

Divorce is an event that results in loss of eligibility for the ex-spouse and stepchildren of the employee or retiree through whom their eligibility was gained. It is a qualifying event that is consistent with a reduction in membership if dropping the spouse and stepchildren, as applicable, reduces the remaining covered family members to a lower membership level. Coverage will be lost for the affected family members effective at the end of the month in which the divorce is final. **Failure of an employee or retiree to remove an ineligible person from the state program may result in suspension from the program for up to three years.** (Divorce does not allow termination of coverage for any family members who do not lose eligibility due to the event.)

NOTE: Separation, even with a property settlement, is not a qualifying mid-year event and will not allow for dropping a spouse or stepchild's coverage outside of open enrollment.

How to make the change:

If available, the change can be made through the self-service system (e.g., EmployeeDirect). If not available, an enrollment/disenrollment form must be submitted to the Benefits Administrator. If the divorce results in a change in membership, the premium will be reduced the first of the month following the date of the final divorce decree if the notification/request is made within 60 days of the event. The effective date of the loss of coverage will be the end of the month during which the final decree is issued (not prospective to the notification) based on the loss of eligibility date.

If the employee does not make timely notification of the divorce (within the 60-day window), coverage lost consistent with the event will still be terminated at the end of the month in which the final divorce decree is issued, but the employee will not be allowed to reduce membership until the next Open Enrollment or other consistent qualifying mid-year event, whichever occurs first. (At the discretion of DHRM, some exceptions may apply to Retiree Group participants.)

The agency Benefits Administrator should obtain a copy of the final divorce decree from the employee to document the date of the divorce. It should include the former spouse's name, Social Security Number, and address. If the agency is notified in writing per the Qualifying Event Notice provisions of the Extended Coverage/COBRA Initial General Notice, the agency is required to send the spouse an Extended Coverage Election Notice. Failure to provide required notification will result in loss of eligibility for Extended Coverage. See the ***Extended Coverage/COBRA*** section of this manual for additional information.