

QUALIFIED LIFE EVENT (QLE) DIVORCE, LEGAL SEPARATION, ANNULMENT PROCESS

If you experience a divorce, legal separation, or annulment, your former spouse may no longer be considered eligible to participate in any of the plan options.

- Divorce or annulment: Your former spouse must be removed from the plans regardless of a court order to continue their coverage.
- Legal separation: Your spouse is considered eligible to continue participation in the plans because you are still married. If the notice of legal separation documentation states that coverage for your spouse must continue, you cannot remove coverage until the divorce is finalized. If there is no requirement for healthcare continuation coverage, then you may choose to remove your spouse from coverage.

Is the Human Resources Department of my agency responsible for informing the ADOA Benefits Services Division of my divorce?

No. It is the responsibility of the employee to inform their employer of changes for the purposes of benefits within 31 days of the event. A supervisor or benefit liaison is responsible for providing you with the information you need to notify the Benefit Services Division in a timely manner.

Benefit Services Division may report any misrepresentation of benefit eligibility to an employee's agency, which could result in disciplinary action up to and including termination.

How long do I have to make a change?

You must notify the Benefit Services Division, in writing, within 31 days of your qualifying event. If notification is received after the 31 days, benefit election changes will be made that could result in retroactive termination of coverage. Any claims incurred after the 31 days will become the responsibility of the employee to pay. Additionally, the former spouse and dependents may become ineligible to enroll in COBRA continuation coverage or a Healthcare Marketplace insurance policy.

What can I change?

If you declined insurance from the Benefit Options plan because you were covered under your former spouses' insurance, you may choose to enroll under HIPAA Special Enrollment due to a loss of coverage.

If you carry insurance coverage for your former spouse and/or stepchild, you can change:

- Medical, Dental, and Vision Insurance: Remove coverage and change tier levels (i.e. Family to Employee Only), if applicable.
- Life Insurance: Reduce your Supplemental Life coverage amount and drop Dependent Life coverage if the former spouse and stepchild were the only dependents covered. You can add Supplemental Life insurance up to \$20,000 if you did not previously enroll.

- Short-Term Disability Insurance: Add coverage if not previously enrolled (note: you will be subject to the late entrant penalty on the benefit waiting period should you file a claim.) You can drop short-term disability at any time throughout the plan year.
- Flexible Spending Accounts: Reduce your healthcare contributions, and reduce dependent care contributions if the only eligible dependent is being removed from the plan.
- Update your beneficiary information in [Y.E.S.](#)

If you have adopted and/or have legal guardianship of your stepchild, you do not have to remove coverage since adopted children are eligible to participate in the plan. Proof of adoption and/or legal guardianship may be required.

When will the change be effective?

Coverage ends on the last day of the period your dependent is no longer considered eligible (i.e. date of the divorce). New coverage is effective the first day of the pay period following receipt of the notification of a qualifying event.

When will the new premiums be deducted from my paycheck?

New or changed premiums will be effective the first pay period following receipt of the notification of a qualifying event.

Can I get a refund on my premiums?

At no time will a refund of premiums be provided for benefit coverage that requires retroactive termination adjustments.

Will my former spouse and stepchildren be eligible for COBRA benefits?

If you remove dependents from coverage timely, they may be eligible for COBRA coverage. They may also seek coverage from the former spouse's employer, or find coverage through the Healthcare Marketplace. The Benefit Services Division will determine if your dependent removed the plan coverage is eligible for COBRA benefits. A letter and enrollment form will be mailed within 14 days from receipt of divorce notice.

What types of documents do I need to send to Benefits?

You must provide a declaration of change form and new enrollment form, available on our website at benefitoptions.az.gov/forms. Supporting documents include, but are not limited to:

- Divorce decree
- Notice of legal separation
- Notice of legal annulment
- Evidence of previous coverage under spouse
- Legal adoption or guardianship papers
- Other documentation requested by the Benefit Services Division

Questions?

Please contact a Benefit Options representative by phone 602-542-5008, toll-free 1-800-304-3687, by email benefitsissues@azdoa.gov or visit benefitoptions.az.gov. We can help you Monday-Friday, 8 a.m. - 5 p.m. Arizona Time, except holidays.