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| <p>Office of<br/>Employee<br/>Benefits</p> <p>Administrative<br/>Manual</p>  | <p><b>EMPLOYEE ELIGIBILITY AND<br/>ENROLLMENT</b></p>  | <p><b>210</b></p> |
|   | <p><b>INITIAL EFFECTIVE DATE:</b> May 1, 2003</p>  |                   |
|   | <p><b>LATEST REVISION DATE:</b> September 1, 2010</p>  |                   |
|   | <p><b>PURPOSE:</b> To provide guidance in determining the eligibility of Employees for the Employee Group Insurance Program and their enrollment options</p> |                   |
|   | <p><b>SCOPE:</b> Employees of The University of Texas System</p>   |                   |
| <p><b>STATUTORY AND ADMINISTRATIVE REFERENCES:</b><br/>Texas Insurance Code, Chapter 1601;<br/>Texas Government Code, §667.005</p>                            |  |                   |

## 1.0 BACKGROUND

In compliance with the eligibility and enrollment provisions in the Uniform Insurance Benefits Act for Employees of The University of Texas System and The Texas A&M University System (Act), eligible Employees of The University of Texas System (System) and their eligible Dependents may participate in the Employee Group Insurance Program (Program). The Act is codified in the Texas Insurance Code, Chapter 1601.

Section 1601.104 requires the System to provide basic insurance coverage to benefits-eligible Employees. Optional coverages are also available. This policy describes the Program coverage options for Employees. Program coverage options for Retired Employees are described in Policy 220 of this Administrative Manual. Program coverage options for Dependents are described in Policies 230 and 231 of this Administrative Manual.

## 2.0 ELIGIBILITY FOR U.T. GROUP INSURANCE

An Employee of a U.T. institution is benefits-eligible for Program coverage if the Employee meets the eligibility requirements as described below:

### 2.1 Full-Time Employees and Part-Time Employees

An individual is eligible to participate as a benefits-eligible Employee of a U.T. institution if the individual receives compensation for services performed for the institution, is eligible to be a member of the Teacher Retirement System of Texas (TRS), and either:

- (a) is expected to work at least 20 hours per week and to continue in the employment for a term of at least 4 ½ months; or
- (b) is appointed for at least 50% of a standard full-time appointment.

## **2.2 Graduate Student Employees**

An individual is eligible to participate as a benefits-eligible Employee of a U.T. institution if the individual:

- (a) receives compensation for services performed for the institution; and
- (b) is employed at least 20 hours a week only; and
- (c) is not permitted to be a member of TRS because the individual is solely employed by the institution in a position that as a condition of employment requires the individual to be enrolled as a student at the institution in graduate-level courses.

## **2.3 Post Doctoral Fellows**

An individual, who is classified by their U.T institution as a Post Doctoral Fellow, is eligible to participate in the U.T. group insurance program.

A newly benefits eligible Employee may not be immediately eligible for health benefits if the employing institution has a waiting period for benefit eligibility. See Policy 141 for more information about eligibility waiting periods.

## **3.0 PREMIUM SHARING**

Eligibility for Premium Sharing is based on the categories of Employee as described below:

### **3.1 Full-Time Employees**

An Employee appointed to work 40 or more hours a week is a Full-time Employee eligible for Premium Sharing as follows:

- (a) 100% of the premium cost of health, Basic Group Term Life (GTL) and Basic Accidental Death and Dismemberment (AD&D) coverage for the Full-time Employee; and
- (b) 50% of the premium cost of health coverage for covered Dependents of the Full-time Employee.

### **3.2 Part-Time Employees**

#### **3.2.1 Works Less Than 40 Hours Per Week**

If an institution designates an Employee as working at least 20 hours but less than 40 hours per week, the Employee is eligible to participate in the Program as a Part-time Employee. However, the institution may only make contributions from monies appropriated in the General Appropriations Act for the state Premium Share as follows:

- (a) Not more than 50% of the premium cost of the Basic Coverage Package for the Employee; and
- (b) Not more than 25% of the premium cost for the Employee's dependent medical coverage.

### **3.2.2 Exception for Certain Nurse Employees**

Texas Education Code 51.969 permits the president of a System health institution to designate nurses employed by the unit for patient or clinical activities who work less than 40 hours a week as full-time employees for purposes of qualifying for 100% of the state Premium Share. A medical and dental unit that has made such a designation may supplement the cost of the premium cost for basic health care coverage for such nurses and their dependents, as long as the additional monies are allocated from the institution's funds and not from funds appropriated for state Premium Sharing purposes.

