

Plan Year 2018 and 2019 Benefits

# Medicare Advantage Plan



JOIN PEIA!



## Introduction

Welcome to your PEIA Medicare Advantage Plan Benefit Booklet. This booklet describes the benefits provided for certain PEIA-covered, Medicare-eligible retirees for Plan Years 2018 and 2019. PEIA has a contract with Humana, Inc. to provide health and prescription drug benefits to Medicare-eligible retired employees and Medicare-eligible dependents of retired employees through the Medicare Advantage and Prescription Drug (MAPD) Plan. These benefits are for members whose primary insurance is Medicare.

This booklet provides information about who you can cover under your insurance, when you can make changes, and other rights you have. It contains some information about your life insurance, although the details of the coverage are found in your Life Insurance Benefit Booklet from Minnesota Life.

Information in this booklet regarding the benefits provided by Humana's MAPD plan is very limited. You should refer to your Humana Member Guide and Evidence of Coverage for benefit details. Each eligible member has received detailed information about the plan from Humana. If you have questions about your Medicare Advantage Plan, please contact Humana at **1-800-783-4599**.

## Reminder

Healthy Tomorrows – You may have heard about PEIA's Healthy Tomorrows plan, a three-year initiative for active employees and non-Medicare retirees that urges them to name a primary care physician, know their numbers for blood pressure, glucose, cholesterol and waist circumference and then to maintain their numbers in a healthy range. This program is for active employees and non-Medicare retirees ONLY. Medicare retirees are exempt from the Healthy Tomorrows requirements.

## Subject to Change

The benefit information in this booklet is subject to change during the plan year, if circumstances arise which require adjustment. Plan changes will be communicated to participants and incorporated into the next edition of this booklet.

## NOTE

**The Open Enrollment period for health coverage for Medicare retirees is now held each fall, and the Plan Year is from January 1 to December 31.**

**Open Enrollment for Mountaineer Flexible Benefits will continue to be held each April, and the Plan Year remains July 1 to June 30.**



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# Public Employees Insurance Agency

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WV Toll-free: 1(888)680-7342  
Phone: 1 (304) 588-7850  
Fax: 1 (877) 233-4295  
Website: [www.wvpeia.com](http://www.wvpeia.com)

Dear Medicare Retiree,

As a result of the recent legislative session, PEIA benefits have been frozen until July 2019. Since your Medicare Plan Year runs on the calendar year, your benefits would not change until at least January 2020, unless some unanticipated fiscal emergency required a change.

This booklet describes the benefits that will be in place until at least January 2020, barring anything unforeseen. Please read this booklet, then keep it somewhere safe. It will serve as your PEIA benefits guide until Plan Year 2020. We will not publish a separate benefit booklet in 2019.

If something unforeseen requires a benefit change before January 2020, you will be informed via letter, and any benefit change would be covered in detail in the Plan Year 2019 Shopper's Guide in October.

We're trying to save trees and money by not mailing benefit booklets unnecessarily.

Thanks for your cooperation!

Your PEIA Benefits Team



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## Who to Call with Questions

Each entity that provides benefits under the PEIA plan has a national toll-free customer service telephone number. If you have benefit questions, please start with the numbers listed below:

### **PEIA:**

Answers to questions about eligibility and life insurance.

WV Public Employees Insurance Agency at **1-304-558-7850** or **1-888-680-7342** or on the web at **[www.wvpeia.com](http://www.wvpeia.com)**

### **Humana:**

Answers to questions about health claims, benefits, prescriptions and claim appeals. Humana, Inc. at **1-800-783-4599**

### **Mountaineer Flexible Benefits:**

Dental, vision, and hearing coverage.

FBMC Benefits Management at **1-844-559-8248** or on the web at **[www.myfbmc.com](http://www.myfbmc.com)**

### **Life Insurance:**

Basic, optional and dependent life insurance claims and questions. Minnesota Life at **1-800-203-9515**

## Terms and Definitions

**Affordable Care Act (ACA) Out-of-Pocket Maximum:** The Affordable Care Act places a limit on how much you must spend for healthcare in any plan year before your plan starts to pay 100% for covered essential health benefits. This limit includes deductibles (medical and prescription), coinsurance, copayments, or similar charges and any other expenditure required of an individual which is a qualified medical expense for the essential health benefits. This limit does not include premiums, balance billing amounts for non-network providers and other out-of-network cost-sharing, or spending for non-essential health benefits.

The maximum out-of-pocket cost for any Plan Year can be no more than the rates set by the federal government for individual and family plans. Because PEIA's plans have out-of-pocket maximums that are substantially lower than the ACA required limits, the ACA out-of-pocket maximum should never come into play for PEIA Medicare Advantage Plan members.

**Benefit Assistance:** A program offered by PEIA that reduces the medical and prescription drug out-of-pocket costs for retirees with Medicare and at least 15 years of public service whose income is at or below 250% of the Federal Poverty Level. Retiree Premium and Benefit Assistance Program applications are mailed each Spring to retired employees. Members receiving benefit and/or premium assistance may not enroll in Humana/PEIA Plan 2.

**Beneficiary:** The person who receives the proceeds of your PEIA-sponsored life insurance policy.

**Dependent:** An eligible person, under PEIA guidelines, whom the policyholder has properly enrolled for coverage under the Plan. Dependents may be covered under the PEIA PPB Plan (if not yet eligible for Medicare), the Special Medicare Plan or the Medicare Advantage Plan, depending on their age and Medicare status.

**Handicap:** A medical or physical impairment which substantially limits one or more of a person's major life activities. The term "major life activities" includes functions such as care for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working. "Substantially limits" means interferes with or affects over a substantial period of time. Minor, temporary ailments or injuries shall not be considered physical or mental impairments which substantially limit a person's major life activities. "Physical or mental impairment" includes such diseases and conditions as orthopedic, visual, speech and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; autism; multiple sclerosis and diabetes. The term "handicap" does not include excessive use or abuse of alcohol, tobacco or drugs.

**Insured:** Someone who is eligible for and enrolled in the benefits plan offered by PEIA. Insured refers to anyone who has coverage under any plan offered by PEIA.

**Legal Guardianship:** A legal relationship created when a person or institution is named by the Court to take care of minor children. Eligibility for guardianship requires an Order from a Court of Record. Notarized documents signed by parents assigning "guardianship" are not sufficient to establish eligibility. The term "guardian" may also refer to someone who is Court-appointed to care for and/or handle the affairs of a person who is incompetent or incapable of administering his/her affairs. Sometimes a separate person is appointed to handle the financial matters of the child(ren) or the adult and that relationship is called a conservatorship.

**Medicare:** The federal program of health benefits for retirees and other qualified individuals as established by Title XVII of the Social Security Act of 1965, as amended. Parts A and B provide medical coverage to Medicare beneficiaries. To be eligible for benefits from PEIA, the Medicare-eligible member is REQUIRED to enroll for both Medicare Parts A and B. Medicare Part D prescription drug coverage is provided by Humana.

**Medicare Advantage and Prescription Drug Plan (MAPD):** A type of Medicare Advantage plan that combines Medicare Parts A, B, and D into one comprehensive benefit package. PEIA provides benefits to Medicare-eligible retired employees and Medicare-eligible dependents of retired employees through the MAPD plan offered by Humana, Inc.

