



ADMINISTRATIVE RULES OF MONTANA



6.6.5079I SPECIAL ENROLLMENT PERIODS

- (1) If an employee or dependent makes a timely request for enrollment under 33-22-523(1) , MCA, enrollment must be effective not later than the first regular billing date used by the carrier during the month following receipt of the completed request for enrollment.
- (2) Special enrollment opportunities must be provided for the following individuals under 33-22-523(2) , MCA:
 - (a) An employee, if the individual is an employee who is eligible, but not enrolled in the plan, and the individual would be a participant but for a prior election by the individual not to enroll in the plan during a previous enrollment period, and a person becomes a dependent of the individual through marriage, birth, or adoption or placement for adoption;
 - (b) A spouse of an employee, if the individual becomes the spouse of a participant, or if the individual is a spouse of the participant and a child becomes a dependent of the participant through birth, adoption, or placement for adoption;
 - (c) An employee who is eligible, but not enrolled, in the plan, and a spouse of such employee, if the employee would be a participant but for a prior election by the employee not to enroll in the plan during a previous enrollment period, and either:
 - (i) The employee and the individual become married; or
 - (ii) The employee and individual are married and a child becomes a dependent of the employee through birth, adoption or placement for adoption;
 - (d) An individual who becomes a dependent of a participant through marriage, birth, or adoption or placement for adoption; and
 - (e) An employee who is eligible, but not enrolled, in the plan, and an individual who is a dependent of the employee, if the employee would be a participant but for a prior election by the employee not to enroll in the plan during a previous enrollment period, and the dependent becomes a dependent of the employee through marriage, birth, or adoption or placement for adoption.
- (3) On or before the time an employee is offered the opportunity to enroll in a group health plan, the plan is required to provide the employee with a description of the plan's special enrollment rules under 33-22-523, MCA, and this rule. For this purpose, the plan may use the following model description of the special enrollment rules:
 - (a) "If you are declining enrollment for yourself or your dependents (including your spouse) because of other health insurance coverage, you may in the future be able to enroll yourself or your dependents in this plan, provided that you request enrollment within 30 days after

your other coverage ends. In addition, if you have a new dependent as a result of marriage, birth, adoption or placement for adoption, you may be able to enroll yourself and your dependents, provided that you request enrollment within 30 days after the marriage, birth, adoption, or placement for adoption."

- (4) A special enrollment date for an individual means any date on which the individual has a right to have enrollment in a group health plan become effective under 33-22-523, MCA.

Authorizing statute(s): Sec. 33-22-143, MCA

Implementing statute(s): Sec. 33-22-523, MCA

History: NEW, 1998 MAR p. 1698, Eff. 6/26/98.