

**State Health Benefits Program
Dependent Eligibility Documentation Requirements
Frequently Asked Questions**

Q1: What election changes are allowed based on the U.S. Supreme Court decision regarding same sex marriage in the Commonwealth of Virginia?

A1: The election changes that are allowed for the qualifying mid-year event (QME) – Marriage would be allowed based on this new definition of a legal marriage. Please refer to the sheet on Marriage for your initial guidance found at <http://www.dhrm.virginia.gov/hbenefits/qme/Marriage.pdf>. If you have more specific questions, please contact the Office of Health Benefits.

Q2: If employees do not have all of the required supporting documentation, should they wait to submit their election request until all the documents are obtained?

A2: No. The employee must submit the enrollment form within the time frame for a QME even if they do not have the documentation at that time. The documentation can be submitted later but the agency should not approve the election request until the supporting documentation is received.

Q3: What if the employee does not have a copy of the official marriage certificate?

A3: Employees may request a copy of an official marriage certificate from the appropriate state or local issuing authority. In Virginia, they may contact the Virginia Department of Health’s Division of Vital Records and Health Statistics at (804) 662-6200. They may also visit the VDH Web site at www.vdh.virginia.gov for more information. Other states have similar Web sites. Marriage certificates are also available through the court where the marriage license was issued.

Q4. Does the marriage certificate need to be a certified copy?

A4. No. A photocopy of the official marriage certificate issued by the state or local authority, such as the Bureau of Vital Statistics or local court, is acceptable.

Q5: Why are employees being asked to provide tax returns? What tax return documentation is required from those employees who file their taxes electronically? How will they know that their tax records are secure?

A5: The tax return requirement is for a photocopy of the most recent Federal Tax Return that shows the dependent listed as a “Spouse”. Once employees have completed their electronic tax return, they have the ability to print the form. Employees should submit only the first section of the return that designates and names the spouse. Employees can redact any information not pertinent to the enrollment request such as

financial information. A spouse is required to be listed on the 1040 tax form even if the taxpayer tax filing status is married, filing separately.

Q6: How will a married couple provide a tax return if they are newly married or they have not filed a tax return as “married” in the past year?

A6: Documentation may include proof of joint debt or a lease or rental agreement. However, if married within the last year, only a marriage certificate would be required. If the employee cannot provide either, please contact the Office of Health Benefits for guidance.

Q7: Does the U.S. Supreme Court decision regarding same sex marriage affect Domestic Partners? Does it affect Civil Unions established in states?

A7: No. The ruling applies only to marriages as licensed and performed by duly authorized persons/officers in and outside Virginia

Q8: Faculty from abroad who are adding a spouse will not have a Federal Tax Return. What documentation will they need to provide?

A8: Along with a copy of the marriage certificate, documentation should include a copy of the valid immigration paperwork issued by the U.S. State Department. Documentation may also include proof of joint debt or a lease or rental agreement.

Q9: How should special circumstances be handled such as 1) married in another country or 2) spouses who are legally married but do not reside in the same household?

A9: For those married outside of the United States, along with the marriage certificate, documentation should include a copy of the valid immigration paperwork issued by the U.S. State Department. For those who are legally married but do not reside in the same household, the requirement is the same as for any other spouse.

Q10: What documentation does the employee need to submit to add stepchildren to the health plan?

A10: Employees will need to provide a photocopy of the following:

- birth certificate (or adoption agreement) showing the spouse's name,
- marriage certificate showing the employee and dependent parent's name, and
- most recent Federal Tax Return that shows the dependent's parent listed as spouse. All financial information and Social Security Numbers can be redacted. See Q & A 4 above.