

## Office of Personnel Management

## § 894.501

(c) If you did not elect to enroll in FEDVIP and then transfer to an excluded position, you lose all rights to enroll at that time.

### **§ 894.304 Am I eligible to enroll if I'm retired or receiving workers' compensation?**

If you are retired, receiving workers' compensation, or are a survivor annuitant, you are eligible if you meet the definition of annuitant in 5 U.S.C. 8901(3).

### **§ 894.305 Am I eligible to enroll if I am a former spouse receiving an apportionment of annuity?**

No. Former spouses receiving an apportionment of annuity are not eligible to enroll in FEDVIP.

### **§ 894.306 Are foster children eligible as family members?**

Yes, foster children may be eligible for coverage as family members under FEDVIP.

### **§ 894.307 Are disabled children age 22 or over eligible as family members?**

A child age 22 or over is an eligible family member if the child is incapable of self-support because of a physical or mental disability that existed before the child reached age 22.

## **Subpart D—Cost of Coverage**

### **§ 894.401 How do I pay premiums?**

(a) *Employees* pay premiums through payroll allotments.

(b) *Annuitants* and survivor annuitants pay premiums through annuity allotments.

(c) *Compensationers* pay premiums through allotments from compensation payments.

(d) In limited circumstances, individuals may make direct premium payments. See § 894.405.

### **§ 894.402 Do the premiums I pay reflect the cost of providing benefits?**

The premiums you pay shall reasonably and equitably reflect the cost of the benefits provided.

### **§ 894.403 Are FEDVIP premiums paid on a pre-tax basis?**

(a) Your FEDVIP premiums are paid on a pre-tax basis (called premium conversion) if you are an active *employee*, your salary is sufficient to make the premium allotments, and your agency is able to make pre-tax allotments.

(b) Your FEDVIP premiums are *not* paid on a pre-tax basis if:

(1) You are an *employee* in nonpay status or an *employee* whose salary is not high enough to make premium allotments, or your agency is unable to make pre-tax allotments;

(2) You are an *annuitant*, a survivor annuitant, or a *compensationers*;

(3) Your enrollment change was made effective retroactively which resulted in additional premium withholdings, unless it is as a result of birth or adoption of a *child*.

(4) You have been approved to pay premiums directly to the *Administrator*.

### **§ 894.404 May I opt out of premium conversion?**

No, all enrolled employees whose salary is sufficient to make premium allotments and whose agency is able to make pre-tax allotments must participate in premium conversion.

### **§ 894.405 What happens if I go into nonpay status or if my pay/annuity is insufficient to cover the allotments?**

(a) If your pay, *annuity*, or *compensation* is too low to cover the premium allotments, or if you go into a nonpay status, contact the *Administrator* to arrange to pay your premiums directly to the Administrator.

(b) If you do not make the premium payments, your FEDVIP coverage will stop. You will not be able to reenroll until the next open season after:

(1) You are in pay status; or

(2) Your pay is sufficient to make the premium allotments.

## **Subpart E—Enrollment and Changing Enrollment**

### **§ 894.501 When may I enroll?**

You may enroll:

(a) During the annual open season;

(b) Within 60 days after you first become eligible as: