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Important information required for same-sex married members

The State of New Jersey now recognizes same-sex marriage as well as same-sex marriages which are valid in other states. In addition, the United States Department of Health and Human Services (HHS) has adopted a policy to treat same-sex marriages as they would treat opposite-sex marriages. This policy change affects submission of enrollment data for same-sex spouses and domestic partners.

Effective January 1, 2015, the Centers for Medicare and Medicaid Services (CMS) applied the Medicare Secondary Payer (MSP) Working Aged provision to individuals in a same-sex marriage. As a result, CMS requires insurers to ask their group customers to identify and report all same-sex spouses covered under their benefit plan by March 13, 2015.

Medicare Secondary Payer Reporting

In order to submit the required information to CMS, group customers that provide coverage for same-sex marriages must:

- Complete the *Married Spouse Worksheet* for all same-sex spouses in their group. The form and instructions on how to submit it are available at www.amerihealthnj.com/spouse_worksheet.
- Return the completed form by March 13, 2015.

For more information about the MSP Working Aged provision, refer to *MSP Working Aged Policy for Group Health Plans* on [cms.gov](https://www.cms.gov).

Enrollment submissions moving forward

- **Groups with 50 or fewer employees** should indicate same-sex spouses in the employer portal or on paper applications by selecting or indicating “spouse” or “domestic partner.” Effective January 1, 2015, coverage for domestic partners is included in their benefit plan.
- **Groups with 51 or more employees** should indicate same-sex spouses in the employer portal or on paper applications by selecting or indicating “spouse” (or “domestic partner,” if offered). For ANSI834/EDI files, please **use the relationship code “01”** for the spouse when submitting their next enrollment data file **for all married couples**. If they provide coverage for **domestic partners or civil unions**, they should submit the form with the partner listed **using relationship code “53.”**

We will send letters to [large](#) and [small employer](#) groups this week.

If you have any questions, please contact your AmeriHealth New Jersey broker representative.