

**OREGON ADMINISTRATIVE RULE  
PUBLIC EMPLOYEES RETIREMENT BOARD  
CHAPTER 459  
DIVISION 050 – HEALTH INSURANCE PROGRAMS**

1 **459-035-0070**

2 **Enrollment**

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

5 (a) An eligible person must complete all applicable parts of the PERS Health Insurance  
6 Program Enrollment Request Form, and submit the form with all required supporting  
7 documents to the Third Party Administrator prior to the requested effective date of  
8 enrollment. The PERS Health Insurance Program Enrollment Request Form must:

9 (A) Indicate which plan is desired;

10 (B) List individually all dependents, including the spouse, that are to be enrolled; and

11 (C) Have signatures of all members, dependents over the age of 18, and spouses that are to  
12 be enrolled.

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

14 (A) Within 90 days of the retiree's effective date of retirement;

15 (B) Within 90 days of the date of submitting a service retirement application under OAR  
16 459-015-0025(4)(c);

17 (C) Within 90 days of the date of the Disability Approval Letter generated under OAR 459-  
18 015-0025(5)(a);

19 (D) At any time if covered under another group health insurance plan for 24 consecutive  
20 months immediately preceding enrollment, provided that the application for enrollment is  
21 filed within ~~60~~<sup>30</sup> days of loss of coverage. Health care coverage under workers'  
22 compensation, Medicare or any other governmental entitlement program for health care do  
23 not qualify as other group health insurance coverage for purposes of this paragraph;

24 (E) Within 90 days of initial Medicare eligibility, if the retiree is enrolled in Parts A and B  
25 of Medicare;

26 (F) Within 90 days of the date of the Notice of Award letter issued by the Social Security  
27 Administration; or

28 (G) During an open enrollment period designated by the Board.

1 (c) Except as provided in subsections (f) and (g) of this section, an eligible spouse,  
2 dependent domestic partner, or dependent must be enrolled at the same time as the eligible  
3 retiree. An eligible spouse, dependent domestic partner or dependent enrolling in Parts A  
4 and B of Medicare must be enrolled in the same Medicare Companion Plan, *offered*  
5 *by*/from the same carrier, that cover[s] the eligible retiree.

6 (d) An eligible surviving spouse or dependent who is enrolled under the deceased retiree's  
7 plan at the time of death may continue coverage under that plan.

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

10 (A) Within 90 days of the retiree's death;

11 (B) At any time if covered under another group health insurance plan for 24 consecutive  
12 months immediately preceding enrollment, provided that the application for enrollment is  
13 filed within *30*/60 days of loss of coverage. Health care coverage under workers'

14 compensation, Medicare or any other governmental entitlement program for health care do  
15 not qualify as other group health insurance plan coverage for purposes of this paragraph;

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

18 (D) Within 90 days of the date of the Notice of Award letter issued by the Social Security  
19 Administration; or

20 (E) During an open enrollment period designated by the Board.

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

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

23 (B) If enrolled in Parts A and B of Medicare, only in the same Medicare Companion Plan,  
24 *offered by* from the same carrier that covers the eligible retiree.

25 (g) An eligible retiree's spouse may enroll:

26 (A) W[w]ithin 90 days of initial Medicare eligibility, if the spouse is enrolled in Parts A  
27 and B of Medicare, even though the retiree remains enrolled in a non-PERS health  
28 plan. In order for the spouse to remain enrolled, the retiree must join the spouse in  
29 the same plan from the same carrier as the spouse at the latest of the applicable  
30 enrollment periods described in paragraphs (1)(b)(D) and (E) of this rule;

1 (B) Within 90 days of initial Medicare eligibility, if enrolled and Parts A and B of  
2 Medicare, only in the same Medicare Companion Plan, from the same carrier that  
3 covers the eligible retiree;

4 (C) At any time if covered under another group health insurance plan for 24  
5 consecutive months immediately preceding enrollment, provided that the application  
6 for enrollment is filed within 60 days of loss of coverage. Health care coverage under  
7 workers' compensation, Medicare or any other governmental entitlement program  
8 for health care do not qualify as other group health insurance plan coverage for  
9 purposes of this paragraph;

10 (D) Within 90 days of the date of the Notice of Award letter issued by the Social  
11 Security Administration; or

12 (E) During an open enrollment period designated by the Board.

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

14 (a) Dental enrollment for retirees enrolled in PHIP health insurance

15 (A) An eligible person who is enrolled in a PERS-sponsored health insurance plan  
16 may enroll in a PERS-sponsored dental insurance plan. Enrollment in a PERS-  
17 sponsored dental insurance plan must be made within the applicable enrollment  
18 periods described in section (1) of this rule.

19 *[(a) Only persons who are enrolled in a PERS-sponsored health insurance plan may enroll*  
20 *in a PERS-sponsored dental insurance plan. Enrollment in a PERS-sponsored dental*  
21 *insurance plan must be made under the enrollment conditions for the PERS-sponsored*  
22 *health insurance that are described in section (1) of this rule.]*

23 (b)(B) If an eligible retiree and one or more eligible family members (spouse,  
24 dependent domestic partner, or dependent) elect to enroll in a PERS-sponsored  
25 dental insurance plan, all such enrolled individuals must enroll in the same PERS-  
26 sponsored dental insurance plan.

27 (b) Stand-alone dental enrollment

28 (A) An eligible person who is not enrolled in a PERS-sponsored health insurance plan  
29 may enroll in a PERS-sponsored dental insurance plan independent of enrollment in  
30 a PERS-sponsored health insurance plan. Enrollment must be made within the

1 applicable enrollment periods described in section (1) of this rule, unless otherwise  
2 specified by the Board.

3 (B) If an eligible retiree and one or more eligible family members (spouse, dependent  
4 domestic partner, or dependent) elect to enroll in a PERS-sponsored dental insurance  
5 plan, all such enrolled individuals must enroll in the same PERS-sponsored dental  
6 insurance plan.

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10 **Statutory/Other Authority:** ORS 238.410 & 238.650

11 **Statutes/Other Implemented:** ORS 238.410, 238.415 & 238.420

12 **History:**

13 [PERS 8-2018, amend filed 08/03/2018, effective 08/03/2018](#)

14 PERS 4-2015, f. & cert. ef. 3-30-15

15 PERS 14-2002, f. & cert. ef. 11-18-02

16 PERS 15-1998, f. & cert. ef. 12-17-98

17 PERS 4-1996, f. & cert. ef. 6-11-96