



EHA Announces Special Enrollment Period as a Result of Supreme Court Decision Regarding DOMA and Same Sex Married Couples

On June 23, 2013, the U.S. Supreme Court found Section 3 of the Defense of Marriage Act (DOMA) unconstitutional. Section 3 of DOMA states that the term “marriage” means a legal union between one man and one woman as husband and wife. Accordingly, as a result of the Supreme Court’s decision, the term “spouse” will refer to any individuals who are lawfully married under any state law. This includes marriage between two people of the same sex who were legally married in a state that recognizes such marriages, even if they reside in a state that does not.

Effective January 1, 2014, Blue Cross Blue Shield of Nebraska policies insured in Nebraska, including the EHA, will include in the definition of “spouse” any same-sex individuals legally married that reside in Nebraska or elsewhere. Previously, same-sex spouses were only eligible for coverage under the EHA plan if they were legally married **and** resided in a state recognizing such marriages.

This change in eligibility will create a Special Enrollment Period for employees to add their newly eligible dependent. The Special Enrollment Period will be available until January 31, 2014. Members added under this expanded definition of “spouse” after January 31 will be considered Late Enrollees, so it is important that changes are made on a timely basis.

If you have any questions, please feel free to contact me at 402-440-1358 or at greg@chaplan.org.

Thank you,

Greg Long
EHA Field Representative