

*DRAFT*      *DRAFT*      *DRAFT*      *DRAFT*      *DRAFT*      *DRAFT*  
OREGON ADMINISTRATIVE RULE  
PUBLIC EMPLOYEES RETIREMENT BOARD  
CHAPTER 459  
DIVISION 035 – HEALTH INSURANCE PROGRAMS

1    **459-035-0070**

2    **Enrollment**

3        (1) Enrollment requirements of PERS-sponsored health insurance plans for eligible  
4 persons are as follows:

5        (a) An eligible person must complete all applicable parts of PERS Medical & Dental  
6 Insurance Application form, and file the form with the Third Party Administrator  
7 including, in the case of a dependent domestic partner, an Affidavit of Dependent  
8 Domestic Partnership. The form must indicate which plan is desired and it must list  
9 individually all dependents, including the spouse, that are to be enrolled. The form can be  
10 obtained from the Third Party Administrator or PERS;

11        (b) An eligible person who is a retiree may enroll:

12            (A) Within 90 days of the retiree’s effective date of retirement;

13            (B) At any time if covered under another group health insurance plan for 24  
14 consecutive months immediately preceding enrollment, provided that the application for  
15 enrollment is filed within 30 days of loss of coverage. Health care coverage under  
16 workers’ compensation, Medicare or any other governmental entitlement program for  
17 health care do not qualify as other group health insurance coverage for purposes of this  
18 paragraph;

19            (C) Within 90 days of initial Medicare eligibility, if the retiree is enrolled in Parts A  
20 and B of Medicare; or

21            (D) During an open enrollment period designated by the Board.

1           (c) Except as provided in subsection (f) of this section, an eligible spouse or  
2 dependent must be enrolled at the same time and in the same plan as the eligible retiree;

3           (d) An eligible surviving spouse or dependent who is enrolled under the deceased  
4 retiree’s plan at the time of death may continue coverage under that plan, and must  
5 complete a Medical & Dental Insurance Application form as soon as possible following  
6 the retiree’s death;

7           (e) An eligible surviving spouse or dependent who is not covered under the retiree’s  
8 plan at the time of the retiree’s death, may enroll:

9           (A) Within 90 days of the retiree’s death;

10           (B) At any time if covered under another group health insurance plan for 24  
11 consecutive months immediately preceding enrollment, provided that the application for  
12 enrollment is filed within 30 days of loss of coverage. Health care coverage under  
13 workers’ compensation, Medicare or any other governmental entitlement program for  
14 health care do not qualify as other group health insurance plan coverage for purposes of  
15 this paragraph;

16           (C) Within 90 days of initial Medicare eligibility, if he or she is enrolled in Parts A  
17 and B of Medicare; or

18           (D) During an open enrollment period designated by the Board.

19           (f) A new spouse, dependent domestic partner, or dependent may be enrolled:

20           (A) Within 30 days of becoming a spouse, a dependent domestic partner or  
21 dependent;

22           (B) If not enrolled in Medicare, only with the same carrier that the eligible retiree is  
23 enrolled in;

1 (C) If enrolled in Parts A and B of Medicare, only in the Medicare Companion Plan  
2 offered by the same carrier that covers the eligible retiree.

3 (g) An eligible retiree’s spouse may enroll within 90 days of initial Medicare  
4 eligibility, if he/she is enrolled in Parts A & B of Medicare even though the retiree  
5 remains enrolled in a non-PERS health plan.

6 (2) Special enrollment requirements for dental insurance plans:

7 (a) Only persons who are enrolled in a PERS-sponsored health insurance plan may  
8 enroll in a PERS-sponsored dental insurance plan. That enrollment must be made  
9 under the enrollment conditions for the PERS-sponsored health insurance that are  
10 described in section (1) of this rule.[:]

11 (b) Dental insurance coverage is not available to any eligible person unless all family  
12 members (the retiree, spouse, dependent domestic partner and dependent(s)) who are  
13 enrolled in a PERS-sponsored health insurance plan also enroll in the same PERS-  
14 sponsored dental insurance plan.[:]

15 *[(c) If the retiree, spouse, dependent domestic partner and dependent(s) do not*  
16 *enroll in a PERS-sponsored dental insurance plan when eligible, or later choose to*  
17 *discontinue dental coverage, they will not be allowed to re-enroll in a PERS-sponsored*  
18 *dental insurance plan.]*

19 Stat. Auth.: ORS 238.410 & ORS 238.650

20 Stats. Implemented: ORS 238.410, ORS 238.415 & ORS 238.420

