

# PLANNING FOR OPTION TRANSFER FOR 2023

For employees of the State of New York, their enrolled dependents,  
COBRA enrollees with their NYSHIP benefits and Young Adult  
Option enrollees



Option Transfer • Opt-out Program • Pre-Tax Contribution Program • Productivity Enhancement Program



**NYSHIP**  
New York State  
Health Insurance Program

# 2023 Option Transfer Period



This fall, you will have the opportunity to consider the following for the 2023 plan year:

- Changing your New York State Health Insurance Program (NYSHIP) option during the **Option Transfer Period**
- Changing your **Pre-Tax Contribution Program (PTCP)** election
- Participating in the **Productivity Enhancement Program (PEP)**, if eligible

Please read through the following descriptions of each of these options/programs carefully and make note of the deadlines. If you have additional questions, please consult your *General Information Book* or contact your Health Benefits Administrator (HBA).

## Reminders

- The Pre-Tax Contribution Program Election Period and the Option Transfer Period now run concurrently. Dates will be announced once rates have been approved.
- It is no longer necessary to reenroll in the Opt-out Program each year. No action is required for current Opt-out enrollees who are still eligible and wish to remain in the Program during the upcoming plan year.

## Option Changes Permitted

During the Option Transfer Period, you may change your NYSHIP option for the next plan year to one of the following:

- The Empire Plan
- A NYSHIP Health Maintenance Organization (HMO)\*
- The Opt-out Program\*\*

**NO ACTION IS REQUIRED IF YOU WISH TO KEEP YOUR CURRENT OPTION AND STILL QUALIFY FOR IT.**

\* To be eligible to enroll in an HMO or to continue your enrollment in an HMO, you must live or work in that HMO's NYSHIP service area.

\*\* The Opt-out Program is available to eligible employees who have other employer-sponsored group health insurance. See pages 5–7 for more information about this program.



## Other Changes Permitted During the Option Transfer Period

During the Option Transfer Period, the following changes are also permitted:

- Change from Family to Individual coverage (regardless of whether a qualifying event has affected your dependents' eligibility)
- Change from Individual to Family coverage (late enrollment provisions will apply)
- Voluntarily cancel your coverage (regardless of whether a qualifying event has affected your eligibility)
- Enroll in NYSHIP coverage (late enrollment provisions will apply)

This fall, your agency will receive *Health Insurance Choices for 2023*, your guide to NYSHIP options. If you are thinking about changing your option or newly enrolling in NYSHIP, ask your HBA for a copy or view it on NYSHIP Online ([www.cs.ny.gov/employee-benefits](http://www.cs.ny.gov/employee-benefits)). Read the descriptions of plans in your area to compare the benefits that are important to you and your family.

If you have any questions about the plan information provided, call the plan directly at the phone number listed in *Choices*.

Once 2023 rates have been approved, information about the premium for each option will be sent to both your agency and your address on record. Rates will also be posted on NYSHIP Online. You will have 30 days from the date your agency receives the rates to change your option.

To view *Choices*, the rate flyer and other option transfer-related information on NYSHIP Online, go to [www.cs.ny.gov/employee-benefits](http://www.cs.ny.gov/employee-benefits). Select your group and plan, if prompted, then click on Health Benefits & Option Transfer.

Please note that **NYSHIP does not offer an open enrollment period**. If you and/or your dependents are eligible for NYSHIP coverage but are not enrolled, see your *General Information Book* for information regarding enrollment and situations in which a late enrollment waiting period applies.

# Important Program Dates

## **Flex Spending Account Open Enrollment Period | November 1 – December 12, 2022**

The Flex Spending Account 2023 plan year will begin on **January 1, 2023**. A flex spending account offers a way to pay for your dependent care, health care or adoption expenses with pre-tax dollars. Visit [oer.ny.gov/FSA](http://oer.ny.gov/FSA) to enroll online, or call 800-358-7202 for more information or to enroll by telephone.

**Note:** Ask your HBA if you are eligible for this benefit, or visit the Flex Spending Account website for information about eligibility and program rules. If you are currently enrolled in the Flex Spending Account program, you must reenroll to continue your participation in 2023.

## **PEP Enrollment Period | November 1 – December 12, 2022**

This program allows you to exchange previously-accrued leave in return for a credit to be applied toward your NYSHIP premium. Review the charts on pages 10–11 and consult your HBA to find out if you are eligible to enroll.

## **PTCP Election Period | Same as 2023 Option Transfer Period\***

This program allows you to have your share of your health insurance premium deducted from your paycheck before taxes are withheld.

