

Employee Benefit Plans Domestic Partner FAQs

1. What is a domestic partner relationship?

A domestic partner relationship is a relationship of two individuals of the same or opposite sex who are in a long-term, committed relationship (similar to that of a legally-recognized marriage), but who are not legally married; however, the partners formally agree to be jointly responsible for each other's common welfare and financial obligations.

2. Who qualifies as a domestic partner?

To qualify as an employee's domestic partner, an Affidavit must be completed, requiring both parties to declare they:

- Are at least 18 years of age;
- Are in an exclusive relationship;
- Are not married to each other or anyone else, and have not had another domestic partner or a spouse within the prior twelve months;
- Are not related by blood to a degree of closeness that would prohibit marriage in their state of residence;
- Have jointly shared the same residence for at least one year immediately preceding the date of the signed Affidavit with the intent to continue doing so indefinitely; and
- Jointly share financial responsibility for basic living expenses such as the cost of housing and utilities and any other expenses of maintaining a household.

Three of the following items must be provided as verification of joint responsibility (information must be dated at least one year immediately preceding the date of this signed form to confirm eligibility at time of enrollment):

- Joint deed, mortgage, or lease;
- Filing taxes jointly;
- Joint checking/savings account;
- Joint ownership of significant property (car, boat);
- Joint credit account or other liability;
- Joint utility bill;
- Designation of the domestic partner as primary beneficiary in the employee's will;
- Durable power of attorney for health care or financial management;

- Designation of each other as authorized signatures on safe deposit boxes;
- Joint homeowner's or renter's insurance policy;
- Designation of the domestic partner as primary beneficiary for the employee's life insurance coverage; or
- A relationship or cohabitation contract which obligates each of the parties to provide support for the other party.

As an alternative to providing documents substantiating a domestic partnership, domestic partners can register in a state that provides for such registration and provide HR/Benefits with a copy of the registration.

3. For which benefits are domestic partners eligible?

Health, dental, vision, EAP and voluntary benefits. Domestic partners are eligible for coverage as a dependent in the benefit plans.

4. For which benefits are children of domestic partners eligible?

Qualifying children of domestic partners are eligible for health, dental, vision, EAP and voluntary benefits. To be eligible, the child must be a tax dependent of the employee and meet the employer's definition of an eligible child.

5. How can domestic partners be enrolled for benefits?

A completed Affidavit must be sent to HR/Benefits. Current employees may enroll a domestic partner when their partner first meets the qualifications. New employees may enroll their domestic partner within 31 days of hire if they meet the qualifications specified in the Affidavit. Employees choosing not to enroll their domestic partner when first eligible may enroll them during Annual Enrollment provided an Affidavit has been completed.

6. Are there federal tax implications for enrolling domestic partners in health, dental and vision?

When a domestic partner is added to an employer's medical, dental and vision plans, the IRS considers the employer's contribution toward the additional coverage as imputed income. The coverage for a domestic partner becomes a taxable benefit to employees with additional withholdings incorporated into the employee's wages.

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7. Can a domestic partner be added or deleted mid-year if he/she experiences a qualified status change?

Employees can add a domestic partner mid-year to health, dental and vision coverage when the domestic partner first meets the qualifications set forth in the Affidavit, provided the employee is currently enrolled in that plan. A domestic partner can be deleted mid-year if he/she is no longer eligible or experiences a qualified status change.

8. Will coverage continue for the domestic partner and the domestic partner's eligible children if the employee dies?

No. Once the domestic partner relationship is terminated, regardless of reason, coverage for the domestic partner and the domestic partner's eligible children ends.

9. Are Domestic Partners eligible for COBRA Continuation?

Yes.

10. Can employees use their flexible spending accounts for their domestic partner's unreimbursed medical and/or dental expenses?

Not generally. However, if the domestic partner is a dependent of the employee and is claimed on the employee's federal income tax return, then the employee's flexible spending account may be used to reimburse otherwise eligible expenses of the domestic partner.

11. What happens if a domestic partner becomes a legal spouse of an employee?

Employees must complete a Termination of Domestic Partner Relationship form and return the forms to HR/Benefits within 60 days of the marriage. Such benefit changes will discontinue the imputation of income for the Employer's contribution toward the former domestic partner's coverage and allow the employee's deductions for the former domestic partner's portion of health, dental, and vision premium payments to be made on a pretax basis.

12. What if the domestic partner relationship ends?

A Termination of Domestic Partner Relationship form must be completed and returned to HR/Benefits within 30 days of the event. Benefit eligibility for the former domestic partner and his/her children terminate on the date the relationship ended.

13. What else should employees know?

Tax and legal consequences may be associated with an employee's decision to elect coverage for a domestic partner and the domestic partner's eligible children. As a result, employees are encouraged to seek advice from a tax advisor and/or attorney prior to electing coverage for domestic partners and children.