



**Eligibility**

***Do not apply for a waiver until you have met all the eligibility criteria:***

To qualify for a waiver of your Empire Plan premium, you must meet **all four** of the following requirements:

1. You are currently enrolled in the Empire Plan
2. You have been totally disabled as a result of sickness or injury, on a continuous basis, for a minimum of six biweekly payroll periods for State Agency employees or 3 months for either Participating Employer or Participating Agency employees;
3. You are on authorized Leave Without Pay, unpaid Family and Medical Leave or covered under Preferred List or UUP retrenchment provisions.

For District Council 37, M/C and Legislature: If you receive Long-Term Disability payments from the New York State Income Protection Plan or Legislative Long-Term Disability Protection Plan, and you pay the full cost of your premium, you are eligible to apply for a waiver.

AND

4. You kept your coverage in effect while you were off the payroll by paying either:
  - the required full cost of your health insurance premium (your employee contribution and the employer contribution) if you are on Leave Without Pay; or
  - the employee contribution if you are covered under Family and Medical Leave or covered under Preferred List or UUP retrenchment provisions.

<b>NOT ELIGIBLE:</b>	You are not eligible for the waiver if you are still receiving income through salary, sick leave accruals or retirement allowance. If you are a NY State Agency employee out of work on a workers' compensation disability leave for health insurance purposes, you are <b>not</b> eligible for a waiver of premium. A waiver of premium is <b>not available for New York State-administered dental or vision premiums.</b>
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**Waiver is Not Automatic**

A waiver of premium is **not** automatic. You must apply for it (using the enclosed PS-452) and you must continue to pay your health insurance premiums until you are notified that the waiver has been granted. You will receive a refund for any overpayments.

**Waiver Ends If...**

The waiver may continue for up to one year during your period of total disability **unless**:

- You return to the payroll
- You are no longer covered under Leave Without Pay, Family and Medical Leave, Preferred List or UUP retrenchment provisions.
- You are no longer disabled
- You are no longer a State employee
- You vest your health insurance coverage rights
- You retire
- You die

### **How to Apply for a Waiver of Premium**

To apply for a waiver of premium obtain Form PS-452 from your agency Health Benefits Administrator. After you, your agency and your physician have filled in the required information, return the completed form to:

United HealthCare  
Eligibility Unit  
505 Boices Lane  
Kingston, NY 12402

**You must apply during the period in which you meet the eligibility requirements for a waiver. You may *not* apply after you return to the payroll or vest or retire.**

### **What Happens Next**

United HealthCare will review your application. The application will be returned to you, if it is not complete. United HealthCare will review the completed application and determine the period of disability or disapprove, based on the information provided in the application. United HealthCare will then forward their recommendation to the Employee Benefits Division at the Department of Civil Service who will make the final determination on your eligibility for the waiver of premium. This whole process takes approximately four weeks, at which time you will receive notification whether or not the waiver has been approved.

Employees of NY State agencies should address any questions to the Leave Without Pay Unit at 1-800-833-4344. Employees of Participating Agencies or Participating Employers should address questions to their employing agency.

### **Additional Waiver of Premium**

If you received a waiver of premium for up to one year, you must return to work for six biweekly payroll periods for State Agency employees or 3 months for either Participating Employer or Participating Agency employees, before being eligible for an additional waiver of premium. If you have not returned to work, you may not use accruals to return to the payroll for a brief period in order to qualify for an additional waiver.

If you received a waiver of premium, return to work and continue health insurance coverage, but must stop working due to the same disability, the following rules apply:

- If you must stop working before qualifying for new waiver period, you may resume coverage under the previous waiver for the remainder of the formerly approved waiver period. You must file a new waiver of premium application to resume coverage for the balance of the formerly approved waiver period, which includes the time back to work.
- If you stop working after qualifying for new waiver period, you may apply for a new waiver of premium for an additional one-year period.

There is no lifetime limit to the number of waivers you may receive. You will be notified if an additional waiver has been granted.