**Note:** The PTCP Election Period is your only opportunity during the plan year to change your PTCP status.

## **Option Transfer Information Availability\***

The Option Transfer Period is the time of year when you are able to change your NYSHIP option for the next plan year. To assist you with this decision, the following information will be made available:

- *Health Insurance Choices for 2023* for active employees will be sent to agencies in **October**. Ask your HBA for a copy of the *Choices* booklet or view it on NYSHIP Online at [www.cs.ny.gov/employee-benefits](http://www.cs.ny.gov/employee-benefits).
- The Option Transfer Period dates will be announced once rates have been approved.
- *NYSHIP Rates & Deadlines* will be posted online and mailed to enrollee homes once rates have been approved.
- The new health insurance plan benefit year begins on **January 1, 2023**.

## **Young Adult Option Enrollment**

The Young Adult Option open enrollment period will be announced once rates are available and will run concurrently with the Option Transfer Period. During this time, eligible adult children of NYSHIP enrollees can enroll or change plans. Visit [www.cs.ny.gov/yao](http://www.cs.ny.gov/yao) for more information.

\* More detailed information about Option Transfer Period dates and deadlines will be provided once rates are available.

# Opt-Out Program for 2023

In 2023, NYSHIP will continue to offer the Opt-out Program, which allows eligible employees who have other employer-sponsored group health insurance\* to opt out of their NYSHIP coverage in exchange for an incentive payment.

The annual incentive payment is \$1,000 for opting out of Individual coverage or \$3,000 for opting out of Family coverage. The incentive payment is prorated and credited through your biweekly paycheck throughout the year (payable only when you are eligible for NYSHIP coverage at the employee share of the premium).

**Note:** Opt-out incentive payments are taxable income.

## Eligibility Requirements

To participate in the Opt-out Program, you must be a member of a group eligible for the Opt-out Program and you must have been enrolled in NYSHIP by April 1, 2022 (or on your first date of NYSHIP eligibility if that date is later than April 1) and remained continuously enrolled while eligible for the employee share of the premium through the end of 2022.

Once you enroll in the Opt-out Program, you will not be eligible for the incentive payment during any period that your status changes and, as a result, you do not meet the requirements for the State contribution to the cost of your NYSHIP coverage (see page 7 for more information). Also, if you are receiving the incentive for opting out of Family coverage and your last dependent loses NYSHIP eligibility during the year, you will only be eligible for the Individual incentive payment (\$1,000) for the remainder of the tax year.

## Electing to Opt Out

If you are currently enrolled in NYSHIP coverage and wish to participate in the Opt-out Program, you must elect to opt out and attest to having other employer-sponsored group health insurance during the annual Option Transfer Period. **Other employer-sponsored group health coverage\* cannot be NYSHIP coverage that is the result of your or your spouse's, domestic partner's or parent's employment relationship with New York State, or the result of your own employment with a NYSHIP Participating Agency (PA) or Participating Employer (PE).**

Complete the *NYSHIP Opt-out Program Attestation Form (PS-409)* and the *NYSHIP Health Insurance Transaction Form (PS-404)* and submit both to your HBA before the end of the Option Transfer Period (both forms are available on NYSHIP Online). Your NYSHIP coverage will terminate at the end of the current plan year, and the incentive payments will begin with the first payroll period of the new plan year.

If your other employer-sponsored coverage begins on January 1, 2023 and your first NYSHIP pay period for the new plan year begins before January 1, 2023, please notify your HBA so NYSHIP can extend benefits through December 31, 2022 to prevent a lapse in coverage.

If you are a newly benefits-eligible employee who has other employer-sponsored group health insurance\* and you wish to participate in the Opt-out Program, you must make your election prior to the end of your NYSHIP new hire waiting period. Complete the *NYSHIP Health Insurance Transaction Form (PS-404)* and the *NYSHIP Opt-out Program Attestation Form (PS-409)* and submit both to your HBA.

**No action is required for current Opt-out enrollees who are still eligible and wish to remain in the Program during the 2023 plan year.**

## Reenrollment in a NYSHIP Health Plan

Once you elect to participate in the Opt-out Program, you may not reenroll in a NYSHIP health plan until the next annual Option Transfer Period unless you experience a qualifying event as defined by Internal Revenue Service (IRS) rules, such as a change in family status (e.g., marriage, divorce or birth of a dependent) or loss of your other employer-sponsored health insurance (see page 8 for a complete list). It is your responsibility to notify your HBA of the qualifying event as soon as possible, and any incentive payments received after the date of the qualifying event will be recovered. To avoid a late enrollment waiting period, your request for enrollment must be made within 30 days of the qualifying event. For additional information, consult your *General Information Book*.