**Medicare Beneficiary:** Individual eligible for Medicare as established by Title XVII of the Social Security Act of 1965, as amended.

**Member:** A policyholder or dependent enrolled in a program by PEIA.

**Plan Year:** For Medicare-eligible members, it is the 12-month period beginning January 1 and ending December 31. This is the same as Medicare's Plan Year. For active employees and non-Medicare retirees or dependents, the plan year is July 1 - June 30, the State's fiscal year.

**Policyholder:** The employee, retired employee, surviving dependent or COBRA participant in whose name the PEIA provides any health or life insurance coverage.

**Premium:** The payment required to keep coverage in force.

**Premium Assistance:** A program offered by PEIA that reduces the monthly premium payment for the retiree or surviving dependent. Premium assistance is available to both Medicare and non-Medicare retirees with at least 5 years of service. The premium assistance program pays part of your health insurance premium if your gross income at or below

250% of Federal Poverty Level. Retiree Premium and Benefit Assistance Program applications are mailed each Spring to retired employees. Members receiving premium and/or benefit assistance may not enroll in Humana/PEIA Plan 2.

**Waiver of Premium:** Members who become disabled before age 60, and while insured, may continue basic life insurance coverage without further payment of premium for the duration of the disability. To be considered disabled, the member must be unable to do any work for pay or profit. Application for a waiver of premium must be provided to PEIA's life insurance carrier within 12 months of the member's last day worked.

## What PEIA Offers

### Health Coverage

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PEIA offers medical and prescription drug benefits through Humana's Medicare Advantage and Prescription Drug (MAPD) plan to all Medicare-eligible retired employees and Medicare-eligible dependents of retired employees. For retired employees and dependents who are not eligible for Medicare, PEIA offers PEIA PPB Plan A and PEIA PPB Plan B.

### Life Insurance

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If you continued your life insurance at the time of retirement, you are eligible for Basic life insurance benefits. You may also have elected to continue your optional and/or dependent life insurance coverage. Eligibility and enrollment details for the life insurance plans are included in this booklet. For a complete description of the life insurance benefits, please see the Life Insurance Booklet provided by Minnesota Life.

### Mountaineer Flexible Benefits

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Mountaineer Flexible Benefits is a plan which offers dental, vision and hearing coverage for retired employees. Although Open Enrollment for health insurance for Medicare-eligible retirees is now held in October, Open Enrollment for Mountaineer Flexible Benefits is held each Spring. The current information about these benefits and associated premiums is included in the Mountaineer Flexible Benefits enrollment materials, which are mailed to all eligible retired employees each Spring. If you have questions about these benefits, contact FBMC Benefits Management at **1-844-559-8248**.

## Eligibility and Enrollment for Retired Employees

### Who Is Eligible

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As a retired public employee, you are eligible for health and life benefits through PEIA, provided you meet the minimum retirement eligibility requirements of the applicable State retirement system and your last employer immediately prior to retirement is a participating employer under the State retirement system.



Members who participate in a non-State retirement system must, in the case of education employees (such as TIAACREF or similar plans), meet the minimum eligibility requirements of the State Teachers Retirement System, and in other cases, meet the minimum retirement eligibility requirements of the Public Employees Retirement System.

If you have questions about your retirement, contact the Consolidated Public Retirement Board (CPRB) toll-free at **1-800-654-4406**.

## **Return to Active Employment**

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If you retire, then return to active employment with a participating agency, you will lose your right to use your sick and/or annual leave for extended employer-paid PEIA coverage. When you return to active employment, you have PEIA benefits as an active employee, which makes your new effective date of coverage in the PEIA plan after July 1, 2001, and therefore you are ineligible for the sick/annual leave benefit. The only exception to this rule is provided for those who participated in the plan prior to July 1, 2001, and who become reemployed with an employer participating in the plan within two years following separation from employment (retirement). In this case, the employee would be permitted to apply any sick and/or annual leave earned after re-employment, toward health premiums at retirement.

Employees hired on and after July 1, 2010, will not receive any plan subsidy of their premiums at retirement. These employees may continue coverage in the plan at retirement, but must pay the unsubsidized premium for the coverage of their choice. Two exceptions will be made to this rule:

1. Active employees hired before July 1, 2010, who separate from public service but return within two years of their separation may be restored to their original (pre-July 1, 2010) hire date.
2. Retired employees who had an original hire date prior to July 1, 2010, may return to active employment and retain their pre-July 1, 2010, original hire date for purposes of determining their eligibility for premium subsidy.

## **Disability Retirement**

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A member who is granted disability retirement by a state retirement system or who receives Social Security disability benefits is eligible to continue coverage in the PEIA Plan as a retired employee, provided that the member meets the minimum years of service requirement of the applicable state retirement system. Members in this category pay the same premiums as those with 25 or more years of service, unless that member was hired on or after July 1, 2010. Employees hired on or after July 1, 2010, are not eligible for subsidized premiums upon retirement.

## **Medicare**

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As a retired employee or a dependent of a retired employee, when you become an eligible beneficiary of Medicare, you must enroll in Medicare Parts A and B and provide your Medicare Claim Number (located on your Medicare card below your name) to PEIA.

Medicare Part A is an entitlement program and is available without payment of a premium to most individuals. Part B is the supplementary medical insurance program that covers physician services, outpatient laboratory and x-ray tests, durable medical equipment and outpatient hospital care. Part B requires payment of a monthly premium. PEIA requires that you enroll for Part B.

Most Medicare-eligible retired employees and Medicare-eligible dependents of retired employees have coverage through Humana's Medicare Advantage plan. This plan provides both medical and prescription drug coverage for those

Medicare-primary members. To be eligible for Humana's Medicare Advantage plan, the member must enroll for Medicare Parts A and B. If you do not enroll in Medicare Parts A and B and pay the monthly premium, you are not eligible for Humana's Medicare Advantage plan or any health coverage from PEIA.

Medicare offers prescription drug coverage through a program called Medicare Part D. Please be aware that you should NOT purchase Medicare Part D coverage. You DO NOT need to enroll in a separate Medicare Part D plan, since PEIA provides prescription drug coverage for retirees with Medicare through its contract with Humana. If you enroll in a separate Medicare Part D plan, you will be disenrolled from all medical and prescription benefits from PEIA. You will have only original Medicare Parts A, B and D with no secondary coverage.

## **Dependents**

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If you elect PEIA coverage, you may also enroll the following dependents with proper documentation:

- your legal spouse;
- your biological or adopted children or stepchildren under age 26;
- other children for whom you are the court-appointed guardian to age 18.

From time to time PEIA may conduct eligibility audits to verify that policyholders and dependents in the plan qualify for coverage. If you are audited, you will have to produce documentation for the dependent in question. If you cannot prove that the dependent qualifies for coverage, coverage will be terminated retroactively to the date the dependent would otherwise have been terminated, and PEIA will pursue reimbursement of any medical or prescription drug claims paid during the time the dependent was ineligible.