### **3.2.3 Additional Funding by Institution Prohibited**

Funding in excess of the percentages described in this Policy is not permitted regardless of the source of the funds.

## **3.3 Graduate Student Employees**

### **3.3.1 Works Less Than 40 Hours Per Week**

If an institution employs a person who works less than 40 hours per week and is in a position that, as a condition of employment, requires the person to be enrolled as a student in graduate-level courses at the institution, the amount of state Premium Share is limited to 1/2 of the employer amount for a Full-time Employee as follows:

- (a) Not more than 50% of the premium cost of the Basic Coverage Package for a Graduate Student Employee; and
- (b) Not more than 25% of the premium cost of health coverage for covered Dependents of a Graduate Student Employee.

### **3.3.2 Additional Funding by Institution**

This restriction does not prohibit a U.T. institution from contributing additional amounts to supplement the premium cost of the Employee Group Insurance Program (Program) coverage for basic care coverage for Graduate Student Employees and their Dependents, as long as the additional monies are allocated from the institution's funds and not from funds appropriated for state Premium Sharing purposes.

See Policy 142 of this Administrative Manual for more information concerning Premium Sharing for Graduate Student Employees.

## **3.4 Post Doctoral Fellows**

Post Doctoral Fellows are not eligible for state Premium Share contributions unless they are employed in a benefits eligible position. However, an institution may contribute institutional funds toward all or some of the premium cost of Program coverage for Post Doctoral Fellows not employed in a benefits eligible position, as long as the funds are not paid from funds designated by the Texas Legislature for state Premium Share purposes.

## **4.0 EMPLOYEE BENEFITS**

Employees who meet the criteria for participation in the Program (described in Section 2.0 of this policy) are eligible for the following benefits. A required waiting period may apply (see Policy 141 of this Administrative Manual for more information).

### **4.1 Basic Coverage Package**

#### **4.1.1 Full-Time Employees**

All new Full-time Employees are automatically eligible for the Basic Coverage Package which includes coverage in a System health plan, Basic GTL of \$20,000, and Basic AD&D of \$20,000 for the Employee only, following any required waiting period. See Policy 141 of this Administrative Manual for complete details concerning any required waiting period for new enrollees in the Program.

The state Premium Sharing pays the entire premium cost for the Full-time Employee's Basic Coverage Package. See Section 3.0 of this policy for more information.

#### **4.1.2 Part-Time Employees**

Part-time Employees may enroll in the Basic Coverage Package after an election is made and the appropriate authorization and premium redirection agreement is signed. A waiting period may apply. The state Premium Sharing pays 50% of the premium cost for the Basic Coverage Package.

#### **4.1.3 Graduate Student Employees**

Graduate Student Employees who receive the additional institution contribution are automatically enrolled in the Basic Coverage Package. A waiting period may apply. The state Premium Sharing pays 50% of the premium cost for the Basic Coverage Package, and the institution contributes the remaining 50%.

Graduate Student Employees who do not receive the additional institution contribution may enroll in the Basic Coverage Package after an election is made and the appropriate authorization and premium redirection agreement is signed. A waiting period may apply. The state Premium Sharing pays 50% of the premium cost for the Basic Coverage Package.

#### **4.1.4 Post Doctoral Fellows**

Post Doctoral Fellows who are not employed in a benefits eligible position are not eligible for any Program coverage in connection with a salary. They may enroll in the Basic Coverage Package. Post Doctoral Fellows should consult their institution Benefits Office for additional information.

### **4.2 Basic Group Term Life and Basic AD&D Coverage**

Basic GTL of \$20,000 and Basic AD&D coverage of \$20,000 are provided to Full-time Employees and Graduate Student Employees who receive the additional institution contribution enrolled in the Basic Coverage Package at no cost. Employees must be enrolled in a U.T. health plan in order to be enrolled in the Basic GTL and Basic AD&D

coverage. Premium Sharing pays 50% of the premium cost for Part-time Employees and Graduate Student Employees who do not receive the additional institution contribution.

Dependents are not eligible for Basic GTL and Basic AD&D coverage.