\* Employees who are represented by UUP are not eligible to participate in the Opt-out Program. See page 6 for additional information regarding other employer-sponsored group health insurance as it pertains to this program. If you have any questions about your eligibility for the Opt-out Program, contact your HBA.

# Opt-Out Program Questions & Answers

**Q. What is considered other employer-sponsored group health insurance coverage for the purpose of qualifying for the Opt-out Program?**

**A.** To qualify for the Opt-out Program, you must be covered under an employer-sponsored group health insurance plan through other employment of your own or a plan that your spouse, domestic partner or parent has as a result of their employment. **The other employer-sponsored group health coverage cannot be NYSHIP coverage that is the result of your or your spouse's, domestic partner's or parent's employment relationship with New York State, or the result of your own employment with a NYSHIP PA or PE.** If you are covered as a dependent on another NYSHIP policy through a PA or PE, you are eligible to receive the Individual incentive payment, but not the Family incentive payment.

**Q. If I am eligible for health, dental and vision coverage as a State employee, do I have to opt out of all three benefits to receive the incentive payment?**

**A.** No. The Opt-out Program incentive payment applies to health coverage only. If you enroll in the Program, your eligibility for dental and vision coverage will not be affected.

**Q. If I opt out and do not like my alternate coverage (for instance, my doctor does not participate), can I withdraw my enrollment in the Opt-out Program and reenroll in NYSHIP coverage?**

**A.** No. You may not terminate your enrollment in the Opt-out Program and reenroll in a NYSHIP health plan during the plan year unless you experience a qualifying event. The qualifying event must satisfy the IRS consistency rule (see list on page 8), and you must submit your request within 30 days of the qualifying event in order to avoid a late enrollment waiting period.

**Q. Can I get a lump-sum payment if I elect the Opt-out Program?**

**A.** No. The Opt-out Program incentive payment is prorated and credited through your biweekly paychecks throughout the year. It is taxable income.

**Q. I plan to enroll in other employer-sponsored coverage under my spouse. How do I coordinate the start of my new coverage and enrollment in the Opt-out Program?**

**A.** Provided that your other employer-sponsored coverage is in place and you maintain your enrollment in NYSHIP from April 1 through the end of the plan year, you may enroll in the Opt-out Program during the upcoming NYSHIP Option Transfer Period. **You are responsible for making sure that your other coverage is in effect at the time that you opt out of NYSHIP.**



**Q. If I enroll in the Opt-out Program and then lose my other coverage during the plan year, can I enroll in The Empire Plan or a NYSHIP HMO right away?**

**A.** Yes. Loss of other employer-sponsored coverage is a qualifying event that allows you to enroll in The Empire Plan or a NYSHIP HMO outside of the Option Transfer Period. You must submit your enrollment request within 30 days of the loss of your other coverage in order to avoid a late enrollment waiting period, and your Opt-out incentive payments will stop as soon as your eligibility for that coverage ends.

**Q. What happens if I do not request enrollment in The Empire Plan or a NYSHIP HMO within 30 days of losing my other coverage?**

**A.** If you fail to make a timely request, you will be subject to NYSHIP's late enrollment waiting period (five biweekly pay periods). You will not be eligible for NYSHIP coverage during the waiting period.

**Q. Will participating in the Opt-out Program affect my eligibility for NYSHIP coverage in retirement?**

**A.** No. Participation in the Opt-out Program at the time you retire satisfies the requirement of enrollment in NYSHIP health insurance for retirement purposes. **Note:** Upon retirement, you are no longer eligible to participate in the Opt-out Program.

**Q. When I first enroll in the Opt-out Program, what information will I need to provide about other employer-sponsored group health coverage?**

**A.** To enroll, you must do all of the following:

- Complete a *NYSHIP Opt-out Program Attestation Form (PS-409)* and a *NYSHIP Health Insurance Transaction Form (PS-404)*
- Provide information about the person who carries the other employer-sponsored group health coverage
- Provide the name of the other employer and other health plan

**Q. I had Individual NYSHIP coverage and changed to Family coverage during the plan year. Can I now enroll in the Opt-out Program and receive the \$3,000 Family incentive payment?**

**A.** Employees enrolled in either The Empire Plan or a NYSHIP HMO who changed from Individual coverage to Family coverage during the plan year within 30 days of a qualifying event are eligible to enroll in Family Opt-out during the next Annual Option Transfer Period. However, if your Family coverage became effective after April 1, 2022 and your dependent experienced a late enrollment waiting period, you will not be eligible for the higher incentive payment.

