
FEHB Program Carrier Letter

All Carriers

U.S. Office of Personnel Management
Insurance Services Programs

Letter No. 2015 -18

Date: October 5, 2015

Fee-for-service [15] Experience-rated HMO [15] Community-rated HMO [16]

Subject: FEHB Program coverage for Children of Same-Sex Domestic Partners After Obergefell v. Hodges

Effective January 1, 2014, the Office of Personnel Management (OPM) released final regulations to extend Federal Employees Health Benefits (FEHB) and Federal Employees Dental and Vision Insurance Program (FEDVIP) eligibility to children of same-sex domestic partners of Federal employees and annuitants who would marry their partners but lived in states that did not allow same-sex couples to marry. (For purposes of this document, these children will be referred to as “stepchildren”) Carrier Letter 14-203 provided more information on how agencies/retirement systems will communicate with plans concerning coverage of stepchildren. (Available at <https://www.opm.gov/healthcare-insurance/healthcare/carriers/2014/2014-23.pdf>)

Based on the Supreme Court’s decision in *Obergefell v. Hodges*, published June 26, 2015, all states are now required to allow same-sex couples to marry. Because all states now allow same-sex marriage, OPM is removing the list of states that allow same-sex marriage on our website.

As of the date of this Carrier Letter, agencies will no longer add children of same-sex domestic partners to FEHB enrollments. For plan year 2015, covered stepchildren remain eligible for coverage under the Self and Family enrollment. For plan year 2016 and beyond, couples must be married to cover, or continue to cover, stepchildren under their enrollment. As a result, agencies and retirement systems will be informing you of stepchildren who are no longer eligible for coverage as indicated in Carrier Letter 14-203 as indicated below (guidance has not changed from Carrier Letter 14-203 but is reprinted here for your convenience):

An information only paper SF 2809 will be transmitted to the FEHB plan if the enrollee is removing a child from the Self and Family enrollment.

- The employing office or retirement office will indicate in the Remarks section—code B (# of children being dropped). For example, if the employee/annuitant is indicating one child who is being dropped, the employing office/retirement office will indicate B1 in the Remarks section. If the employee/annuitant is indicating 2 children who are being dropped, the employing office/retirement office will indicate B2 in the Remarks section and so on.

If you have any questions regarding this carrier letter, please contact your OPM contract specialist.

Sincerely,

John O’Brien
Director
Healthcare and Insurance