For a more detailed description, see the definitions of Basic GTL and Basic AD&D coverage in Policy 130 of this manual.

### **4.3 Voluntary Group Term Life Coverage**

Within the first 31 days of an Employee's initial employment, an Employee may elect Voluntary GTL coverage of 1 – 6 times their basic annual earnings, up to a maximum of \$1.5 million. EOI is required for Voluntary Employee GTL coverage in excess of 3 times salary. The Employee also may enroll an eligible spouse and Dependent children for \$10,000 of coverage. An Employee who has elected Voluntary GTL of at least one times annual earnings plus Dependent Voluntary GTL of \$10,000 may apply through the EOI process for Spouse Voluntary GTL of \$25,000 or \$50,000.

EOI will be required for any Voluntary GTL enrollment request following the initial period of eligibility. The Employee is responsible for the full payment of premiums for Voluntary GTL coverage, except when the Employee waives the Basic Coverage Package as described in Section 5.4 of this policy.

For a more detailed description, see the definition of Voluntary GTL in Policy 130 of this manual.

- Note:**
- (1) Post Doctoral Fellows are not eligible for Voluntary GTL coverage.
  - (2) Employees who have satisfied their institution's eligibility requirements for and are participating in an alternative U.T. System health institution life plan sponsored by a U.T. System health institution are only eligible to participate in the Basic GTL insurance plan under the Program. However, if the alternative U.T. System health institution life plan is no longer available to the Employee, they will become eligible to participate in the OEB Program Voluntary GTL and Dependent GTL benefits; and Evidence of Insurability (EOI) will not be required:
    1. for amounts that do not exceed the Voluntary GTL amount previously enrolled under the alternative U.T. System health institution life plan; and
    2. if no break in U.T. System service occurred prior to the event.

### **4.4 Voluntary Accidental Death and Dismemberment Coverage**

Within the first 31 days of an Employee's initial employment, an Employee may elect an additional amount of Voluntary AD&D coverage up to the lesser of \$1 million or 10 times their basic annual earnings. In addition, if the Employee has Voluntary AD&D coverage of at least \$20,000, the Employee may enroll an eligible spouse for an amount of coverage that does not exceed 50% of the Employee coverage elected and may enroll other Dependents for \$10,000 coverage for each Dependent. EOI is not required if Voluntary AD&D coverage is increased following the initial period of employment. The Employee is responsible for the full payment of premiums for Voluntary AD&D coverage.

For a more detailed description, see the definition of Accidental Death and Dismemberment in Policy 130 of this manual.

#### **4.5 Dental and Vision Coverage**

An Employee may enroll in an eligible dental plan and/or vision plan. The Employee also may enroll eligible Dependents. EOI is not required for the dental and vision plans. The Employee is responsible for the full payment of the premiums for dental and vision coverages, except when the Employee waives the Basic Coverage Package as described in Section 5.4 of this policy.

#### **4.6 Short Term Disability and Long Term Disability Coverage**

Employees may enroll in Short Term Disability (STD) and/or Long Term Disability (LTD) coverage without EOI during their initial 31 days of employment. EOI will be required for enrollment after initial eligibility, except when there is a qualified Change in Status event during the plan year. See Policy 270 (EOI) and Policy 310 (Change in Status) in this manual for more information.

The Employee is responsible for the full payment of STD and LTD premiums, except when the Employee waives the Basic Coverage Package as described in Section 5.4 of this policy.

Dependents are not eligible for STD or LTD coverage.

**Note:** Post Doctoral Fellows are not eligible for STD or LTD coverage.

#### **4.7 Long Term Care Coverage**

Long Term Care (LTC) is provided through an individual policy with the LTC Carrier. Employees may enroll in LTC coverage during their first 31 days of employment without EOI. However, EOI is required for enrollment following the Employee's first 31 days of employment. Enrollment of qualified dependents always requires approval through the Carrier's EOI process. Individuals enrolled in LTC coverage are responsible for full payment of premiums to the LTC Carrier. See the LTC benefits booklet for more details.

#### **4.8 UT FLEX Participation**

##### **4.8.1 Premium Redirection Plan**

Full-time Employees are automatically enrolled in the Insurance Premium Redirection Plan that allows an Employee to deduct certain out-of-pocket premium costs from their paychecks on a pre-tax basis. Part-time Employees and Graduate Student Employees are enrolled in the premium redirection plan once the appropriate enrollment forms have been completed.