## **How to Enroll or Make Changes**

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You may make changes to your coverage in limited circumstances. To do so, you must use PEIA's online system at [www.wvpeia.com](http://www.wvpeia.com), or complete the proper enrollment forms available from PEIA. Enrollment forms will authorize deduction of the premiums from your annuity for the coverages you select. If you pay PEIA directly, enrollment forms authorize PEIA to amend your billing.

There are restrictions on how and when you may enroll and make changes in your coverage. Please read all sections of this booklet carefully, so that you fully understand your options and responsibilities.

### **PEIA Special Medicare Plan/Humana's Medicare Advantage Plan**

You may enroll for PEIA retiree benefits regardless of age or Medicare status, as long as you meet the eligibility requirements. Non-Medicare retirees have benefits through the PEIA PPB Plan A, PEIA PPB Plan B or the managed care plan of their choice. Most Medicare-eligible retirees receive their benefits from Humana's Medicare Advantage plan, although in a few limited circumstances, some Medicare retirees may receive their benefits from Original Medicare and the PEIA Special Medicare plan.

### **Life Insurance**

The election to continue your basic, optional and dependent life insurance was made at the time of retirement. As a retired employee, you may decrease your life insurance, but you may not elect or increase life insurance.

## Dependents

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You may enroll dependents for health coverage when you enroll as a retiree, and if you do, their coverage begins the same day as yours. You may enroll dependents for health coverage outside your initial enrollment period only if you experience a qualifying event. If you enroll them at a later date, their coverage will become effective the first day of the month following enrollment. In the absence of a qualifying event, you may only enroll dependents for health coverage during Open Enrollment. Coverage will be effective on the first day of the following plan year. To add a dependent to your coverage, you must submit documentation to prove that this is an eligible dependent. As a result of federal regulations, PEIA is required to collect and maintain the Social Security number of each covered person; therefore, dependents (except newborn children) cannot be added to PEIA coverage without a Social Security number.

If you are adding a dependent to your existing dependent life insurance policy at a date later than the calendar month following an enrollment event or the next two months, coverage will not become effective until medical information has been submitted to, and approved by, PEIA's life insurance carrier. To add a dependent to your coverage, you must submit documentation to prove that this is an eligible dependent.

### Health Coverage

You should enroll new dependents during the calendar month of, or the two calendar months following, the date of the qualifying event that makes them eligible (i.e., date of marriage, date of birth or adoption) even if you already have family coverage. If you do not enroll them at this time, you will not be able to enroll them until the next Open Enrollment period, with coverage effective on the first day of the next plan year.

### Life Insurance

Add new dependents to your existing dependent life insurance policy during the calendar month of or the two calendar months following the date they become eligible (i.e., date of marriage, date of birth or adoption). Otherwise, you will have to submit a medical information form and be approved to obtain dependent life insurance coverage.

## Special Rules for Newborn or Adopted Children

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### Newborn Child

When you have a child you must:

- Enroll your biological newborn child during the calendar month of birth or the two following calendar months;
  1. coverage will be made effective retroactive to the date of birth,
  2. any premium increase associated with the addition of this child will also be retroactive to the month of birth, and
  3. if you do not enroll your newborn within this time frame, you cannot add the newborn child until the next open enrollment period.
- Provide documentation:
  1. PEIA will accept the Certificate of Live Birth from the hospital as documentation to enroll the child initially, but you must provide the Birth Certificate as soon as you have it or PEIA will suspend the child's coverage until we receive it;
  2. you do not need a Social Security Number to enroll your newborn, but when you get the baby a Social Security Number, please provide it to your benefit coordinator or to PEIA.

## Adopted Child

When you adopt a child you must:

- Enroll an adopted child during the calendar month the child is placed in your home or the two following calendar months;
  1. coverage will be made effective retroactive to the date of placement, and any premium increase associated with the addition of this child will also be retroactive to the date of placement.
  2. Coverage for an adopted infant will become effective the day the adoptive parents are legally and financially responsible for the medical expenses if bona fide legal documentation is presented to PEIA.
  3. If you do not enroll your child within this timeframe, the adopted child cannot be added to your coverage until the next open enrollment period.
- Provide documentation:
  1. PEIA requires a copy of the adoption papers to enroll the child.
  2. In the case of a foreign adoption, PEIA requires adoption papers in English, and may require an entry visa and/or statement from the U. S. consulate in the country of origin recognizing the adoption.

## Life Insurance

**Newborn Child:** If you add a biological newborn child to your existing dependent life insurance policy during the calendar month of or the two calendar months following the date of birth, coverage will be made effective retroactive to the date of birth, and any premium increase associated with the addition of this child will also be retroactive to the month of birth.

**Adopted Child:** If you add an adopted child to your existing dependent life insurance policy during the calendar month of or the two calendar months following the date of placement in your home, coverage will be made effective retroactive to the date of placement, and any premium increase associated with the addition of this child will also be retroactive to the date of placement.

## Eligibility and Enrollment for Surviving Dependents

### Who Is Eligible

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If you are a surviving spouse or dependent of an active or retired public employee, and you were insured under the policyholder's health coverage at the time of the policyholder's death, you may elect to continue health coverage as a policyholder in your own right under your health plan. To do so, you will need to complete a Surviving Dependent enrollment form available from PEIA.

### Surviving Spouse

As a surviving spouse, your PEIA coverage may continue as long as you complete the required paperwork, pay your required premiums, and remain unmarried. The surviving spouse's eligibility for PEIA coverage terminates upon remarriage.

If you are a surviving spouse and you choose not to enroll immediately for coverage, you may elect PEIA health coverage during a future Open Enrollment Period, if you have not remarried. If a divorce occurs after a remarriage, re-enrollment as a surviving dependent is not allowed.

## Dependent Children

Surviving dependent children are eligible to continue health coverage, if they were enrolled in health coverage at the time of the policyholder's death, subject to the same age restrictions as other dependent children in the PEIA plan.

- The deceased policyholder's biological or adopted children or stepchildren may continue coverage to age 26
- Other children for whom the deceased policyholder was the court-appointed guardian to may continue coverage to age 18

Surviving dependent biological children, adopted children, or stepchildren may be covered under the plan to age 26, regardless of their residency, marital status, or the availability of other insurance coverage. The dependent child's marriage is a qualifying event to cancel PEIA coverage. A married surviving dependent child may not enroll his or her spouse for PEIA coverage.

## Eligibility Audits

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From time to time PEIA may conduct eligibility audits to verify that policyholders and dependents in the plan qualify for coverage. If you are audited, you will have to produce documentation for the insured individual in question. If you cannot prove that the individual qualifies for coverage, coverage will be terminated retroactively to the date the individual would otherwise have been terminated, and PEIA will pursue reimbursement of any medical or prescription drug claims paid during the time the individual was ineligible.

## How to Enroll

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Surviving dependents who are covered by the Medicare Advantage Plan are automatically enrolled for coverage effective on the first of the month following the death of the policyholder. Surviving dependents are mailed a letter and disenrollment form upon notification of the policyholder's death. The letter includes the monthly premium for the surviving dependent health coverage, and instructions for the survivor. Coverage is automatically continued for one month. If the surviving dependent wishes to remain covered by PEIA, no action is required. If the policyholder wishes to cancel this coverage, he or she simply completes the form mailed by PEIA and submits it. Coverage will be cancelled at the end of the month following receipt of the cancellation form.

