYS Regulations. It refers to an employee who never joined NYSLRS, NYSTRS, or any other retirement system administered by the State of New York or a civil division thereof. Such employees may meet NYSHIP’s requirement to retire from a retirement system for NYSHIP retiree purposes when they turn 55.

Furthermore, an employee who was a member and then withdrew from a retirement system administered by the State of New York or a civil division thereof, would not be eligible for NYSHIP retiree benefits at the time they separate from service.

Q19: If an employee is with us for 5 years and does not enroll in the retirement system are they eligible for coverage?

A19: If an employee is in a class or category of employee to which you offer NYSHIP retirement benefits, was never a member of a retirement system administered by the State of New York or a civil division thereof, meets your agency's minimum service requirement, is enrolled in NYSHIP or another health insurance plan or buy out option sponsored by your agency, and is at least 55 years old at the time of separation, then they qualify for NYSHIP retiree benefits.

Q20: If an employee is a Tier 6 member and is currently 67 with only 8 years of service, can they retire with benefits?

A20: No, an employee who is a member of a State retirement system would only be eligible for NYSHIP retiree benefits if they meet all of the following requirements:

- are in a class or category of employee in which your agency offers NYSHIP retirement benefits
- has at least 10 years of credited service with the retirement system
- meets your agency's minimum service requirement, and
- is enrolled in NYSHIP, a health insurance plan that your agency offers, or a buyout option that your agency offers.

Empire Plan Benefit Changes

Q21: If an Empire Plan enrollee does not have prescriptions benefits in their health plan can they still receive diabetic supplies at no cost at a network pharmacy?

A21: The new benefit effective in January related to receiving certain diabetic supplies at a network pharmacy with no out-of-pocket cost is only applicable to Empire Plan members who have prescription drug coverage through the Empire Plan.

New ID Cards

Q22: Is there an option to log online for staff to print the cards for those whose new cards might be delayed due to an address change?

A22: No, this is not an option. However, plan members can continue to use their current benefit card while waiting for the new card, as the ID number will not change.

Q23: Does the new card eliminate the need to give employees the CVS Caremark card?

A23: There will not be a new card issued for Medicare enrollees with Silver Script benefits. They will receive a new Empire Plan card, but not a new Silver Script prescription drug card.

COVID-19 Related Benefits

Q24: Does the Empire Plan cover COVID rapid tests in full?

A24: Empire Plan presently covers in-full (no member cost share) all COVID-19 testing administered by a CDC approved testing site. Rapid testing home kits are not currently covered.

Financial Update

Q25: Where can I find NYSHIP HMO rates for 2022?

A25: All rates can be found on the Easy Reference page of HBA Online: <https://www.cs.ny.gov/employee-benefits/hba/easy-reference/index.cfm>. Here is a direct link to the Active PE rates: <https://www.cs.ny.gov/employee-benefits/hba/shared/publications/rates/2022/pe-rate-charts-2022.pdf>

Q26: When can we expect the 2022 rates memo?

A26: The Department is not releasing an HBA Memo for 2022 rates.

Questions and Answers

Sick Leave Credit

Q27: How are the credits for sick leave calculated and applied?

A27: There is a transaction in NYBEAS to key in the sick leave hours, salary and time worked. Please call the HBA helpline at 518-474-2780 if you have questions about a particular transaction.

Q28: Can an employee who defers their retiree insurance have their sick leave applied at a later date?

A28: Yes, sick leave credit can be applied at a later date if an enrollee deferred their coverage at retirement.

Q29: Would the HBA have to write a letter to EBD at time of deferral (separation) to confirm the amount of sick leave hours?

A29: The HBA can still enter the sick leave into NYBEAS before Civil Service processes any deferrals, if you do not key the sick leave into NYBEAS before health insurance is canceled, you would need to send the information to EBD.

Q30: Can you confirm that no one member should have two policies under NYSHIP? Example, active employee has spouse enrolled as a dependent, but the spouse has a NYSHIP retiree plan.

A30: Two NYS employees within the same family cannot both carry Family plans. However, NYSHIP does not prohibit employees of PAs and PEs from carrying two Family plans.

Q31: What is a PS-404?

A31: The PS-404 is the standard enrollment transaction form. It is available at:
<https://www.cs.ny.gov/forms/ps404.pdf>