

Waiver of Premium

A waiver of premium for a period of up to one year in duration may be granted to an employee who is totally disabled and on authorized leave without pay or, if provided by the Agency, on a preferred list. The Participating Agency will not be billed for the employee's coverage while they are in the waiver of premium status.

Eligibility for a Waiver of Premium

To be eligible for such a waiver of premium, an employee must meet all of the following conditions:

1. The employee must be totally disabled as a result of sickness or injury and have been continuously so disabled for at least three months. Totally disabled means that as a result of sickness or injury the employee is incapable of performing the duties of their job.
2. The employee is on authorized leave without pay or the employee's name is on a Civil Service preferred list for reinstatement.

Note that a person whose name is on a Civil Service preferred list may be eligible for a waiver of premium only if their former employer has elected as a Participating Agency to provide such coverage. (See Section 3.4)

3. The employee must have kept coverage in effect during the period they have been off the payroll.

An employee must apply for a waiver of premium when they currently meet the eligibility requirements. Applications for retroactive waivers of premiums will not be approved.

Procedures for Instituting a Waiver of Premium

1. The employee completes Part A of the Application for Waiver of Premium (PS-452).
2. The Health Benefits Administrator of the employee's Participating Agency completes Part B of the PS-452.
3. The employee's attending physician completes Part D of the PS-452 and mails the form directly to the Empire Plan's medical carrier. The carrier notifies the Employee Benefits Division of their determination on the application. The Employee Benefits Division processes the waiver and notifies the Health Benefits Administrator in writing. It is the responsibility of the Health Benefits Administrator to notify the enrollee of the decision and refund any monies due.

Duration of the Waiver of Premium

1. If approved, a waiver of premium will begin on the first day of the fourth month following the occurrence of the disability or on the first day of the month following the date leave without pay began, whichever is later.
2. The waiver of premium will continue during the period of total disability, but in no event for more than one year.
3. If any of the following conditions occur during the period of the waiver, the waiver will cease:
 - a. Cessation of the total disability.
 - b. Return of the employee to the payroll.
 - c. Approval of a request for retirement.
 - d. Separation from service.
 - e. Death of the employee.

If any of the above conditions occur during the period of an employee's waiver of premium, notify the Employee Benefits Division in order to have the enrollment status changed.

Additional Waiver of Premium

1. The enrollee must return to work before being eligible for an additional waiver of premium. If the enrollee has not returned to work, he or she may not use accruals to return to the payroll for a brief period in order to qualify for an additional waiver.
2. If an enrollee receives a waiver of premium, returns to work and continues health insurance coverage, but must again take a leave without pay because of a disability, the following rules apply:
 - a. If the enrollee returns to leave without pay status after working less than three consecutive months, the enrollee may resume coverage under the previous waiver for the remainder of the original one-year period which includes the time back to work.
 - b. If the enrollee returns to leave without pay status after working three or more consecutive months, once the enrollee has been disabled for three months and is in leave without pay status, the enrollee may apply for a new waiver of premium for an additional one-year period.
3. There is no lifetime limit to the number of waivers an enrollee can receive. The Employee Benefits Division will notify the Participating Agency if an additional waiver has been granted.