**Q. I am currently enrolled in the Opt-out Program and am receiving Individual incentive payments. I recently acquired an eligible dependent. What do I need to do in order to begin receiving the Family incentive payment?**

**A.** Once you are enrolled in Individual Opt-out, you cannot change to Family Opt-out during the plan year, even if you acquire a dependent. In order to qualify for Family incentive payments during the 2023 plan year, you must have been enrolled in NYSHIP Family coverage (The Empire Plan or HMO) from April 1, 2022\* through the end of the 2022 plan year.

**Q. What happens to my Opt-out Program incentive payments while I am on a leave of absence?**

**A.** If you are on a leave of absence and you remain eligible for health insurance coverage with an employer contribution (i.e., workers' compensation, family medical leave, short-term disability through the Income Protection Plan or disciplinary suspension leave) during that time, you will also remain eligible for the Opt-out Program and the incentive payments. However, your incentive payments will accumulate until you return to the payroll. You will not receive those payments while you are on leave.

If you are on a leave of absence during which you are not eligible for coverage with an employer contribution (for example, when you must pay the entire cost of the premium), you will not be eligible for the incentive payments.

\* Or, if you changed from Individual coverage to Family coverage during the plan year within 30 days of a qualifying event, from the date that the change became effective.

# Pre-Tax Contribution Program

The Pre-Tax Contribution Program (PTCP) is a voluntary program that employees can choose to participate in when they are first eligible for health insurance benefits. Employees may also elect to participate or decline participation in PTCP each year during the PTCP Election Period, which runs concurrently with the annual Option Transfer Period. Dates will be announced once rates have been approved.

## If You Choose to Participate in PTCP

Under PTCP, your share of the health insurance premium is deducted from your wages before taxes are withheld, which may lower your tax liability.

In exchange for this reduction in your tax liability, you agree to maintain the same pre-tax health insurance deduction for the entire plan year, unless you experience a qualifying event that would allow you to make a change or cancel your coverage and provide timely notification (within 30 days) of the event.

## If You Decline Participation in PTCP

If you decline participation in PTCP, your share of the health insurance premium will be deducted from your wages after taxes are withheld. Employees who do not participate in PTCP may have greater flexibility to make changes to their NYSHIP coverage during the year, as long as those changes are consistent with NYSHIP rules.

## Checking Your PTCP Status

Your paycheck shows whether or not you are enrolled in PTCP.

- If you are enrolled in PTCP, your paycheck stub shows “Regular Before-Tax Health” in the Before-Tax Deductions section. Your health insurance premium is deducted from your wages before taxes are withheld.
- If you are not enrolled in PTCP, or part of your deduction is being taken after tax (e.g., for a non-federally qualifying dependent), your paycheck stub shows “Regular After-Tax Health” in the After-Tax Deductions section. Your health insurance premium is deducted from your wages after taxes are withheld.

**NO ACTION IS REQUIRED TO KEEP YOUR CURRENT PTCP STATUS.**

## Changing Your PTCP Status

If you want to change your PTCP election for 2023, complete a *NYSHIP Health Insurance Transaction Form* (PS-404; available on NYSHIP Online) and submit it to your HBA before the PTCP Election Period deadline. For more information about the changes permitted during the PTCP Election Period, refer to your *General Information Book*.

Requests made during the PTCP Election Period become effective at the beginning of the 2023 plan year. **Per IRS rules, this election period is your only opportunity to change your PTCP status for 2023; arbitrary, mid-year status changes are not allowed.**

However, if you experience a PTCP qualifying event that allows you to change your health option or coverage type (Family or Individual) or to cancel your coverage, your pre-tax payroll deduction will be adjusted accordingly. PTCP qualifying events include:

- Change in marital status
- Change in number of dependents
- Change in your (or your dependent’s) employment status that affects eligibility for health benefits
- Change in your dependent’s status that affects eligibility for health benefits
- Change in your (or your dependent’s) place of residence or worksite that affects eligibility for health benefits
- Significant change in health benefits and/or premium under NYSHIP
- Significant change in health benefits and/or premium under your (or your dependent’s) other employer’s plan
- COBRA events
- Judgment, decree or order to provide health benefits to eligible dependents
- Medicare or Medicaid eligibility
- Leaves of absence
- HIPAA special enrollment rights

