

Employee Benefits Division Policy Memorandum

Number: Policy Memo 148

Date Issued: October 26, 2022

Subject: Documentation Required to Change a Gender Designation and/or Name in NYBEAS

PURPOSE:

Clarify the documentation required for an enrollee or dependent to change their gender designation and/or name in the New York Benefit Eligibility and Accounting System (NYBEAS)

BACKGROUND:

In June 2021, the Gender Recognition Act (GRA) was signed into law, which enabled New Yorkers to select a non-binary or gender non-conforming option on their New York State issued driver's licenses, State ID cards, and birth certificates. As part of the law, all State issued forms are required to include a non-binary or gender non-conforming option, labeled gender "X," no later than January 1, 2023.

In response, the New York State Health Insurance Program (NYSHIP) has revised its forms to comply with the new requirements. In addition, the New York Benefits Eligibility and Accounting System (NYBEAS) programming has been updated to include the non-binary or gender non-conforming designation as an option. Naturally, this has led to questions about the documentation an enrollee must submit to change their or their dependents' gender designation in NYBEAS. This has also led to questions about the documentation required to change an enrollee or dependents' name in NYBEAS, as a name change can often accompany a gender designation change.

POLICY:

Pursuant to Civil Rights Law (CVR), Chapter 6, Article 6-A, Section 67(2), individuals may self-attest to all gender designation changes. The enrollee or dependent is only required to submit a signed form, such as a PS-404 or PS-503, or statement requesting the gender designation change. No additional documentation is required.

With regard to name changes, an enrollee or dependent must provide a signed request to change their name along with a court order or government issued identity document, such as a drivers' license or non-driver identity card, confirming the new name before the change can be effectuated in NYBEAS.