In the event that the surviving dependent is a retired public employee who is benefit-eligible in his or her own right, the surviving dependent must choose whether to enroll as a surviving dependent of the policyholder, or as a retired employee.

- If enrolled as a surviving dependent on or after July 1, 2015, premiums are based on the Medicare or non-Medicare (depending on the survivor's age) retiree premium and the years of service earned by the deceased policyholder, but the surviving dependent is not eligible for life insurance.
- Those who were enrolled before July 1, 2015, were grandfathered under the previous benefit and continue to pay premiums based on 25 or more years of service.
- If enrolled as a retired employee, premiums will be based on the surviving employee's own years of service, and he or she will be eligible for life insurance.

If you need help evaluating which would be better, please contact PEIA's customer service unit at **1-888-680-7342**.

# Special Eligibility Situations

## Disabled Child

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Your dependent child may continue to be covered after reaching age 26 if he or she is incapable of self-support because of mental or physical disability. To be eligible:

- the disabling condition must have begun before age 26;
- the child must have been covered by PEIA upon reaching age 26; and
- the child must be incapable of self-sustaining employment and chiefly dependent on you for support and maintenance. To continue this coverage, contact PEIA for an application. You will be asked to provide documentation periodically thereafter.

## Court-Ordered Dependent (COD)

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If a PEIA-insured retired employee and his or her retired spouse divorce, and the retired employee is not the custodial parent for the dependent child(ren), the employee may continue to provide medical benefits for the child(ren) through the PEIA plan. If the non-custodial parent is ordered by the court to provide medical benefits for the child(ren), the custodial parent may submit medical claims for the court-ordered dependent(s), and benefits may be paid directly to the custodial parent. Special claim forms are required. The custodial parent will also receive Explanations of Benefits (EOBs) for the CODs as claims are processed. Contact PEIA to discuss this benefit.

## Medicare Retired Policyholder with Non-Medicare Dependents

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If you are a Medicare retiree with non-Medicare dependents, then the Medicare beneficiary has benefits through Humana's MAPD plan. The non-Medicare dependents of the Medicare policyholder have coverage through PEIA PPB Plan A. The MAPD plan member's benefits will run on the Medicare Plan Year, January – December; and the non-Medicare members' plan year will run on the State's fiscal year (July – June).

The non-Medicare dependents' benefits are described in the current Summary Plan Description, which is available on PEIA's website at [www.wvpeia.com](http://www.wvpeia.com) or you can request a copy by calling PEIA's customer service unit at **1-888-680-7342**.

## Members Who Reside and Incur Medical Claims Outside the U.S.

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Medicare-eligible retirees who reside and incur medical claims outside the United States have benefits through Special Medicare Plan. Medical claims will be processed by HealthSmart, and the PEIA plan will pay only the amount which would have been paid if Medicare had processed your claim and made a payment. Prescription drug claims will be processed by CVS Caremark.

## Special Medicare Plan

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Humana's provider access issues in some areas of the country have compelled PEIA to create the Special Medicare plan. Members who are unable to access medical care through the Medicare Advantage Plan have been permitted, on

a case-by-case basis, to move into PEIA's Special Medicare Plan. Under this plan, the member purchases traditional Medicare Parts A and B, and their secondary medical and prescription drug claims are processed by HealthSmart and CVS Caremark, respectively.

Medical and prescription drug benefits under the Special Medicare Plan are generally the same as those provided under the Medicare Advantage Plan; however, there is a variance in the prescription drug benefit. Retirees in the Special Medicare Plan pay 75% coinsurance for non-preferred (tier 3) drugs, while members of the Humana MAPD plan pay only 50% coinsurance for non-preferred drugs.

Medicare-eligible employees who retire after the beginning of a plan year, and retired employees who become eligible for Medicare during the plan year, will be enrolled in the Special Medicare plan, too, since the Medicare Advantage Plan cannot give these members credit for deductibles and out-of-pocket maximum amounts met in the PEIA PPB plan. Those who become eligible for the Special Medicare plan during a plan year have the right to request immediate enrollment in the Humana plan. Call PEIA for details.

If you have questions about the benefits of the Special Medicare plan, please contact PEIA's customer service unit at **1-888-680-7342**.

## **Members Who Receive Veterans Administration (VA) Benefits**

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If you receive VA benefits for a prescription drug claim, you must choose, for each prescription you fill, whether to submit the claim to the VA or to the Medicare Part D Plan for reimbursement. You should look carefully at what your cost will be under each benefit plan and make the decision that is best for you.

If you receive VA benefits for medical services, you may submit any bills you receive from the VA to the Medicare Advantage plan for reimbursement of the patient share amount.



## Other Important Plan Details

### Plan Changes and Qualifying Events

A qualifying event is a personal change in status which may allow you to change your benefit elections. Examples of qualifying events include, but are not limited to, the following:

1. Change in legal marital status – marriage or divorce of policyholder or dependent
2. Change in number of dependents – birth, death, adoption, placement for adoption, award of legal guardianship
3. Change in employment status of the retired employee’s spouse or dependent – switching from part-time to fulltime employment status or from full-time to part-time, termination or commencement of employment, a strike or lockout, commencement of or return from an unpaid leave of absence which results in retired employee/dependent becoming ineligible for coverage
4. Dependent satisfies or ceases to satisfy eligibility requirement.

If you experience a qualifying event, in most cases, you have the month in which the event occurs and the two following calendar months to act upon the qualifying event and change your coverage. If you do not act within that timeframe, you cannot make the change until the next open enrollment. Qualifying events which end eligibility (such as divorce) must be reported immediately. To make a change in your coverage, use PEIA’s online enrollment site, “Manage My Benefits” or get a Change-in-Status form from PEIA. ALL changes require additional documentation as detailed in the chart below.

Qualifying Event	Documentation Required
Divorce	Copy of the divorce decree showing that the divorce is final
Marriage	Copy of valid marriage license or certificate
Birth of Child	Copy of child’s birth certificate
Adoption	Copy of adoption papers
Adding coverage for a dependent child	Copy of child’s birth certificate
Adding coverage for any other child who resides with policyholder	Copy of court-ordered guardianship papers
Open Enrollment under spouse’s or dependent’s employer’s benefit plan	Copy of printed material showing open enrollment dates and the employer’s name
Death of spouse or dependent	Copy of death certificate
Beginning of spouse’s or dependent’s employment	Letter from the employer stating the hire date, effective date, what coverage was added, and what dependents are covered
End of spouse’s or dependent’s employment	Letter from the employer stating the termination or retirement date, what coverage was lost, and dependents that were covered
Significant change in health coverage due to spouse’s or dependent’s employment	Letter from the insurance carrier indicating the change in insurance coverage, the effective date of that change and dependents covered
Unpaid leave of absence by spouse or dependent	Letter from the employer stating the date the covered person went on unpaid leave or returned from unpaid leave
Change from full-time to part-time employment or vice versa for policyholder, spouse or dependent	Letter from the employer stating the previous hours worked and the new hours worked and the effective date of the change



## Annual Open Enrollment

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Open Enrollment is the time of year when members can make benefit changes without a Qualifying Event. Policyholders can add or drop dependents during this time without having to provide a reason. Humana members can also choose among the available Humana Plans with coverage effective on January 1 of the following year.