**Any request to change your NYSHIP coverage during the tax year must be consistent with a PTCP qualifying event and submitted within 30 days of the event (or within the waiting period, if newly eligible); delays may be costly.**

# Productivity Enhancement Program

Under the Productivity Enhancement Program (PEP), eligible full- and part-time employees of the State of New York who are **Management/Confidential or represented by CSEA, DC-37, PEF or UUP; Legislature and UCS** may exchange previously accrued annual and/or personal leave for a credit to be applied toward the employee share of their NYSHIP premium. If you are eligible for and elect this program, the credit will be included in your biweekly paychecks and divided evenly during the plan year.

To elect PEP for 2023, you must apply between **November 1 – December 12, 2022**. Ask your HBA for details and an application.

**If you are currently enrolled in PEP and remain eligible to participate, you must reenroll to continue your benefits in 2023.** The amount of annual and/or personal leave that eligible full-time employees can forfeit at the time of enrollment and the corresponding NYSHIP premium credits for 2023 are shown in the tables on pages 10–11. Eligible part-time employees may participate on a prorated basis.

Review this information carefully, and contact your HBA if you have any questions or to confirm your eligibility for this benefit.



# Calculate Your PEP Credit

## Full-time employees in positions at or equated to Salary Grade 17 and below:

Employee Group	Forfeited Days	Annual NYSHIP Credit
CSEA and Management/Confidential;* Legislature	4	\$800
	8	\$1,600
DC-37 and PEF Non-Teachers	3	\$600
	6	\$1,200
PEF Institution Teachers <sup>1</sup>	1	\$200
	2	\$400
	3	\$600
	4	\$800
	5	\$1,000
	6	\$1,200

## Full-time employees in positions at or equated to Salary Grade 18–24 (through Grade 23 for Management/Confidential; Legislature):

Employee Group	Forfeited Days	Annual NYSHIP Credit
CSEA and Management/Confidential;* Legislature	2.5	\$750
	5	\$1,500
DC-37 and PEF Non-Teachers	2	\$600
	4	\$1,200
PEF Institution Teachers <sup>1</sup>	1	\$300
	2	\$600
	3	\$900
	4	\$1,200

## Unified Court System (UCS) full-time employees<sup>2</sup> in the following positions:

Employee Group	Forfeited Days	Annual NYSHIP Credit
UCS employees represented by CSEA at or equated to Salary Grade 17 and below	4	\$800
	8	\$1,600
UCS employees represented by CSEA at or equated to Salary Grade 18–24	2.5	\$750
	5	\$1,500
UCS employees represented by unions other than CSEA at or below Judicial Grade 16	3	\$600
	6	\$1,200
UCS employees represented by unions other than CSEA at and including Judicial Grades 17 through 23	2	\$600
	4	\$1,200

## United University Professions (UUP) full-time employees<sup>3</sup> in the following positions:

Employee Group	Forfeited Days	Annual NYSHIP Credit
Employees earning at or below \$72,366 annually	3	\$600
	6	\$1,200
Employees earning above \$72,366 and below \$103,413 annually	2	\$600
	4	\$1,200

\* SUNY Management/Confidential employees, see your HBA for additional information.

<sup>1</sup> PEF-represented teachers may only forfeit personal leave for their PEP credit.

<sup>2</sup> UCS employees, see your HBA for additional information.

<sup>3</sup> UUP employees may only forfeit annual leave for their PEP credit.

New York State  
Department of Civil Service  
Employee Benefits Division  
P.O. Box 1068  
Schenectady, NY 12301-1068  
www.cs.ny.gov

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**NYSHIP**  
New York State  
Health Insurance Program

NYSHIP Information for the Enrollee,  
Enrolled Spouse/Domestic Partner and  
Other Enrolled Dependents

*Planning for Option Transfer – September 2022*

## Address Service Requested

**Please do not send mail or correspondence to the return address above. See the front cover for address information.**

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## NYSHIP Young Adult Option

This option allows unmarried, young adult children (up to age 30) of NYSHIP enrollees to purchase their own NYSHIP coverage. Young adults pay 100 percent (full share) of Individual coverage for the NYSHIP option selected. During the Option Transfer Period, eligible adult children of NYSHIP enrollees can enroll in the Young Adult Option for the coming plan year, and current Young Adult Option enrollees are permitted to change plans. For more information on the Young Adult Option, go to [www.cs.ny.gov/yao](http://www.cs.ny.gov/yao) and choose your group.