If an Employee is enrolled in the Basic Coverage Package (medical, voluntary group term life of \$20,000 and voluntary accidental death and dismemberment of \$20,000), the state Premium Sharing will pay the portion of the premiums for this coverage, as described in Section 3.0 of this policy, on a pre-tax basis. The Employee's out-of-pocket cost to pay the remainder of the premiums for the following Program coverages are eligible for the Insurance Premium Redirection Program and will automatically be deducted from the Employee's paycheck on a pre-tax basis:

- Medical – Employee and Dependent coverage
- Dental – Employee and Dependent coverage
- Vision – Employee and Dependent coverage
- Voluntary Group Term Life (GTL) – Employee Only coverage<sup>1</sup>
- Voluntary Accidental Death and Dismemberment (AD&D) – Employee and Dependent coverage

Note:

1. Voluntary Employee GTL premiums are eligible for premium redirection only for life coverage up to \$50,000 including Basic GTL of \$20,000. Therefore, Voluntary Employee GTL above \$30,000 is not eligible for premium redirection and must be deducted on a post-tax basis.  
  
Voluntary Spouse GTL and Voluntary Dependent GTL are not eligible for premium redirection and are deducted on a post-tax basis.
2. Short Term Disability and Long Term Disability premiums are always deducted on a post-tax basis.

***Important:*** Retired Employees and Return-to-Work Retired Employees are not eligible for participation in the Insurance Premium Redirection Program.

#### **4.8.2 Employee Waives Basic Coverage Package**

If an Employee waives the Basic Coverage Package, see Section 5.4 of this policy for a description of the Program coverages that are eligible for Premium Sharing. The portion of the premiums not eligible for Premium Sharing will be eligible for premium redirection as described above in this section.

#### **4.8.3 Flexible Spending Accounts**

Employees may also elect to participate in one or both of the UT FLEX reimbursement accounts (Medical Expense Reimbursement Account and Day Care Reimbursement Account). UT FLEX reimbursement account elections must be renewed each Annual Enrollment period.

**Note:** A Post Doctoral Fellow who is not employed in a benefits eligible position is not eligible to participate in the UT FLEX program.

## **5.0 INITIAL PERIOD OF EMPLOYMENT**

### **5.1 Assignment of a Benefits Identification (BID) Number**

A unique alphanumeric 8-character BID number is assigned by OEB as an identifier to each Participant in the Uniform Group Insurance Program. This unique BID will remain with the individual as long as he/she is a participant in the Program, including following a break and reenrollment in Program coverage, transfer from one U.T. institution to another, enrollment as a Retired Employee, and/or enrollment as a COBRA participant.

## **5.2 Election Options During First 31 Days of Employment**

A newly hired Full-time Employee or Graduate Student Employee who receives the additional institution contribution is automatically eligible for the Basic Benefits Package. The effective date of coverage is determined by the policy of their employing institution concerning a required waiting period. See Section 5.2.2 of this policy for more information about a waiting period.

A newly eligible Part-time Employee or Graduate Student Employee who does not receive the additional institution contribution must sign an institution payroll authorization and premium redirection agreement before enrollment can be completed and coverage can begin.

A newly eligible Post Doctoral Fellow does not receive any state or institution contribution and must sign an institution payroll authorization and premium redirection agreement before enrollment can be completed and coverage can begin.

During an Employee's initial 31 days of employment, the Employee may make the following elections:

- (a) Choose an eligible health plan other than UT SELECT, if available;
- (b) Select one or more of the available optional coverages described in Section 4.0 of this policy; and/or
- (c) Add an eligible spouse and/or dependent children to the Employee's coverage.

Regardless of whether an employing institution has a required waiting period for newly hired Employees, the newly eligible Employee must make all Program coverage elections within their first 31 days of employment.

## **5.3 Waiting Period**

See Policy 141 (Waiting Period for Group Insurance Benefits) of this Administrative Manual for a detailed description of the waiting period for Employees and their eligible Dependents.

## **5.4 Premiums**

Monthly premiums for the Program are not pro-rated. An entire month's premium must be paid for the first month of coverage regardless of the day on which the coverage becomes effective during the month.

An Employee is responsible for payment of the portion of the premium for Dependent health coverage that is not covered by state Premium Sharing plus the total cost of any other optional coverages elected for the Employee and any Dependents.