Also during Open Enrollment, eligible policyholders who have not taken advantage of any health coverage from PEIA have the opportunity to enroll, subject to the deadlines and rules in force for that enrollment period. Coverage becomes effective on the first day of the next plan year.

Open Enrollment dates are determined by the policyholder's status. Policyholders in the Humana MAPD or Special Medicare Plans have Open Enrollment during the month of October, with benefits effective on January 1 of the following year. Active employees and non-Medicare policyholders have Open Enrollment during the month of April with changes effective on July 1 of that year.

## Identification Cards

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Humana mails ID cards to their members upon enrollment in the plan, and subsequently when there are changes in the plan that warrant a new card. For additional or replacement cards, call Humana at the number in the front of this booklet.

## Keeping Your Life Insurance Beneficiary Up To Date

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Medicare retirees should keep their basic and optional life insurance beneficiaries up to date. If you have internet access, you can check and update your beneficiaries using the Manage My Benefits website. Here are the step-by-step instructions:

1. Type [www.wvpeia.com](http://www.wvpeia.com) into your web browser.
2. When you reach our home page, click on the green Manage My Benefits button in the upper right corner.
3. Register to use the site (if you haven't used it before) or log in with the username and password you selected.
4. You'll land on the page that shows all of your coverage as of today's date.
5. Scroll down the page to Basic Life Coverage.
6. You'll see your current beneficiaries listed. To change them, click on the "Change My Basic Life Beneficiaries" button
7. You'll see a listing of your beneficiaries with Edit and Delete buttons. If you scroll down, you'll also see a button to Add a Beneficiary.
8. When you're done making changes, scroll to the bottom of the page and click the Finalize button.
9. This will take you to the Beneficiary Summary page where you can finish editing your beneficiaries. Be sure to click the Finalize button to save your changes.
10. This will change your life insurance beneficiaries effective immediately.
11. If you don't have internet access, you can call PEIA to request a Change of Beneficiary form. Due to privacy concerns, PEIA does not give out beneficiary information over the telephone.

## Your Responsibility to Make Changes

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It is your responsibility to keep your PEIA enrollment records up to date. You must notify PEIA immediately of any changes in your participation status or in your family situation, and complete the appropriate change forms to keep your PEIA coverage up to date. Examples of such changes include a change of address, a change in your marital status, or a dependent child no longer qualifying for coverage.

You should notify PEIA whether you belong to the Humana's Medicare Advantage plan or if you've elected only life insurance coverage. If you fail to notify PEIA promptly of changes in your family status, your plan may adjust claims paid for ineligible enrollees.

## When Coverage Ends

### Voluntary Termination of Benefits

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Coverage for a retired employee will terminate at the end of the calendar month in which the retiree elects no longer to participate, as long as the retired employee has experienced a qualifying event which would allow him or her to terminate coverage. In the absence of a qualifying event, coverage cannot be dropped until the following Open Enrollment period, with the cancellation effective on December 31 at the end of the plan year.

For retiring employees, coverage will terminate at the end of the month in which the employee ceases active employment, unless forms have been completed to continue coverage through their retirement system.

### Dependents/Surviving Dependents

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Coverage for dependents terminates at the end of the calendar month in which one of the following occurs:

- policyholder (active or retired) terminates or loses coverage;
- dependent spouse is divorced from employee;
- biological or adopted child or stepchild reaches 26th birthday;
- child for whom the policyholder is the court-ordered guardian reaches age 18;
- surviving spouse remarries;
- disabled dependent no longer meets disability guidelines; or
- policyholder voluntarily removes dependent from coverage due to a qualifying event or Open Enrollment.

The policyholder is required to report these events to PEIA and complete the appropriate forms to remove ineligible dependents. If a policyholder fails to remove ineligible dependents (divorced spouse, etc.) the Plan may pursue reimbursement from the policyholder for any claims paid for the ineligible dependent.

### Failure to Pay Premium

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Your coverage as a retired policyholder, and coverage of your dependents, will be terminated if you fail to pay your premium contributions when due. For Medicare policyholders who pay premiums directly to PEIA, failure to pay premiums will result in termination from the plan consistent with applicable Medicare rules.

## Paying for Benefits

Each year the PEIA Finance Board sets premium rates for the Medicare Advantage plan. Your coverage as a retired policyholder, and coverage of your dependents, will be terminated if you fail to pay your premium contributions when due.

### **Tobacco-Free Premium Discount**

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PEIA's Medicare Advantage Plan premiums and optional life insurance premiums, are based, in part, on the tobacco-use status of insureds. Tobacco-free insureds receive the preferred monthly premium rate. Insureds must have been tobacco-free for 6 months prior to the beginning of their Plan Year to qualify for the discount for the entire plan year. If your doctor certifies on a form provided by the PEIA, that it is unreasonably difficult due to a medical condition for you to become tobacco-free or it is medically inadvisable for you to become tobacco free, PEIA will work with you for an alternative way to qualify for the tobacco-free discount. Send all such doctors' certifications and requests for alternative ways to receive the discount to: PEIA Discount Alternatives, 601 57th St., SE, Suite 2, Charleston, WV 25304-2345. From time to time, the tobacco-free waiting period may be adjusted and members will be notified in writing. For family health coverage, all enrolled family members must be tobacco-free to qualify the family for the reduced rate. PEIA reserves the right to review medical records to check for tobacco use.

Members who become tobacco-free during a plan year may apply for the discount when they have been tobacco-free for at least six months. PEIA has sixty days from receipt of the tobacco affidavit to process the request and implement the discount. The tobacco-free discount will apply only to future premiums, and WILL NOT be applied retroactively. No refunds will be granted based on tobacco status.

### **Advance Directives/Living Will**

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PEIA no longer offers the Advance Directive/Living Will premium discount, although we encourage members to have an Advance Directive/Living Will, and to discuss their wishes with loved ones and health care providers. You may request information from the WV Center for End of Life Care at [www.wvendoflife.org](http://www.wvendoflife.org) or by calling **1-877-209-8086**.

### **Life Insurance**

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Life insurance premiums for all participants are set by PEIA's life insurance carrier. Retired employees must pay the basic life insurance premium to keep coverage in force. Optional life insurance premiums are paid by the retired employee and are based on age, tobacco-use status and amount of coverage. See your Life Insurance Booklet for further details of the options available to you.

### **Health Benefits**

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Premiums for most retired employees are deducted from their annuity on a monthly basis. Some retired employees pay premiums directly to the PEIA each month, and for them, premiums are due by the fifth of the month following the month for which the premium was invoiced. Example: May premium is due June 5.

### **Retired Employees Who Retired Before July 1, 1997**

Retired employees who retired prior to July 1, 1997, pay premiums based on their tobacco-use status and eligibility for Medicare, but NOT their years of service. These retirees are not subject to the "years of service" policy. For premium

purposes, employees who retired prior to July 1, 1997, fall into the “25 or more” years of service category on PEIA’s premium charts. These premiums may be adjusted annually for medical inflation. Eligible retired employees may use sick and/or annual leave to extend employer-paid health coverage.

