

## Domestic Partner Eligibility FAQs

### 1. What is the new health and welfare benefits eligibility policy for domestic partners?

Systemwide Human Resources recommended — at the initiative of the Academic Senate and with the President’s approval — a policy change that health benefits coverage be extended based on the same eligibility criteria for all domestic partners.

Beginning with this year’s Open Enrollment (Oct. 25 – Nov. 20, 2018), and effective Jan. 1, 2019, all benefits-eligible employees and retirees will be able to enroll their domestic partners and their partners’ eligible family members in health and welfare benefits as long as the relationship meets established criteria. The current eligibility requirement for opposite-gender domestic partners — that one or both be 62 years or older and eligible for Social Security based on age — has been eliminated.

Effective Jan. 1, 2019, it will be easier to establish your partner’s eligibility for UCRP benefits. Please see “How do I establish my domestic partner’s eligibility for [UCRP survivor benefits](#)” for more information.

### 2. To whom does the new policy apply?

The new policy applies to:

- UC postdoctoral scholars eligible for benefits
- UC retirees eligible for retiree health benefits
- UC employees eligible for Full, Mid-level or Core benefits

### 3. For what benefits is my domestic partner eligible?

Please see [Benefits for Domestic Partners](#) on UCnet for complete eligibility rules for each type of health and welfare and retirement benefit and for UC Retirement Plan (UCRP) survivor benefits. In general, eligible domestic partners are treated the same as eligible spouses. For example, an employee with Full Benefits status can cover a domestic partner in their UC-sponsored medical, dental, vision, dependent life, legal, and accidental death & dismemberment plans.

### 4. What are the new eligibility criteria for domestic partnerships, starting Jan. 1, 2019?

For your partner to be eligible for health and welfare benefits, your partnership must meet one of the three definitions below:

- A domestic partnership registered with the state of California is a domestic partnership for UC benefits eligibility purposes.
  - Same-gender domestic partners can register their domestic partnership with the State of California.
  - Opposite-gender domestic partners can register their domestic partnership with the State of California if one or both partners are over age 62 and eligible for Social Security benefits based on age.
- A domestic partnership formed in another jurisdiction which has requirements substantially equivalent to California’s requirements also qualifies as a domestic partnership.
- A partnership – regardless of the gender of the partners — that has not been registered can be considered a domestic partnership for UC benefits eligibility purposes if it meets the requirements below.
  - Parties must be each other’s sole domestic partner in a long-term, committed relationship and must intend to remain so indefinitely.

- Neither party may be legally married or be a partner in another domestic partnership.
- Parties must not be related to each other by blood to a degree that would prohibit legal marriage in the state of California. For example, not parents and children, brothers and sisters, half-brothers and half-sisters, uncles and aunts, nieces and nephews, or ancestors and descendants of every degree (this means grandparents and grandchildren, great-grandparents and great-grandchildren, etc.).
- Both parties must be at least 18 years old and capable of consenting to the relationship.
- Parties must be financially interdependent.
- Parties must share a common residence.

**5. How do I enroll my domestic partner and my partner's children in Health & Welfare benefits?**

During Open Enrollment this year (Oct. 25 – Nov. 20, 2018), you'll have the opportunity to enroll your partner and your partner's children in all health and welfare benefits that are open for enrollment for 2019.

Since life insurance is not open for enrollment, newly-eligible domestic partners will have a Period of Initial Eligibility (PIE) to enroll in Dependent Life Insurance and/or Supplemental Life Insurance, beginning Jan. 1, 2019 and ending Jan. 31, 2019. Please contact UCPath or your benefits office for information about how to enroll during this PIE.

**6. Do I need to provide documentation to verify my partnership?**

After you enroll your family member in medical, dental, or vision benefits, UC requires you to provide documents to verify your family members' eligibility for coverage. Employees and retirees will receive a Family Member Eligibility Verification (FMEV) packet from UC's FMEV vendor which must be completed by a specified deadline. Postdoctoral scholars follow the eligibility verification process for their location.

