



## **THE CITY OF NEW YORK OFFICE OF LABOR RELATIONS HEALTH BENEFITS PROGRAM**

### **INSTRUCTIONS FOR THE ADDITION OF DOMESTIC PARTNERS TO CITY HEALTH PLAN COVERAGE**

Pursuant to an agreement between the City of New York and the Municipal Labor Committee, employees and retirees covered by the City Health Benefits Program were granted the right to add their domestic partners to their City health plan coverage as of January 1, 1994. Health benefits available to domestic partners (and their dependent children) are identical to the health benefits offered to married spouses (and their dependent children).

#### **Domestic Partnership Registration Pursuant to Mayoral Executive Order No. 48 (January 7, 1993)**

'Domestic Partnership' is defined as: two people, both of whom are eighteen years of age or older, neither of whom is married or related by blood in a manner that would bar their marriage in New York State, who have a close and committed personal relationship, who live together and have been living together on a continuous basis, who have registered as domestic partners and have not terminated the domestic partnership.

Persons may register through the Office of the City Clerk as domestic partners if they are residents of the City of New York or if at least one partner is employed by the City of New York on the date of registration. The Office of the City Clerk can be reached at (212) 669-2400 or online at [www.cityclerk.nyc.gov](http://www.cityclerk.nyc.gov). No person is eligible to register as a domestic partner who at the time of registration, or at any time during the prior six months, was registered as a member of another domestic partnership.

#### **Requirements for City Health Benefits Coverage**

In order to cover a domestic partner on your City health benefits coverage, you must have a Domestic Partnership Registration Certificate issued by the Office of the City Clerk and complete a Health Benefits Application (if you are already registered as domestic partners through another municipality or governmental authority you may use a copy of the certificate from that authority). The procedure is outlined below:

1. Register as domestic partners with the Office of the City Clerk (or be registered through another municipality or governmental authority).
2. Obtain a Health Benefits Application Form. The form is available on the NYC Office of Labor Relations website at [www.nyc.gov/olr](http://www.nyc.gov/olr) and select "Health Benefits Program."
3. Complete the Health Benefits Application. Include all requested information concerning your domestic partner in the Spouse/Domestic Partner Information section.
4. Please submit this form and a copy of your domestic partner registration certificate electronically (do not mail) to: <https://nycemployeebenefits.leapfile.net>

If it has been more than one year since you registered as a domestic partner, you must submit a government issued Certificate of Domestic Partnership AND Proof of Joint Ownership issued within the last six months (with both names) such as a mortgage statement, lease agreement, utility bills, bank statement, credit card statements and property tax statements.

If any dependent children are being added to your health plan coverage at the same time that you are adding a domestic partner, appropriate documentation of their eligibility must also be submitted with the application in accordance with the rules of the Health Benefits Program which are applied to all employees as described in the New York City Summary Program Description.

Your application will be processed and an effective date will be assigned in accordance with the rules of the Health Benefits Program which are applied to all employees as described in the New York City Summary Program Description, available at [www.nyc.gov/olr](http://www.nyc.gov/olr) under Health Benefits.

### **Welfare Fund Coverage**

Your domestic partner may also be eligible for benefits provided by your union or welfare fund to members' spouses. After your domestic partner certification is approved and accepted, the Office of Labor Relations will issue a letter to you. You can present that letter to your welfare fund to verify the eligibility of your domestic partner for coverage.

### **IMPORTANT NOTES:**

#### **1) TAX CONSEQUENCES OF HEALTH BENEFITS FOR DOMESTIC PARTNERS**

You should be aware that, under IRS rulings, if your domestic partner is not a 'dependent', within the meaning of the Internal Revenue Code, the amount paid by an employer attributable to coverage of a domestic partner is treated as part of the participant's gross income for Federal tax purposes. Consequently, unless you have indicated and provided proof to the Health Benefits Program (e.g. a copy of a recent tax return) that your domestic partner is your dependent; the value of this benefit must be included as income in your Federal tax return for the applicable year. State and local tax treatment of the amount in question will vary among jurisdictions. You should consult the applicable laws and/or a tax professional to ascertain how the amount should be treated in your case.

#### **2) EMPLOYEES WITH DOMESTIC PARTNERS AGE 65 AND OVER**

Medicare is the primary coverage for an employee's domestic partner who becomes Medicare Eligible at age 65. If your domestic partner is 65 or over and has not already enrolled in Medicare Parts A and B or does not have coverage through their employer, it is essential that they enroll in Medicare to maintain maximum coverage and avoid additional medical expenses.

## **Domestic Partner Health Benefits Frequently Asked Questions**

**Q. How do I enroll my domestic partner in health benefits through the City of New York?**

**A.** For information about enrolling your domestic partner in these benefits visit the NYC Office of Labor Relations website at [www.nyc.gov/olr](http://www.nyc.gov/olr) and select Health Benefits.

**Q. How do I enroll my domestic partner in my union or welfare fund benefits (e.g. vision, dental, etc.)?**

**A.** After your domestic partner certification is approved and accepted the Office of Labor Relations will issue a letter to you. You can present that letter to your welfare fund to verify that your domestic partner is eligible for coverage. For information about welfare fund benefits and about enrolling your domestic partner in these benefits you must contact your union or welfare fund directly.

**Q. Can I enroll my domestic partner's child(ren) in my health benefits?**

**A.** To enroll the child(ren) of your domestic partner they must satisfy the rules for all dependent children of employees as stated in the Summary Program Description. To see these rules visit the NYC Office of Labor Relations website at [www.nyc.gov/olr](http://www.nyc.gov/olr) and select Health Benefits.

**Q. Is health benefits coverage for a domestic partner taxable?**

**A.** Yes. If a domestic partner is not a 'dependent' as specified in the Internal Revenue Code then, per IRS rules, the entire cost for coverage of a domestic partner must be treated as part of the employee's gross income for Federal tax purposes. Consequently, unless you have provided proof to the Health Benefits Program (e.g. a copy of a recent tax return) that your domestic partner is a qualified dependent the value of this benefit will be included as income in your Federal tax return. State and local tax treatment will vary. Consult the applicable laws and/or a tax professional for more detailed information.

**Q. How much will the taxable amount be?**

**A.** The amount is calculated based on several factors including how many months a domestic partner was covered by an employee during the tax year and the how much the premium was for that coverage.

**Q. What happens if I marry my domestic partner?**

**A.** If you marry your domestic partner you will not have to pay tax on the health benefits provided to your domestic partner during the entire calendar year in which you marry. You must notify the Health Benefits Program in writing. Send a letter which includes your Social Security Number, Employee ID Number, name of the agency in which you work and a copy of your Marriage Certificate to: <https://nycemployeebenefits.leapfile.net>

Once you provide that information your domestic partner will continue to receive health benefits as your spouse.

**Q. Can I have both a spouse and a domestic partner on my coverage?**

**A.** No.

**Q. How do I take my domestic partner off of my health benefits?**

- A.** To remove your domestic partner from your health benefits you must complete a Health Benefits Application “dropping” your domestic partner (if the domestic partnership is dissolved then you are required to remove your domestic partner from your coverage). To obtain an application consult your agency personnel office or visit the Office of Labor Relations website at [www.nyc.gov/olr](http://www.nyc.gov/olr) and select Health Benefits. You must consult your agency personnel office to find out where to submit the completed application.

**Q. How do I take my domestic partner off of my union or welfare fund benefits?**

- A.** To terminate coverage for your domestic partner from union or welfare fund health related benefits you must contact your union or welfare fund directly.