### **Employees Who Retire on or after July 1, 1997**

Employees who retire on or after July 1, 1997, pay premiums for their health coverage based on the plan they choose, their eligibility for Medicare, their tobacco-use status and their credited years of service as reported by the Consolidated Public Retirement Board (CPRB), or for those in the Teachers Defined Contribution Plan or a non-State retirement plan, the years of service reported by the employing agency or the non-State plan. These premiums may be adjusted annually for medical inflation. Employees with 25 or more years of service are charged the same premium as those who retired before July 1, 1997. Those with fewer than 25 years of service pay higher premiums. If you are using accrued sick and/or annual leave or years of service to extend your employer-paid insurance, all, or a portion of this increased premium will be covered by your accrued leave. (Accrued sick and/or annual leave can only be used at the time of retirement. It cannot be saved for use later.) Disability retiree premiums are assessed on twenty-five (25) years of service. This paragraph does not apply to employees HIRED on or after July 1, 2010, regardless of retirement date.

### **Employees Hired on or after July 1, 2010**

Employees hired on and after July 1, 2010, are not eligible for subsidized premiums. They will not pay premiums based on their years of service, but will pay the full, unsubsidized premium.

### **Surviving Dependents**

Surviving dependents of public employees pay premiums for their health coverage based on the plan they choose, their eligibility for Medicare and their tobacco-use status. These premiums may be adjusted annually for medical inflation. If enrolled on or after July 1, 2015, surviving dependents premiums will be based on the Medicare or non-Medicare (depending on the survivor’s age) retiree premium and the years of service earned by the deceased policyholder. Those who were enrolled before July 1, 2015 were grandfathered under the previous benefit and continue to pay premiums based on 25 or more years of service. Premiums for surviving dependents are deducted from their annuity on a monthly basis or are paid directly to PEIA. For Medicare policyholders who pay premiums directly to PEIA, failure to pay premiums will result in termination from the plan consistent with applicable Medicare rules.

## **Extending Employer-Paid Insurance Upon Retirement**

There are two ways to extend employer-paid insurance upon retirement: 1) using sick/annual leave or 2) using years of higher education teaching service. Both options are detailed below. PEIA tracks the extended employer-paid insurance benefit, and when you are within 90 days of using up your time, PEIA will send you a letter with instructions and options for paying your premiums.

### **Using Accrued Sick and Annual Leave to Extend Coverage**

If you are retired from a State agency, a county board of education (or an eligible employee of a local agency) and you chose to use your accrued leave to extend your employer-paid insurance coverage, your accrued leave pays the premium for your health coverage. (Accrued sick and/or annual leave can only be used at the time of retirement. It cannot be saved for use later.) If the policyholder dies, the accrued leave benefit terminates, even if the surviving dependent continues coverage.

The calculation of this benefit depends on when you were hired and came into the PEIA plan as follows:

### **Before July 1, 1988:**

If you have been continuously covered by PEIA since before July 1, 1988, then your additional coverage is calculated as follows:

2 days of accrued leave = 100% of the premium for one month of single coverage

3 days of accrued leave = 100% of the premium for one month of family coverage

### **Between July 1, 1988 and June 30, 2001:**

If you came into the plan after July 1, 1988 and before July 1, 2001, or if you had a lapse in coverage during this period then your additional coverage is calculated as follows:

2 days of accrued leave = 50% of the premium for one month of single coverage

3 days of accrued leave = 50% of the premium for one month of family coverage

### **On or after July 1, 2001:**

If you were hired on or after July 1, 2001, or if you had a lapse in coverage during this period, you are not eligible for extended employer-paid insurance upon retirement.

## **Extending Coverage for Higher Education Faculty**

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If you are a retired faculty member who was employed on an annual contract of other than twelve months and you chose to extend your employer-paid insurance coverage based on your years of teaching service, your years of service pay the premium for your Medicare Advantage Plan. Your benefit is calculated as follows:

3 1/3 years of teaching service = 1 year of single coverage

5 years of teaching service = 1 year of family coverage

This benefit is not available to faculty hired on or after July 1, 2009.

## **Retired Employee Assistance Programs**

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Retired employees with 5 or more years of service whose total annual income is at or below 250% of the current federal poverty level (FPL) may receive assistance in paying a portion of their monthly health premium based on years of active service, through a grant provided by PEIA called the Retired Employee Premium Assistance program. Retired employees using accrued sick and/or annual leave to pay their premiums are not eligible for this program until their accrued leave is exhausted. Applications are mailed to all eligible retired employees each spring. Medicare-eligible retirees with 15 or more years of service who qualify for Premium Assistance may also qualify for Benefit Assistance. Benefit Assistance reduces the medical and prescription drug out-of-pocket maximums and most copayments. The programs are described in detail in the Evidence of Coverage provided by Humana. For additional details or for a copy of the application, call PEIA's customer service unit.

The amount of assistance for which you are eligible is based on years of active service, and percentage of FPL. For surviving dependents, it is based on years of service earned by the deceased policyholder. Disabled retirees are considered to have twenty-five (25) years of service.

## Premium Assistance Program

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Following is a chart that shows the premium reductions provided under the Retired Employee Premium Assistance program.

### Policyholder Only Monthly Premium Reduction

This amount will be deducted from your monthly premium for Medicare or non-Medicare coverage. If the amount of the reduction is greater than the premium due, then the premium due will be \$0.

Years of Service	<100% of FPL	100-150% of FPL	150-200% of FPL	200-250% of FPL
5 to 14 years	\$51.00	\$34.00	\$19.00	\$13.00
15 to 24 years	\$65.00	\$50.00	\$31.00	\$19.00
25 or more years	\$88.00	\$74.00	\$46.00	\$24.00

### Policyholder with Dependents Monthly Premium Reduction

This amount will be deducted from your monthly premium for Medicare or non-Medicare coverage. If the amount of the reduction is greater than the premium due, then the premium due will be \$0.

Years of Service	<100% of FPL	100-150% of FPL	150-200% of FPL	200-250% of FPL
5 to 14 years	\$76.50	\$51.00	\$28.50	\$19.50
15 to 24 years	\$97.50	\$75.00	\$46.50	\$28.50
25 or more years	\$132.00	\$111.00	\$69.00	\$36.00

## Benefit Assistance Program

PEIA offers a program to assist Medicare-eligible retired employees with increasing health care costs.

### Who Qualifies for the Benefit Assistance Program?

Medicare-eligible retired employees with 15 or more years of service whose annual household income is at or below 250% of the federal poverty level. Out-of-pocket costs for members with benefit assistance are shown in the table on the next page.

Retired employees who are using sick or annual leave or years of service to extend their employer-paid insurance qualify for this program if their annual income meets the guidelines.

If you are interested in the details of the program, you can find more information online at [www.wvpeia.com](http://www.wvpeia.com).

### How Do You Apply for Assistance?

If you believe you qualify, contact PEIA for an application, or you can print a copy at [www.wvpeia.com](http://www.wvpeia.com).

## Benefit Design

Humana offers two plans to Medicare-eligible retired policyholders and Medicare-eligible dependents of retired policyholders. The table below shows the differences among the plans offered by PEIA and Humana.