In order to verify your domestic partnership through FMEV, you must submit the FMEV Verification Form, provided to the employee as part of the FMEV packet, AND:

- State of California form NP/SF DP-1 (Declaration of Domestic Partnership), OR
- Proof of registration of partnership with another valid jurisdiction, OR
- At least two of the documents below:
  - Joint mortgage, joint property tax statement or joint tenancy on a residential lease
  - Joint bank account
  - Joint liabilities (e.g., credit card, home equity loan or car loan)
  - Joint ownership of significant property (e.g., a car or a house)
  - Durable property or health care power of attorney
  - Wills, life insurance policies or retirement annuities naming each other as primary beneficiary
  - Written agreement or contract showing mutual support obligation or joint ownership of assets acquired during the relationship
  - Copy of any declaration, affidavit or similar document filed with any other governmental entity
  - Joint utility bill
  - Joint property tax statement

Failure to submit these documents to UC's FMEV vendor will result in the disenrollment of the domestic partner, and/or domestic partner's eligible dependents, from benefits.

**7. I heard that enrolling my domestic partner and/or my partner's children in Health & Welfare benefits will create "imputed income" on my paycheck. What is imputed income, and how does it impact my paycheck, social security and tax liability?**

In most cases, your domestic partner and your partner's children do not automatically qualify as your dependents under the Internal Revenue Code (IRC). That means any UC contribution toward their medical, dental and vision coverage is considered income to you, known as "imputed income," and is subject to federal income taxes, as well as Social Security and Medicare taxes (FICA) and any other required payroll taxes. (California state income tax may also apply if your partnership is not registered with the state.) This imputed income is reported on your annual W-2 statement.

Please see details, including the process for notifying UC if your partner is a dependent as defined by the IRC, in [Benefits for Domestic Partners](#) or the [Imputed Income page](#) on UCNNet.

**8. What if I'm hired after Open Enrollment closes in 2018?**

Your local Benefits office will help you complete a form to enroll yourself and your eligible domestic partner in health and welfare benefits. The Family Member Eligibility Verification process will then take place after the new year begins.

**9. If I enroll my domestic partner in health benefits, will my partner also be established as my survivor for UCRP benefits?**

Effective Jan. 1, 2019, domestic partners who are enrolled in medical, dental and/or vision benefits will automatically be designated as your survivor for UCRP benefits, subject to additional eligibility requirements. If you enroll your domestic partner for benefits and successfully complete the eligibility verification process, you do not need to submit a Declaration of Domestic Partnership for Purposes of UC Retirement Plan Benefits (UBEN 250).

Please note that enrolling your partner in benefits such as Accidental Death & Dismemberment or Legal Insurance that do not require completion of the family member eligibility verification process will not establish your partner as your survivor for UCRP benefits.

**10. If I do not enroll my domestic partner in health benefits, how do I establish my partner's eligibility for UCRP survivor benefits?**

If you do not enroll your domestic partner in medical, dental and/or vision benefits, there are three acceptable ways to establish your domestic partner for purposes of UC Retirement Plan (UCRP) survivor and death benefits (any single method is sufficient):

- Registration of your domestic partnership with the State of California
- Registration of your union, other than marriage, in another jurisdiction if that union is substantially equivalent to a California domestic partnership
- Sign and file a UC Declaration of Domestic Partnership (UBEN 250PDF) with UC Human Resources Records Management (P.O. Box 24570, Oakland, CA 94623-1570). Please note that both the UCRP member and the domestic partner must sign the UBEN 250 form. If both you and your domestic partner are employees eligible for UCRP, you must each submit a separate UBEN 250, signed by both partners, in order for you both to be considered each other's survivor.

While establishing your partnership for UCRP benefits can be done at any time, it is very important to know that if you pass away before doing so, your partner cannot be considered for UCRP survivor benefits.

Some UCRP survivor and death benefits, including preretirement survivor benefits and post-retirement survivor benefits, require an established domestic partnership of at least one year. However, there is no one-year partnership requirement for benefits paid to your domestic partner if you die while eligible to retire, as long as the partnership has been established through one of the above methods.