## **5.5 Employee Waives Basic Coverage Package**

During an Employee's initial period of employment, after a qualified Change in Status event or during Annual Enrollment, the Employee may elect to waive the Basic Coverage Package and receive up to one-half (50%) of the state Premium Sharing amount that would have been available to the Employee for the Basic Coverage Package (described in Section 3.0 of this policy) toward the purchase of certain voluntary coverages if the following documentation is provided to the institution Benefits Office:

- (a) proof of other group health coverage; and
- (b) proof that the Employee is not enrolled in another group insurance program funded by the State of Texas.

An Employee who waives the Basic Coverage Package and receives up to one-half of Premium Sharing may purchase one or more of the following optional coverages that are paid on a pre-tax basis:

- Dental – Employee and Dependent coverage
- Vision – Employee and Dependent coverage
- Voluntary Group Term Life (GTL) (up to \$50,000) – Employee Only coverage
- Voluntary Accidental Death and Dismemberment – Employee and Dependent coverage

***Important:*** An Employee who is unable to show proof of other group coverage is not eligible to receive a percentage of state Premium Sharing toward optional coverage. An Employee who waives coverage may be required to provide EOI to enroll at a later date.

## **6.0 ANNUAL ENROLLMENT**

Current Employees have the opportunity during each Annual Enrollment period to make the following changes to their Program coverages. The effective date of these changes will be the following September 1.

- (a) Apply to add previously-eligible Dependents to the Employee's UT SELECT coverage (EOI required unless proof of other current group coverage is provided);
- (b) Apply to enroll in or increase Voluntary GTL coverage (EOI required for any increase in coverage);
- (c) Enroll Employee and previously-eligible Dependents to the dental and vision plans (no EOI required);
- (d) Apply to enroll in Short Term Disability and/or Long Term Disability coverage (EOI required);
- (e) Apply to enroll the Employee and/or any eligible Dependents in Long Term Care insurance (EOI required);
- (f) Enroll in a UT FLEX reimbursement account(s); and
- (g) Drop or decrease current levels or amounts of coverages.

An Employee hired during the Annual Enrollment period has 31 days from the first day of active employment to elect optional coverages. Section 5.0 of this policy describes the new hire's election options and effective dates during the initial period of employment.

## **7.0 CHANGE IN COVERAGE AFTER INITIAL PERIOD OF EMPLOYMENT AND OUTSIDE OF ANNUAL ENROLLMENT**

Generally, an Employee may not make changes during the plan year. See Policy 310 (Change in Status) of this Administrative Manual for exceptions that may be permitted in specific circumstance. Following an Employee's first 31 days of employment, outside of the Annual Enrollment period, and following a qualified Change in Status event, EOI may be required for enrollment in or changes to Program coverages during the plan year. For information about the effective date of coverage, see Policies 270 (Evidence of Insurability) and 310 (Change in Status) of this Administrative Manual.

## **8.0 TRANSFERS**

### **8.1 Employee Transfers from One to Another U.T. Institution**

An Employee of a U.T. System institution who transfers to another U.T. System institution with no break in Program coverage should continue the current Program coverages with no lapse in coverage. If an Employee has a qualified Change in Status (see Policy 310), the Employee is eligible to make Program changes and the effective date will be the first of the month following the transfer. However, if the effective date of the transfer is the first of the month, the effective date of the coverage change will be on that date.

If there is a break in Program coverage between the last date of coverage at the former U.T. institution and the first day of coverage at the new U.T. institution, the Employee will be considered a newly benefits-eligible Employee and be eligible to elect coverage as described in Section 5.0 of this policy, and the waiting period may apply.

If the transfer is effective during the month, the institution from which the Employee transfers is responsible for coordination of the Premium Sharing, out-of-pocket premium deductions, and Program benefits for that month. The institution to which the Employee transfers assumes responsibility for coordination of the Employee's Program coverage effective the first of the month following the transfer.

*Example 1:* A benefits-eligible Employee transfers from Institution A to Institution B. Her last day of employment at Institution A is June 15<sup>th</sup> with Program coverage effective through June 30<sup>th</sup>. Her first day of employment at Institution B is July 1<sup>st</sup>. Since there is no break in Program coverage, this Employee will continue the same coverages. If this Employee had a qualified status change event during this time, she may make Program changes as described in Policy 310.

