

**Title: Requesting a reasonable alternative for completing wellness incentive program requirements or avoiding the tobacco use premium surcharge**

**PEBB Program Administrative Policy 91-1**

<b>Contact:</b>	Rules Specialist, ERB Division	<b>Effective:</b>	January 1, 2019
		<b>Rescinded:</b>	
<b>Associated RCW:</b>	41.05.065 (2)(c) ESSB 6032 sections 902(2), 903(2), and 904 (1)(b)	<b>Supersedes:</b>	
<b>Associated WAC:</b>	182-08-185 (1)(c) 182-12-300(3)		
<b>Assoc. fed law/reg:</b>	45 CFR 146.121(f)	<b>Owner:</b>	Policy, Rules, & Compliance Manager, ERB Division
<b>Associated Procedures:</b>			
<b>Associated Forms &amp; Communication</b>	HCA Form 50-100 HCA Form 51-205	<b>Approved by:</b>	<i>DLZ</i>
		<b>Position:</b>	Director of the PEBB Program
		<b>Date approved:</b>	11/29/2018

**Purpose:**

This policy applies when a subscriber who is eligible to participate in the Public Employees Benefits Board (PEBB) Wellness Incentive Program is seeking a reasonable alternative to a Wellness Incentive Program requirement in order to receive a wellness incentive as described in WAC 182-12-300 (see section 1 below).

This policy also applies when an enrollee on a PEBB medical plan is seeking a reasonable alternative so that a subscriber can avoid paying the tobacco use premium surcharge as described in WAC 182-08-185 (1)(c) (see section 2 below).

**Policy:**

1. Wellness Incentive Program: The PEBB Program will work with a subscriber for whom it is medically inadvisable or, due to a medical condition, unreasonably difficult to attempt to satisfy the requirement for a PEBB Wellness Incentive Program in order to provide an alternative requirement that will allow the subscriber to qualify for the PEBB Wellness Incentive or waive the requirement. The subscriber will need to provide the following information to the PEBB Program or its contracted vendor:
  - a. A physician's note stating the medical condition that prevents the subscriber (or enrollee) from satisfying the PEBB Wellness Incentive Program requirement; or

- b. A physician's recommendation of what would be a reasonable alternative that the subscriber could pursue based on their health status.
- 2. Tobacco Use Premium Surcharge:
  - a. If the physician of an enrollee who uses tobacco products has concerns related to the health status of the enrollee, which may prevent the enrollee from either participating in a tobacco cessation program or ceasing the use of tobacco products, the subscriber or enrollee can submit documentation to the PEBB Program from the physician that contains a recommendation for how the enrollee can address the use of tobacco products based on their health status. The physician's recommendation will be considered by the PEBB Program when determining what the reasonable alternative is.
  - b. The tobacco use premium surcharge will not apply to children age twelve years and younger.
    - i. The default status for enrollees twelve years and younger on an account (either as a subscriber or a dependent) will be as a non-tobacco user.
    - ii. This portion of the policy will be reviewed at such time as a smoking cessation program is available to those twelve years and younger for each plan.