(Please note that if you are eligible for the UC Retirement Choice Program and elect Savings Choice, it does not include UCRP survivor or death benefits, so it is not necessary to establish your partnership with UC. However, the vested balance of your Savings Choice account can be left to your beneficiaries.)

**11. If my partner and I are both UC employees and one of us enrolls the other for health coverage as an eligible family member, are we both automatically established as each other's survivor for UCRP benefits?**

No. Enrolling your partner as an eligible family member for UC health benefits establishes your partner as your survivor for UCRP benefits, subject to additional eligibility requirements, but your partner must actively designate you as their domestic partner by one of the three methods described above.

**12. If my partner and I are both UC employees and we each enroll for our own health coverage, are we both automatically established as each other's survivor for UCRP benefits?**

No. You each must designate the other as your domestic partner by one of the three methods described above.

**13. If I pass away, will my domestic partner be eligible for the same UCRP benefits that would be available to the spouse of a deceased UC employee?**

Once you have established your domestic partnership by any of the methods described above, your partner will be eligible for the same UCRP benefits that would be available to the spouse of a deceased UC employee, subject to the eligibility rules that apply to each type of benefit. Please see [A Complete Guide to Your UC Retirement Benefits](#) for more information.

**14. What if my domestic partnership ends? What do I need to do to remove a former partner from my benefits coverage?**

If your partnership ends, you must cancel your partner's health and welfare coverage within 31 days of the end of the partnership by submitting the form UPAY850 to your local Benefits Office or UCPATH or, if you are a retiree, submitting the UBEN100 form to the Retirement Administration Service Center. Coverage ends at the end of the month in which the partnership ends.

For purposes of ending a former domestic partner's eligibility for UCRP survivor benefits, submit one of the following to your local Benefits Office, UCPATH or, if you are a retiree, the Retirement Administration Service Center:

- If your partnership was registered with the State of California — A copy of the filed California State Notice of Termination of Domestic Partnership (SEC/STATE NP/SF DP-21) or an order issued by a California Superior Court dissolving the partnership
- If the partnership was formed in a jurisdiction outside of California, a certified copy of a notice of termination or court order dissolving the partnership

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- If the partnership was formed in a jurisdiction outside of California, a certified copy of a notice of termination or court order dissolving the partnership
- If your partnership was not registered — Completed form UPAY850 if you are an employee or UBEN100 if you are a retiree
- UC form UBEN 253 (Termination of Domestic Partnership for Purposes of UC Retirement Plan Benefits)

It is important to keep your records current and submit a termination notice or court order as soon as it's available. If the information on file is not current, UC Human Resources could pay survivor benefits to a former domestic partner instead of another eligible survivor, such as your child. You are responsible for providing your former domestic partner with a copy of the termination form (UBEN 253). You should also review and update your beneficiaries for life insurance, retirement savings plans, bank accounts, etc.

#### **15. Is my domestic partner or domestic partner's child eligible for COBRA?**

Eligibility rules for COBRA continuation coverage are identical to those for the UC-sponsored coverage you and/or your eligible family members had immediately prior to qualifying for COBRA. It is up to you to notify your Benefits Office or department in the event of:

- Divorce/legal separation/annulment
- Termination of domestic partnership
- Loss of dependent status (e.g., child turns age 26)

To be eligible for COBRA continuation coverage, you must provide notice within 60 days of the event, either by completing the [Notice to UC of a Qualifying Event PDF](#) form (UBEN 109) or by providing written notice.

#### **16. What should I do if my domestic partner and I get married?**

Notify UC if you and your domestic partner get married, so UC's records are up to date. Your partner's health benefits may no longer be considered "imputed income" by the IRS (see "imputed income" FAQ) after you are married, which would have tax advantages for you. Marrying a domestic partner who is already eligible for UC health and welfare benefits does not trigger a Period of Initial Eligibility (PIE) that would allow you to enroll your now-spouse into Health and Welfare benefits, or change your plan elections. If you want to change your plan elections based on marrying your domestic partner, these changes can be made at Open Enrollment.