

## Eligible Entities

Entities eligible to participate in Public Employees Benefits Board (PEBB) insurance coverage under the terms and conditions in Washington Administrative Code (WAC) 182-12-111 include:

### **State agencies and higher-education institutions**

All departments, divisions, and separate agencies of state government, including state higher education institutions, the higher education coordinating board, and the state board for community and technical colleges must participate in the PEBB-sponsored benefits package.

All departments, divisions, or separate agencies of state government must contribute to PEBB coverage for its employees and their dependents as stated in Revised Code of Washington (RCW) 41.05.050.

### **K-12 school districts and Educational Service Districts (ESDs)**

K -12 school districts and educational service districts may participate in the PEBB sponsored benefits package as long as they meet all requirements. Refer to WAC 182-12-111 for requirements.

PEBB group coverage is available to the entire group, groups of bargaining unit employees, or all non-represented employees. The group must purchase the full package of medical/vision, dental, life, and long-term disability.

Eligibility requirements for employees' dependents are the same as the requirements for dependents of state employees and retirees. Refer to WAC 182-12-260.

The PEBB health plans must be the only medical plans offered to the school district or educational service district.

### **Employer groups and tribal governments**

Employees of a county, municipality, or other political subdivision, tribal governments, and employee organizations representing state civil employees may participate in the PEBB sponsored benefits package as long as they meet all requirements. Refer to WAC 182-12-111 for requirements.

PEBB group coverage is available to the entire group, groups of bargaining unit employees, or all non-represented employees. The group may purchase the full package of medical/vision, dental, life, and long-term disability or may purchase the medical/vision only package.

Eligibility requirements for employees' dependents are the same as the requirements for dependents of state employees and retirees. Refer to WAC 182-12-260.

The PEBB health plans must be the only medical plans offered to the group.

**Note:** Employees eligible for PEBB participation include only those employees whose services are in the performance of essential governmental functions but not in the performance of commercial activities, whether or not those activities qualify as essential governmental functions. Employers shall determine eligibility in order to ensure PEBBs continued status as a governmental plan under Section 3 (32)\* of the Employee Retirement Income Act of 1974 (ERISA) as amended.

*\*ERISA Section 3(32) defines a governmental plan*

## Eligible Employees

Employees of state government, higher education, K-12 school districts, educational service districts (ESD), employer groups, tribal governments, and employee organizations representing state civil service workers are eligible to apply for PEBB insurance coverage. Refer to WAC 182-12-115.

PEBB employee eligibility categories include:

- **Permanent** – an employee who works half-time or more per month and is expected to be employed for more than 6 months.
- **Nonpermanent** – an employee who works an average of half-time or more and is expected to work for no more than six calendar months, but ultimately works for more than six calendar months.
- **Career Seasonal** – an employee who works an average of half-time or more over a nine or more month season who have an understanding of continued employment season after season.
- **Seasonal** – an employee who works half-time or more per month during a specific season for 3 to 8 months. There must be an understanding of continued employment season after season.
- **Instructional Year** – an employee who works an average of half-time or more in a school year or equivalent 9 month basis.
- **Part-Time Faculty and Part-Time Academics** – employees who are employed on a quarter/semester to quarter/semester basis.
- **Appointed and Elected Officials** – legislators and all other elected and full-time appointed officials of the legislative and executive branches of state government.
- **Judges** – justices of the Supreme Court and judges of courts of appeals and the superior courts.

Note: PEBB categories define an employees' eligibility for benefits. PEBB's descriptions of employee categories do not necessarily match the job definitions of DOP or your specific agency. In other words, regardless of how an employer defines an employee for hiring purposes, PEBB will consider the employee's eligibility for benefits dependent on the definition the employee fits according to PEBB WAC.

When an employee begins employment with your agency, use these categories to determine their eligibility.

If an employee fits into more than one of the above categories, choose the category that most closely describes the person's employment situation to determine benefit eligibility.

## Eligible Dependents

The following dependents are eligible under PEBB rules. For a complete explanation of eligible dependents refer to WAC 182-12-260.

- **Subscriber's spouse** – the employee's lawful spouse.
- **Qualified domestic partner** – the employee's domestic partner that is qualified either through the PEBB Declaration of Marriage or Qualified Domestic Partner form or through the Certificate of State registered Domestic Partnership.
- **Children through age 19** – includes the employee's biological children, stepchildren, legally adopted children, children the employee has assumed a legal obligation for total or partial support in anticipation of adoption, children of the employee's qualified domestic partner, or children specified in a court order or divorce decree. Married children who qualify as the employee's dependent under the Internal Revenue Code and are approved by PEBB may also qualify.
- **Dependent students age 20 through 23** – Children attending high school or registered students at an accredited secondary school, college, university, vocational school, or school of nursing.
- **Extended dependents** – Children in the legal custody or legal guardianship of the subscriber, the subscriber's spouse, or the subscriber's qualified domestic partner. A court order is necessary to demonstrate legal custody. The children's official residence must be with the employee and the children may not be foster children for whom support payments are received through the Department of Social and Health Services foster care program.
- **Children of any age with disabilities** – Children of any age with disabilities, developmental disabilities, mental illness, or mental retardation who are incapable of self-support. Their condition must have occurred before age 20 or while the dependent was eligible as a student.
- **Adult dependents age 20 through 24** – Beginning January 1, 2009, unmarried children age 20 through 24 who do not meet PEBB eligibility requirements as a student or disabled dependent are eligible to enroll in PEBB Benefits at a self-pay rate. The subscriber is responsible for the premiums. Adult dependents do not have to be IRC qualified dependents (i.e., there is no requirement for the adult dependent to live with or have financial ties with the subscriber). Adult dependents must enroll in the same medical and dental plans as the subscriber unless, he or she lives outside the plan's service area or if the subscriber waives or defers medical coverage. Unlike other eligible dependents, adult dependents are enrolled under a separate account.

Employees may enroll their eligible dependents during their initial enrollment period, during a special open enrollment, or during the annual open enrollment.