

Date: December 23, 2008

Code: TECHNICAL LETTER
HR/Benefits 2008-19

To: Human Resources Directors
Benefit Officers

Supersedes: HR/Benefits 2008-09

From: Bruce Gibson 
Senior Director, Benefits
Human Resources Administration

Subject: Proposition 8 – Termination of Spousal Benefits for Same-Sex Marriages

Overview

Audience: Benefits Officers or campus designees responsible for administering benefit programs

Action Item: None (information only)

Affected Employee: Employees who marry after November 4, 2008
Group(s)/Unit(s)

Summary

Proposition 8, which passed on November 4, 2008, eliminated same-sex marriage in the state of California, therefore, the California State University is no longer able to provide spousal benefits for same-sex marriages occurring after November 4, 2008. Benefits provided as the result of same-sex marriages that occurred from June 16, 2008 through November 4, 2008, remain in effect.

Campus designees responsible for administration of CSU benefit programs should review the Technical Letter in its entirety.

Proposition 8, recently passed by the voters of California, eliminated same-sex marriage in the state of California. As a result, the California State University (CSU) is no longer able to provide spousal benefits for same-sex marriages that occur after November 4, 2008. However, same-sex partners continue to be eligible for the following:

- A spouse of an employee in a same-sex marriage that occurred from June 16, 2008 through November 4, 2008, continues to be eligible for medical and CSU dental and vision benefits and enrollments should be processed accordingly.
- An employee in a same-sex marriage that occurred from June 16, 2008 through November 4, 2008, and who is enrolled in the CSU's Health Care Reimbursement Account (HCRA) plan may continue to claim

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medical expenses for his/her spouse as long as the spouse meets the definition of dependent under Internal Revenue Code Section 152.

- Same-sex partners remain eligible for medical and CSU dental and vision benefits through the Secretary of State's domestic partner registration process. The procedure for domestic partner enrollments continues to be in effect.

Gender Verification of Married Persons and Notice of Imputed Tax Affidavit

The requirement for employees who marry to complete the Gender Verification of Married Persons and Notice of Imputed Tax affidavit is rescinded.

CMS Processing Instructions

As a result of this communication, previous manual instructions for processing same-sex marriage enrollments are now rescinded. There is no additional impact to baseline.

Questions regarding this Technical Letter may be directed to Human Resources Administration at (562) 951-4411. This document is available on Human Resources Administration's Web site at:
<http://www.calstate.edu/HRAdm/memos.shtml>.

BG/pc