Humana/PEIA Plan 1 with Benefit Assistance is offered ONLY to low income retirees who have qualified for PEIA's Premium and Benefit Assistance program. Applications for this program are mailed in March each year. If you believe you may be eligible, and have not yet applied, you may get an application by calling PEIA's customer service unit at **1-888-680-7342** or you'll find it on the web at [www.wvpeia.com](http://www.wvpeia.com).

### Humana/PEIA Benefits

Plan Element	Humana/PEIA Plan 1	Humana/PEIA Plan with Benefit Assistance	Humana/PEIA Plan 2
<b>Medical Benefits</b>			
Medical Deductible	\$150	\$50	\$375
Medical Out-of-Pocket Maximum (includes deductible amount)	\$1200	\$600	\$1,950
Primary Care Copay	\$20	\$2	\$20
Specialist Copay	\$40	\$5	\$50
Inpatient Hospital Copay	\$100 per admission	\$100 per admission	\$150 per admission
Skilled Nursing Facility	\$0 up to 100 days	\$0 up to 100 days	\$0 up to 100 days
Emergency Room	\$50	\$50	\$65
Ambulance	\$0	\$0	\$0
Outpatient Surgery Copay	\$100	\$50	\$115
<b>Prescription Drug Benefits</b>			
Prescription Drug Deductible	\$75	\$75	\$150
Prescription Drug Out-of-Pocket Maximum (includes deductible amount)	\$1,750	\$250	\$1,750
Tier 1 – Generic or Preferred Generic	\$5	\$5	\$5
Tier 2 – Preferred Brand	\$15	\$15	\$20
Tier 3 – Non-Preferred Brand	50% Coinsurance	50% Coinsurance	50% Coinsurance
Tier 4 – Specialty Tier	\$100	\$100	\$100

Details of the medical and prescription drug plan are explained in your Evidence of Coverage from Humana.

Remember, if you are a Medicare retiree with Non-Medicare dependents, then the non-Medicare dependents covered by the Medicare policyholder will have the benefits through PEIA PPB Plan A, and you are not eligible for Humana/PEIA Plan 2 until all enrolled members on your plan are Medicare-eligible.

### Amending the Benefit Plan

The West Virginia Public Employees Insurance Agency reserves the right to amend all or any portion of this booklet in order to reflect changes required by court decisions, legislation, actions by the Finance Board, actions by the Director or for any other matters as are appropriate. The Director shall have sole authority to approve amendments.



# HIPAA Notice of Privacy Practices

Effective date of this notice: September 23, 2013

If you have questions about this notice, please contact the person listed under "Who to Contact" THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

## Summary

In order to provide you with benefits, PEIA will receive personal information about your health, from you, your physicians, hospitals, pharmacies, and others who provide you with health care services. We are required to keep this information confidential. This notice of our privacy practices is intended to inform you of the ways we may use your information and the occasions on which we may disclose this information to others.

Occasionally, we may use members' information when providing treatment. We use members' health information to provide benefits, including making claims payments and providing customer service. We disclose members' information to health care providers to assist them to provide you with treatment or to help them receive payment, we may disclose information to other insurance companies as necessary to receive payment, we may use the information within our organization to evaluate quality and improve health care operations, and we may make other uses and disclosures of members' information as required by law or as permitted by PEIA policies.

## Kinds Of Information That This Notice Applies To

This notice applies to any information that is created, received, used, or maintained by PEIA or its Business Associates that relates to the past, present, or future physical or mental health, healthcare, or payment for the healthcare of an individual.

## Who Must Abide by This Notice

- PEIA
- All employees, staff, students, volunteers, contractors, and other personnel who work for and/or under the direct control of PEIA.

The people and organizations to which this notice applies (referred to as "we," "our," and "us") have agreed to abide by its terms. We may share your information with each other for the purpose(s) of treatment, and as necessary for payment and healthcare operations activities as described below.

## Our Legal Duties

- We are required by law to maintain the privacy and security of your health information.
- We are required to provide this notice of our privacy practices and legal duties regarding health information to anyone who asks for it.
- We are required to respond to your requests or concerns within a timely manner.
- We are required to abide by the terms of this notice until we officially adopt a new notice.

## How We May Use or Disclose Your Health Information.

This notice describes how we may use your personal, protected health information, or disclose it to others, for a number of different reasons. For each reason, we have written a brief explanation. We also provide some examples. These examples do not include all of the specific ways we may use or disclose your information. But any time we use your information, or disclose it to someone else, it will fit one of the reasons listed here.

1. **Treatment.** We may use your health information to provide you with medical care and services. This means that our employees, staff, students, volunteers and others whose work is under our direct control, may read your health information to learn about your medical condition and use it to help you make decisions about your care. For instance, a health plan nurse may take your blood pressure at a health fair and use the results to discuss with your health issues. We will also disclose your information to others to provide you with options for medical treatment or services. For instance, we may use health information to identify members with certain chronic illnesses, and send information to them or to their doctors regarding treatment alternatives.
2. **Payment.** We will use your health information, and disclose it to others, as necessary to make payment for the health care services you receive. For instance, an employee in our customer service department or at our claims processing administrators may use your health information to help pay your claims. And we may send information about you and your claim payments to the doctor or hospital that provided you with the health care services. We will also send you information about claims we pay and claims we do not pay (called an "explanation of benefits"). The explanation of benefits will include information about claims we receive for the subscriber and each dependent that are enrolled together under a single contract or identification number. Under certain circumstances, you may receive this information confidentially: see the "Confidential Communication" section in this notice. We may also disclose some of your health information to companies with whom we contract for payment-related services. For instance, if you owe us money, we may give information about you to a collection company that we contract with to collect bills for us. We will not use or disclose more information for payment purposes than is necessary.
3. **Health Care Operations.** We may use your health information for activities that are necessary to operate this organization. This includes reading your health information to review the performance of our staff. We may also use your information and the information of other members to plan what services we need to provide, expand, or reduce. We may also provide health information to students who are authorized to receive training here. We may disclose your health information as necessary to others who we contract with to provide administrative services or health care coverage. This includes our third-party administrators, available managed care plans, lawyers, auditors, accreditation services, and consultants, for instance. These third-parties are called "Business Associates" and are held to the same standards as PEIA with regard to ensuring the privacy, security, integrity, and confidentiality of your personal information. If, in the course of healthcare operations, your confidential information is transmitted electronically, PEIA requires that information to be sent in a secure and encrypted format that renders it unreadable and unusable to unauthorized users.
4. **Legal Requirement to Disclose Information.** We will disclose your information when we are required by law to do so. This includes reporting information to government agencies that have the legal responsibility to monitor the state health care system. For instance, we may be required to disclose your health information, and the information of others, if we are audited by state auditors. We will also disclose your health information when we are



required to do so by a court order or other judicial or administrative process. We will only disclose the minimum amount of health information necessary to fulfill the legal requirement.

