



Enrollment of Spouses Due to Marriage

This is a reminder for all self-funded health plans of the IRS regulation concerning the addition of newly married spouses to the health plan **on a prospective basis**.

According to the Special Enrollment Rights: “If the event was a marriage, the coverage is required to be effective no later than the first day of the first calendar month beginning after the date the completed request for enrollment is received by the plan.” Because coverage is not required retroactively (as is the case when a newborn is added), a salary reduction may only be charged on a prospective basis – meaning that a spouse can only be added to the health plan on a prospective basis.

What this means to you: All enrollments of newly married spouses to your health plan must be added on a prospective basis.

- **The marriage date can be used as the effective date if the employee notified you prior to (or on) the date of marriage and the enrollment form is signed prior to marriage date.**
- **If the employee notifies the employer after the date of marriage, then the spouse will be effective the first of the month after notification is received by the employer.**

The enrollment with the carrier will not be effective prior to the date of marriage regardless of the time frame the employee notifies the employer. The pre-emptive notification by the employee allows the employer to add the spouse as of the date of marriage but does not require the employer to add the spouse before the first of the following month. Under no circumstances can a member be added to the plan prior to the date of notification or the date of marriage.

BENECON