



# Dependent Survivor Coverage

Enrolled dependents may be eligible to continue NYSHIP coverage if the enrollee predeceases them. See the following for dependent survivor eligibility rules. To ensure that dependent survivors receive the benefits to which they are entitled, it is important to send a copy of the enrollee's death certificate to the Employee Benefits Division as soon as possible. Notification to a retirement system does not necessarily satisfy this requirement.

*Note: Survivors of COBRA enrollees are not eligible for the extended benefits period (see the following) or dependent survivor coverage. Refer to the COBRA: Continuation of Coverage section starting on page 42 for information on coverage options.*

## **Extended Benefits Period at No Cost**

Eligible dependents covered at the time of the enrollee's death will continue to receive coverage without charge for five biweekly pay periods beyond the last payroll period for which the enrollee paid for NYSHIP coverage. This is referred to as the extended benefits period.

During the extended benefits period, enrolled Empire Plan dependents continue to use the health insurance benefit cards they already have under the enrollee's identification number. Enrolled dependents of HMO enrollees may receive a new card; contact your HMO for more information.

## **Eligibility for Dependent Survivor Coverage After the Extended Benefits Period Ends**

After the extended benefits period ends, enrolled dependents may elect to continue NYSHIP coverage if they are eligible for dependent survivor coverage. Benefits will change to the same coverage provided to New York State retirees. Refer to The Empire Plan Certificate for New York State Retirees, Vestees, Dependent Survivors and Preferred List Enrollees for benefit information.



## Eligible Dependents

The following dependents may be eligible for dependent survivor coverage as explained in this section:

- A spouse who has not remarried.
- A domestic partner who has not married or acquired a new domestic partner.
- Dependents who meet the eligibility requirements outlined in the Dependent Eligibility section.

Only dependents covered by the enrollee at the time of death or newborn children of the enrollee born after the enrollee's death may be eligible for dependent survivor coverage. Each dependent survivor is eligible to continue NYSHIP coverage in his or her own right. Eligible dependent survivors may be enrolled in Individual coverage, Family coverage or a combination thereof.

A covered dependent who is not eligible for dependent survivor coverage may be eligible to continue NYSHIP coverage under COBRA or may be eligible to convert to a direct-pay conversion contract.

NYSHIP coverage will end permanently for eligible dependent survivors if they:

- Do not make a timely election of dependent survivor coverage or
- Fail to make required payments.
- They may not reenroll.

## Eligibility and Cost Vary

Dependent survivors may be required to pay any amount up to the full premium. Eligibility and cost of dependent survivor coverage are based on the following circumstances:

***The employee was 10 years or less from retirement, and death was not the result of a workrelated illness or injury.***

At the time of the enrollee's death, the enrollee was 10 years or less from retirement as a member of a retirement system administered by New York State or any of its political subdivisions and had one of the following:

- A total of 10 years of NYSHIP benefits-eligible service with New York State.
- A total of 10 years of NYSHIP benefits-eligible service that is a combination of service with New York State and any of its political subdivisions.

An enrollee in an optional retirement program such as Teachers Insurance and Annuity Association of America/College Retirement Equities Fund (TIAA/CREF) must be within 10 years of meeting the age requirement in a New York State-administered retirement system, based on the tier in effect when the employee was hired.

Enrolled dependent survivors will be responsible for 10 percent of the premium for Individual coverage and an additional 25 percent of the premium for dependent coverage. The State's dollar contribution for the non-prescription drug components of an HMO premium will not exceed its dollar contribution for the non-prescription drug components of The Empire Plan premium.



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***The employee was more than 10 years from retirement, and death was not the result of a workrelated illness or injury.***

At the time of the enrollee's death, the enrollee was more than 10 years from retirement as a member of a retirement system administered by New York State or any of its political subdivisions and had one of the following:

- A total of 10 years of NYSHIP benefits-eligible service with New York State.
- A total of 10 years of NYSHIP benefits-eligible service that is a combination of service with New York State and any of its political subdivisions.

An enrollee in an optional retirement program such as Teachers Insurance and Annuity Association of America/College Retirement Equities Fund (TIAA/CREF) must be within 10 years of meeting the age requirement in a New York State-administered retirement system, based on the tier in effect when the employee was hired.

Enrolled dependent survivors will be responsible for the full share of The Empire Plan or HMO premium.

***The enrollee's death was the result of a work-related illness or injury.***

The State will pay 100 percent of the cost of NYSHIP coverage, up to the full cost of The Empire Plan premium, for enrolled dependents as long as they remain eligible, regardless of the enrollee's age at the time of death or length of service. Dependent survivors who enroll in a NYSHIP HMO with a premium higher than The Empire Plan premium will be responsible for the difference in cost.

**Dual Annuitant Sick Leave Credit option**

If the enrollee chooses the Dual Annuitant Sick Leave Credit option at retirement, that credit will continue to be applied to the surviving dependents' premium.

**Benefit Cards**

After the extended benefits period ends, the primary dependent survivor becomes the enrollee. In most cases, this will be the spouse or domestic partner.

- Empire Plan enrollees: Dependent survivors will be mailed benefit information and a new Empire Plan benefit card with the survivor's and enrolled dependents' names.
- HMO enrollees: Check with the HMO regarding benefits and new cards.



## **Dependent Survivor Eligible for NYSHIP as a Result of Employment**

A surviving dependent employed by or previously employed by New York State, a Participating Employer or a Participating Agency may be eligible to reinstate coverage as an enrollee in NYSHIP. Coverage as a current or former employee may be less expensive than coverage as a dependent survivor.

Survivors who were previously employed by New York State or a Participating Employer should write to the Employee Benefits Division with details of relevant prior employment to determine if they are eligible to reinstate coverage as enrollees. Survivors who were previously employed by a Participating Agency should write to the Participating Agency to ask about reenrollment.

## **Loss of Eligibility for Dependent Survivor Coverage**

If a dependent loses eligibility for dependent survivor coverage, he or she may be eligible to continue coverage in NYSHIP under COBRA or to convert to a direct-pay contract.

Eligibility for dependent survivor coverage ends permanently if a:

- Spouse remarries
- Domestic partner acquires a new domestic partner or marries
- Dependent child no longer meets the eligibility requirements
- Dependent survivor fails to make the required payments.

If NYSHIP coverage as a dependent survivor is terminated for any reason, eligibility ends and the dependent is not eligible to reenroll. If a surviving spouse or domestic partner loses eligibility or dies, eligible dependent children may continue their coverage as dependent survivors until they no longer meet the eligibility requirements as dependents.

## **New York State Department of Civil Service Contact Information:**

Death Certificate Submission:  
NYS Department of Civil Service  
Employee Benefits Division  
Albany, NY 12239

For any questions please use the following email address:

[EBDresponseemail@cs.ny.gov](mailto:EBDresponseemail@cs.ny.gov)

## **Member Benefits:**

If members have voluntary insurances through Member Benefits Program there are potential benefits for the members. The Group Term Life Insurance also has an option to purchase spousal and dependent coverage. A link to the MBP Insurance page is below.

<https://www.buymbp.com/insurance/sun-life-financial>



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