

## Effective Date of Coverage

### Employee Coverage

1. A Participating Agency may provide coverage for an eligible employee on the date his or her employment begins or may, at its discretion, require the employee to satisfy a waiting period, not to exceed six months, before coverage for the employee and any eligible dependents becomes effective.

First Date of Eligibility – This date is the earliest date an employee may have coverage effective under the program. The first date of eligibility and the date an employee applies for coverage determine the effective date of coverage as explained below.

The policy that establishes an employee's first date of eligibility must be applied on a uniform basis within the agency or within a class or category for all new employees or newly eligible employees.

With the exception of a policy which provides coverage on the date of employment, the first date of eligibility as well as the effective date of coverage for a new employee or newly eligible employee must be the first date of a month.

2. The following procedures apply when assigning an employee's effective date of coverage:
  - a. If an employee applies for coverage on or before the first date of eligibility assigned by the Participating Agency, the effective date is the first date of eligibility.

Example A: An employee is hired on April 15 in an agency which permits coverage on the date of employment. The employee applies for coverage prior to April 15. The effective date of coverage is April 15.

Although the employee in Example A will have coverage for only a portion of April, the Participating Agency will be charged for the full monthly premium. Benefits under the Program will be available only for health services received on or after the effective date of coverage.

Example B: An employee is hired on April 15 in an agency which requires one full month of employment before coverage may become effective. In this case, the first date of eligibility is June 1 since the first date of eligibility must be the first day of a month. The employee applies for coverage on April 14. The effective date of coverage is June 1.

- b. If an employee applies for coverage within one month after the first date of eligibility, coverage is effective the first day of the month following the month in which the employee applies for coverage.

Example: An employee is hired on April 15 in an agency which requires one full month of employment before coverage becomes effective. The first date of eligibility is June 1. The employee applies for coverage on June 10. The effective date of coverage is July 1.

- c. If an employee applies for coverage more than one month after the first date of eligibility, coverage becomes effective the first day of the third month following the month in which the employee applies for coverage.

Example: An employee is hired on April 15. The date of first eligibility is June 1. The employee applies for coverage on July 6. The effective date of coverage is October 1.

### 3. Special Situations

- a. An employee who is hired on or otherwise acquires eligibility on the first day of a month may count that month in establishing the effective date of coverage.
- b. An employee who is not eligible for coverage may later become eligible due to a change in employment status. When this occurs, the first date of eligibility is determined as if the date on which the employment status changed were the initial date of employment of a newly hired eligible employee.

Example: An employee is hired on April 15 but is ineligible for coverage because the employee does not work a sufficient number of hours per week. On August 15, the employee's hours are increased to make the employee eligible for coverage. The employing agency requires one full month of eligible employment before coverage may become effective. In this case, the first date of eligibility is October 1. The employee applies for coverage on August 15. The effective date is October 1.

- c. If an employee applies for coverage prior to a Participating Agency's Initial Coverage Date, coverage will become effective on the Initial Coverage Date.
- d. An employee who is eligible for coverage may choose not to enroll because the employee is covered under another health plan; e.g., the employee is covered as a dependent on the spouse's plan. If the employee's coverage under the other plan ends, the employee may enroll under the New York State Health Insurance Program without being subject to the normal waiting period for late enrollment, provided an application is made within 30 days of the end of the other coverage.
  - 1) The following procedures apply to enroll such an employee:
    - (a) The employee obtains documentation from the former insurer which indicates that he or she had coverage and the termination date of coverage. (e.g., HIPAA creditable coverage letter.)

- 2) The effective date of coverage will be determined as follows by the Enrollment System:
  - (a) If the request for coverage is made on or before the date the other coverage ends, coverage will become effective on the day following the date the other coverage ends.
  - (b) If the request for coverage is made no more than one month after the other coverage ends, coverage will become effective on the first day of the month following the month in which the employee requests coverage.
  - (c) If the request for coverage is made more than one month after the other coverage ends, the coverage will become effective the first day of the third month following the month in which the employee requests coverage.

### Dependent Coverage

1. Before a Health Benefits Administrator can assign an effective date for Family coverage, the employee's date of first eligibility for such coverage must be established. This is determined by the "date of event" which is the date an employee acquires his or her first eligible dependent.
2. The following procedures apply when assigning an effective date for Family coverage:
  - a. If an employee applies for Family coverage when he or she first enrolls in the program, the effective date of coverage for the dependent(s) will be the same as the employee's effective date of coverage.
  - b. If an employee currently enrolled with Individual coverage applies for Family coverage prior to the date of first eligibility for Family coverage, coverage becomes effective on the "date of event".

Example: An employee will be married on June 10 and applies for a change from Individual to Family coverage on May 31. Family coverage will become effective June 10 (the "date of event" is the date of marriage).

In cases where the effective date for Family coverage is other than the first day of a month, the Family premium for the full month must be paid, although benefits will be payable only for services rendered on or after the effective date of Family coverage.

- c. If an employee currently enrolled for Individual coverage applies for Family coverage within one month of the event, the effective date of coverage is the first day of the month following the qualifying event in which Family coverage was requested.

Example A: An employee is married on June 10 and applies for a change from Individual to Family coverage on June 25. Family coverage will become effective on July 1.

Example B: An employee is married on June 10 and applies for a change from Individual to Family coverage on July 1. Family coverage will become effective on July 1.

Example C: An employee is married on June 10 and applies for a change from Individual to Family coverage on July 3. Family coverage would be come effective August 1.

- d. If an employee currently enrolled for Individual coverage applies for Family coverage more than one month after the date of first eligibility for Family coverage, the effective date for Family coverage is the first day of the third month following the month in which the employee requests Family coverage.

Example: An employee is married on June 10 and applies for a change from Individual to Family coverage on September 5. Family coverage will become effective December 1.

### 3. Special Situations

- a. If an employee currently enrolled for Individual coverage acquires a newborn child through birth or adoption, the child may be covered as of the date of birth in accordance with the following:
- 1) If the employee is the birth parent, the employee must apply for a change to Family coverage within 30 days of the child's date of birth.
  - 2) If the employee acquires a child though adoption and (i) legal guardianship has been established as of the date of birth or (ii) a petition for adoption has been filed pursuant to Section 115 of the Domestic Relations Law prior to, or within 30 days of birth, the employee must apply for a change to Family coverage within 30 days of the child's date of birth.
    - (a) The date of birth of the newborn is not counted in calculating the 30 day timely enrollment period. For example, if an employee's child is born on July 1, the employee may apply for Family coverage on that day or from July 2 through July 31; and the effective date will be July 1.
    - (b) Once coverage is changed to Family coverage due to the addition of a family member, any other eligible dependent can be added.
    - (c) If application for Family coverage is made more than 30 days after the newborn's date of birth, dependent coverage will

become effective on the first day of the third month following the month within which application is made.

- b. If an employee currently enrolled for Individual coverage applies for a change to Family coverage because his or her spouse's health insurance coverage ends, the effective date of Family coverage is determined as follows:
- 1) If the request is made on or before the date the spouse's coverage ends, Family coverage will become effective on the day following the date the spouse's coverage ends.
  - 2) If the request is made within one month after the date the spouse's coverage ends, Family coverage will become effective on the first day of the month following the date of request.
  - 3) If the request is made more than one month after the date the spouse's coverage ends, Family coverage will become effective the first day of the third month following the month in which the request is made.