*Example 2:* A benefits-eligible Employee transfers from Institution A to Institution B. Her last day of employment at Institution A is June 15<sup>th</sup> with Program coverage effective through June 30<sup>th</sup>. Her first day of employment at Institution B is July 2<sup>nd</sup>. Since there is a break in Program coverage, this Employee will be considered a new hire by Institution B.

### **8.2 Employee Transfers from ERS or Texas A&M to a U.T. Institution**

An Employee transferring to a System institution from another State of Texas agency or higher education institution under the Employees Retirement System of Texas (ERS) or from the Texas A&M System is eligible for Program coverages as a new Employee. The employing institution should obtain written verification from ERS or Texas A&M of the

Employee's prior service, dates of employment, and group insurance coverage termination date.

An individual, who is employed in a benefits-eligible position at another state group plan and is enrolled in the ERS or A&M group insurance program immediately prior to directly transferring to a benefits-eligible position at a U.T. institution, is eligible to enroll in U.T. group insurance coverage without Evidence of Insurability (EOI) and will not have to satisfy a new waiting period for U.T. medical coverage if there is no break in coverage between the end date of the other state group plan coverage and the beginning date of U.T. coverage.

***Important:*** An individual, who is employed at a Texas independent school district (ISD) and enrolled in TRS Active Care or is retired from an ISD and enrolled in TRS Care immediately prior to employment in a benefits eligible position at a U.T. institution, is considered a new hire and therefore does not qualify for waiver of the waiting period prior to enrollment in the U.T. group insurance program. TRS Active Care and TRS Care are not funded by the State of Texas and therefore are not considered to be a state group plan.

For information about the waiting period, see Policy 141 of this Administrative Manual.

## **9.0 RE-EMPLOYMENT WITH U.T.**

***Important:*** This section deals with actively employed employees. Employees who retire from a System institution or another state institution of higher education or agency and then return to work at the same or another System institution are subject to special rules. See Policy 220 (Retired Employee Eligibility and Enrollment) of this Administrative Manual for more information.

### **9.1 Break in Program Coverage**

If there is a break in Program coverage between the date an Employee of a System institution terminates employment and the date the Employee returns to employment at the same or another System institution, the re-hired Employee is considered to be a newly benefits eligible Employee with the same enrollment options as a newly eligible Employee. The Employee is subject to any required waiting period for newly hired Employees at the employing institution.

### **9.2 No Break in Program Coverage**

If there is no break in Program coverage (including COBRA enrollment with no break in coverage) between the date an Employee of a System institution terminates employment and the date the Employee is rehired at the same or another System institution, the rehired Employee will be eligible to be re-enrolled in the same coverages in effect on the last day of the Employee's prior coverage. The Employee is not subject to any new hire waiting period.

### **9.3 Coverages with Annual Deductables and Maximum Benefits**

Group insurance benefits for medical, dental and vision coverage are renewed at the beginning of each Plan Year and subject to annual Plan Year deductibles and maximum benefit amounts. Maximum benefits cannot exceed the maximum plan benefits allowed for that Plan Year.

*Example 3:* An Employee enrolled in the UT SELECT Dental plan uses \$500 of the \$1,250 annual maximum benefits before terminating U.T. employment in December. This Employee is rehired in June, which is within the same plan year. Therefore, only \$750 of dental benefits remain available for the remainder of the current plan year.

*Example 4:* An Employee enrolled in the Superior Vision plan has a comprehensive eye exam prior to terminating U.T. employment in March. This Employee is rehired in May, which is within the same plan year. Therefore, another eye exam is not covered until the following plan year.

*Example 5:* An Employee enrolled in the UT SELECT medical plan uses \$150 of the \$350 network annual deductible prior to terminating employment in January. This Employee is rehired in March, which is within the same plan year. Therefore, only \$200 of the annual deductible remains to be paid for the remainder of the plan year.

## **10.0 DUAL STATE PREMIUM SHARING AND DUPLICATE GROUP COVERAGE PROHIBITED**

### **10.1 Coverage Funded by Premium Sharing**

State funding paid toward the enrollment by any participant in the coverages through the Program and any other state group insurance program is prohibited by state law. This means that funds expended for a participant as an Employee or an Employee's Dependent cannot exceed the funds appropriated for Premium Sharing for an Employee's group insurance coverage from one or more state employers. In addition to the U.T. System, other state entities offering group insurance coverage funded by the State of Texas include: Texas A&M University System; Teacher Retirement System of Texas; and all agencies, departments and higher education institutions under the Employees Retirement System of Texas.