5. **Public Health Activities.** We will disclose your health information when required to do so for public health purposes. This includes reporting certain diseases, births, deaths, and reactions to certain medications. It may also include notifying people who have been exposed to a disease.
6. **To Report Abuse.** We may disclose your health information when the information relates to a victim of abuse, neglect or domestic violence. We will make this report only in accordance with laws that require or allow such reporting, or with your permission.
7. **Law Enforcement.** We may disclose your health information for law enforcement purposes. This includes providing information to help locate a suspect, fugitive, material witness or missing person, or in connection with suspected criminal activity. We must also disclose your health information to a federal agency investigating our compliance with federal privacy regulations. We will only disclose the minimum amount of health information necessary to fulfill the investigation request.
8. **Specialized Purposes.** We may disclose the health information of members of the armed forces as authorized by military command authorities. We may disclose your health information for a number of other specialized purposes. We will only disclose as much information as is necessary for the purpose. For instance, we may disclose your information to coroners, medical examiners and funeral directors; to organ procurement organizations (for organ, eye, or tissue donation); or for national security, intelligence, and protection of the president. We also may disclose health information about an inmate to a correctional institution or to law enforcement officials, to provide the inmate with health care, to protect the health and safety of the inmate and others, and for the safety, administration, and maintenance of the correctional institution.
9. **To Avert a Serious Threat.** We may disclose your health information if we decide that the disclosure is necessary to prevent serious harm to the public or to an individual.

The disclosure will only be made to someone who is able to prevent or reduce the threat.

10. **Family and Friends.** We may disclose your health information to a member of your family or to someone else who is involved in your medical care or payment for care.

This may include telling a family member about the status of a claim, or what benefits you are eligible to receive. In the event of a disaster, we may provide information about you to a disaster relief organization so they can notify your family of your condition and location. We will not disclose your information to family or friends if you object.

11. **Research.** We may disclose your health information in an appropriately de-identified format in connection with approved medical research projects. Federal rules govern any disclosure of your health information for research purposes without your authorization.
12. **Information to Members.** We may use your health information to provide you with additional information. This may include sending newsletters or other information to your address. This may also include giving you information about treatment options, alternative settings for care, or other health-related options that we cover.
13. **Health Benefits Information.** If your enrollment in PEIA's health plan is offered through your employer, your employer may receive limited information, as necessary, for the administration of their health benefit program. The employers will not receive any additional information unless it has been de-identified or you have authorized its release.
14. **PEIA will not release, disclose, exchange, and/or sell your health information for use in marketing or for-profit ventures by third parties.**

## **Your Rights**

1. **Authorization.** We may not use or disclose your health information for any purpose that is listed in this notice without your written authorization. We will not use or disclose your health information for any other reason without your authorization. We will only disclose the minimum amount of health information necessary to fulfill the authorization request. If you authorize us to use or disclose your health information in additional circumstances, you have the right to revoke the authorization at any time. For information about how to authorize us to use or disclose your health information, or about how to revoke an authorization, contact the person listed under "Who to Contact" at the end of this notice. You may not revoke an authorization for us to use and disclose your information to the extent that we have taken action in reliance on the authorization. If the authorization is to permit disclosure of your information to an insurance company as a condition of obtaining coverage, other law may allow the insurer to continue to use your information to contest claims or your coverage, even after you have revoked the authorization.
2. **Request Restrictions.** You have the right to ask us to restrict how we use or disclose your health information. We will consider your request. But we are not required to agree. If we do agree, we will comply with the request unless the information is needed to provide you with emergency treatment. We cannot agree to restrict disclosures that are required by law.
3. **Confidential Communication.** If you believe that the disclosure of certain information could endanger you, you have the right to ask us to communicate with you at a special address or by a special means. For example, you may ask us to send explanations of benefits that contain your health information to a different address rather than to home. Or you may ask us to speak to you personally on the telephone rather than sending your health information by mail. We will agree to any reasonable request.
4. **Inspect And Receive a Copy of Health Information.** You have a right to inspect the health information about you that we have in our records, and to receive a copy of it. This right is limited to information about you that is kept in records that are used to make decisions about you and certain specific exclusions do apply. For instance, this includes claim and enrollment records. If you want to review or receive a copy of these records, you must make the request in writing. We will accept electronic request for releases of information in the form of e-mails or other electronic means. If you choose, you may receive your records in an electronic format but PEIA has the right to make sure that electronic information is delivered in a safe, secure, and confidential format. We may charge a fee for the cost of copying, mailing and/or e-mailing the records. To ask to inspect your records, or to receive a copy, contact the person listed under "Who to Contact" at the end of this notice. We will respond to your request within 30 days. We may deny you access to certain information. If we do, we will give you the reason, in writing. We will also explain how you may appeal the decision.
5. **Amend Health Information.** You have the right to ask us to amend health information about you which you believe is not correct, or not complete. You must make this request in writing, and give us the reason you believe the information is not correct or complete. We will respond to your request in writing within 30 days. We may deny your request if we did not create the information, if it is not part of the records we use to make decisions about you, if the information is something you would not be permitted to inspect or copy, or if it is complete and accurate.
6. **Accounting of Disclosures.** You have a right to receive an accounting of certain disclosures of your information to others. This accounting will list the times we have given your health information to others. The list will include dates of the disclosures, the names of the people or organizations to

whom the information was disclosed, a description of the information, and the reason. We will provide the first list of disclosures you request at no charge. We may charge you for any additional lists you request during the following 12 months. You must tell us the time period you want the list to cover. You may not request a time period longer than six years. We cannot include disclosures made before April 14, 2003. Disclosures for the following reasons will not be included on the list: disclosures for treatment, payment, or health care operations; disclosures for national security purposes; disclosures to correctional or law enforcement personnel; disclosures that you have authorized; and disclosures made directly to you.

7. Paper Copy of this Privacy Notice. You have a right to receive a paper copy of this notice. If you have received this notice electronically, you may receive a paper copy by contacting the person listed under "Who to Contact" at the end of this notice.
8. Complaints. You have a right to complain about our privacy practices, if you think your privacy has been violated. You may file your complaint with the person listed under "Who to Contact" at the end of this notice. You may also file a complaint directly with the: Region III, Office for Civil Rights, U.S. Department of Health and Human Services, 150 South Independence Mall West, Suite 372, Public Ledger Building, Philadelphia, PA 19106-9111. All complaints must be in writing. We will not take any retaliation against you if you file a complaint.

### **Our Right to Change This Notice**

We reserve the right to change our privacy practices, as described in this notice, at any time. We reserve the right to apply these changes to any health information which we already have, as well as to health information we receive in the future. Before we make any change in the privacy practices described in this notice, we will write a new notice including the change. The new notice will include an effective date. We will make the new notice available to all subscribers within 60 days of the effective date.

### **Who to Contact**

Contact the person listed below:

- For more information about this notice, or
- For more information about our privacy policies, or
- If you have any questions about the privacy and security of your records, or
- If you want to exercise any of your rights, as listed on this notice, or
- If you want to request a copy of our current notice of privacy practices.

Privacy Officer, West Virginia Public Employees Insurance Agency, 601 57th St. SE, Charleston, WV 25304-2345, 304-558-7850 or **1-888-680-7342**

Copies of this notice are also available at the reception desk of the PEIA office at the address above. This notice is also available by e-mail. Send an e-mail to: [PEIA.Help@wv.gov](mailto:PEIA.Help@wv.gov).

June 1, 2004

Revised: August 2, 2013

Effective date: September 23, 2013

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Charleston, WV 25304-2345

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