

Title: Correcting employing agency enrollment errors

Policy 11-3

Contact:	Rules Specialist, ERB Division	Effective:	January 1, 2018
		Rescinded:	
Associated RCW:	41.05.008 41.05.009 41.05.014 41.05.050(1), (3)-(4) 41.05.065 41.05.160	Supersedes:	
Associated WAC:	182-08-015 182-08-187 182-08-197(1)(a) & (b)		
Assoc. fed law/reg:		Owner:	Policy & Rules Manager, ERB Division
Associated Procedures:			
Associated Forms & Communication		Approved by:	<i>JD R</i> Acting ERB Director
		Position:	ERB Division Director
		Date approved:	12/1/2017

Purpose:

This policy clarifies the requirements placed on an employing agency when the employing agency corrects its enrollment errors as described in WAC 182-08-187.

Policy:

1. An employing agency must correct enrollment errors as described in WAC 182-08-187 and as described in this policy. As defined in WAC 182-08-015, "employing agency" means a division, department, or separate agency of state government, including an institution of higher education; a county, municipality, school district, educational service district, or other political subdivision; charter school; or a tribal government covered by chapter 41.05 RCW."
2. If an employing agency fails to timely enroll an employee, or his or her dependent, in Public Employees Benefits Board (PEBB) benefits, then the employing agency must correct the error. The employing agency must enroll the coverage the employee elected when correcting enrollment and related premium payments and any applicable premium surcharges as described in WAC 182-08-187(1) and (2) and provide recourse as described in WAC 182-08-187(3).

“Timely” in this subsection means the enrollment was entered by the employing agency within the lower limit date.

The “lower limit date” is three calendar months before the current process month. For example, if the current process month is June, three calendar months before would be March; therefore, the lower limit date would be March 1.

“Current process month” identifies the specific period of time for which the insurance system is billing an agency. The begin and end date of an agency’s current process month depends on which one of the three invoicing cycles the agency is in.

3. If an employing agency fails to notify an employee of his or her eligibility for PEBB benefits and the employer contribution as described in WAC 182-12-113 or the employer group contract, before the end of the employee’s thirty-one day election period, then the employing agency must correct the error. The employing agency must provide the employee a written notice of eligibility for PEBB benefits, offer a new enrollment period and correct enrollment, premium payments, and applicable premium surcharges as described in WAC 182-08-187(1) and (2) and provide recourse as described in WAC 182-08-187(3).
4. If an employing agency fails to accurately enroll an employee in PEBB benefits as elected in the required forms or apply the applicable surcharges as attested in the required forms, then the employing agency must correct the error. The employing agency must enroll the coverage the employee elected and accurately reflect the employee’s premium surcharge attestations when correcting enrollment and related premium payments and applicable premium surcharges as described in WAC 182-08-187(1) and (2) and provide recourse as described in WAC 182-08-187(3).
5. If an employing agency fails to accurately enroll an employee in Uniform Medical Plan Classic, Uniform Dental Plan, basic life insurance, and basic long-term disability insurance, and apply the tobacco use surcharge status as described in WAC 182-08-197(1)(b) when the employee fails to return the required employee forms within required time limits as described in WAC 182-08-197(1)(a), then the employing agency must correct the error. The employing agency must enroll the employee as described in WAC 182-08-197(1)(b) when correcting enrollment and related premium payments and applicable premium surcharges as described in WAC 182-08-187(1) and (2) and provide recourse as described in WAC 182-08-187(3).
6. If an employing agency fails to accurately enroll an employee in optional long-term disability (LTD) insurance as elected, then the employing agency must correct the error as follows:
 - a. Enroll the employee in his or her elected LTD coverage back to the correct effective date of coverage; and,
 - b. Collect all applicable LTD premiums as described in WAC 182-08-187(2)(b).
7. “Recourse” as described in WAC 182-08-187(3) requires an employing agency to work with the employee and the Health Care Authority (HCA) to implement retroactive insurance when the employing agency makes an enrollment error.

- a. An employing agency must determine which of the options described in WAC 182-08-187(3)(a) best provides recourse for the employee's unique circumstance.
- b. An employing agency must document the recourse solution and provide a copy to the HCA for approval. A recourse solution may not be implemented until approved by the HCA.
- c. An employing agency must provide a copy of the approved recourse solution to both the employee and the HCA.
- d. An employee who does not agree with a recourse decision of the employing agency or the HCA may appeal the decision by submitting an appeal within 30 days as described in chapter 182-16 WAC.