The following are examples of prohibited Dual State Premium Sharing:

- (a) An individual cannot receive state Premium Sharing both as a U.T. Employee and as a dependent of another individual who is an active employee of another state group plan and is receiving state Premium Sharing for dependent coverage.
- (b) Two individuals cannot receive state Premium Sharing for dependent coverage of the same child.
- (c) An individual cannot receive state Premium Sharing both as a U.T. Employee and as retired employee of another state group plan.

An individual, who is enrolled as a Dependent of an active state Employee, is hired as an active state Employee during the month. To avoid double coverage for the first month of employment, the individual should waive the Employee coverage for the first month, terminate the Dependent coverage at the end of the month, and begin Employee coverage effective the first of the following month.

**Note:** The purpose of this prohibition is to prevent individuals from receiving overlapping state Premium Sharing.

## 10.2 Coverage Paid by Employee/Retired Employee

Duplicate coverage is prohibited for any U.T. coverage even when the premium is paid in part or in full by the State. Additionally, an enrolled U.T. Subscriber or Dependent cannot be covered by two U.T. optional plans of the same type of coverage regardless of the funding source, but can have secondary coverage provided by another employer or group plan.

The following are examples of prohibited duplicate coverage:

- (a) An individual cannot have medical coverage as a U.T. Employee and also as a dependent of another U.T. Employee or Retired Employee.
- (b) An individual cannot have vision coverage as a U.T. Employee and also as a dependent of another U.T. Employee or Retired Employee.
- (c) An individual cannot have dental coverage as a U.T. Employee and also as a dependent of another U.T. Employee or Retired Employee.
- (d) An individual cannot have voluntary group term life or voluntary accidental death and dismemberment coverage as a U.T. Employee and also as a dependent of another U.T. Employee.

## 11.0 CEASING EMPLOYEE COVERAGE

If an Employee's eligibility for coverage in the Program ends due to termination of employment or nonpayment of premium, the effective date of the termination of coverage generally will be the end of the month in which the last premium was collected. For information regarding retroactive adjustments, see Policy 707 of this Administrative Manual.

### 11.1 Termination of Employment

An Employee enrolled in the Program whose eligibility for coverage ends due to termination of employment may be able to continue certain coverages under COBRA unless terminated due to gross misconduct. See Policy 250 for more information.

### 11.2 Nonpayment of Premium

An Employee's Program coverage will be cancelled if the Employee does not make timely payment of all required premiums. If the Employee fails to make full payment of the premiums when due (through payroll deduction, direct deposit, or direct payment), the coverages for which payment is not made will be cancelled, as set forth in Policy 707 of this manual.

***Important:*** Employees who are on Leave Without pay (LWOP) that is not also designated as FMLA leave are not eligible for Premium Sharing for themselves or their Dependents. Coverage for an Employee on LWOP who does not place Program coverage in abeyance and fails to pay all required premium will be terminated for nonpayment of premium. See Policy 140 (Funding), Section 3.5 of this Administrative Manual for more information.

### **11.3 Death of Employee**

Upon the death of an Employee enrolled in the Program, all coverages will terminate on the last day of the month in which the Employee's death occurs.

If the deceased Employee had a spouse and/or dependent children covered on the date of death, the Dependents may be eligible to continue medical, vision, and dental coverage, either as a surviving dependent or a COBRA participant, if they were enrolled in the Program on the date of death and the Employee had a minimum of five years of service in a benefits-eligible position. See Policy 230 for more information.

## **12.0 MISREPRESENTATION**

A violation of this OEB policy, including misrepresentation by an Employee of benefit eligibility requirements, constitutes a violation of OEB's official policy and a violation of The University of Texas System Rules and Regulations of the Board of Regents, Series 31013(1). Possible sanctions for such a violation range from a reprimand to dismissal. In addition, such Employees may be held liable for reimbursement of the costs paid for ineligible claims.

A verified misrepresentation by an Employee shall be reported by OEB to the appropriate institution for investigation and possible sanctions. Deliberate misrepresentation of eligibility by an Employee may constitute criminal fraud and may result in a referral to a law enforcement office.