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September 2019

TO: State University and College Certifying Officers
State University and College Benefits Administrators
State Monthly Certifying Officers
State Monthly Benefits Administrators

FROM: New Jersey Division of Pensions & Benefits (NJDPB)

SUBJECT: Open Enrollment for the New Jersey State Employees Tax Savings Program (Tax\$ave)

The annual New Jersey State Employees Tax Savings Program (Tax\$ave) Open Enrollment for Plan Year 2020 begins October 1 and ends October 31, 2019. A benefit program available under Section 125 of the Federal Internal Revenue Code (IRC), Tax\$ave offers eligible employees the opportunity to increase their available income by reducing their federal tax liability.

Full-time employees of the State, who are eligible for participation in the New Jersey State Health Benefits Program (SHBP), may participate in Tax\$ave.

Note: Tax\$ave is only available to State employees. Local government and local education employees can contact their human resources office or benefits administrator to determine the specific Section 125 plans and benefits provided through their employer.

ABOUT TAX\$AVE

Tax\$ave consists of three components:

1. The Premium Option Plan (POP);
2. The Unreimbursed Medical Flexible Spending Account; and
3. The Dependent Care Flexible Spending Account.

Each year eligible employees should review their personal financial circumstances and decide if they wish to participate or not. Open Enrollment offers employees the opportunity to conduct this review and then act on their decision.

Note: Tax savings on commuter mass transit and parking expenses are available at any time as a separate benefit to State employees under the Commuter Tax\$ave Program and are not tied to this Open Enrollment period. See the *Commuter Tax\$ave Program* Fact Sheet for details.

PREMIUM OPTION PLAN

The Premium Option Plan (POP) saves your employees money by paying health and dental premiums from pre-tax dollars and reducing their tax liability. Enrollment in the POP is automatic for all eligible employees. If an employee does not wish to take advantage of the POP in 2020

(and therefore pay more in federal, Social Security, and Medicare taxes), he or she should file a *Declination of Premium Option Plan (POP)* form.

FLEXIBLE SPENDING ACCOUNTS

The Unreimbursed Medical and/or Dependent Care Flexible Spending Accounts (FSA) allow employees to set aside money to pay for out-of-pocket medical, dental, and dependent care expenses while saving on taxes because the money contributed to the account is free from federal income, Social Security, and Medicare taxes, and remains tax-free when an employee receives it. WageWorks, Inc. administers the Tax\$ave Unreimbursed Medical and Dependent Care FSAs for the NJDPB.

Unlike the POP or the health plans of the SHBP, prior participation in a Tax\$ave FSA in 2019 does not carry over automatically into 2020. Employees must enroll with WageWorks during Open Enrollment to participate in an FSA in 2020.

Some of the benefits of FSA participation include:

- **\$2,500 Medical FSA maximum and \$5,000 Dependent Care FSA maximum.** For the Tax\$ave 2020 Plan Year, the maximum annual allowance that can be set aside for an Unreimbursed Medical FSA is \$2,500 and the maximum annual allowance that can be set aside for a Dependent Care FSA is \$5,000. Employees may save federal income, Medicare, and Social Security taxes on up to \$7,500 of combined unreimbursed medical and dependent care expenses. It makes sense to enroll and use a Tax\$ave FSA plan when paying for doctor and prescription copayments, health plan deductibles, orthodontics, eyeglasses, Lasik surgery, uncovered dental fees, certain over-the-counter (OTC) items (see page 3), or dependent care.
- **Medical FSA eligibility includes adult children until age 26.** Qualified out-of-pocket medical expenses incurred by eligible adult children can be reimbursed through the Unreimbursed Medical FSA. Coverage applies until the end of the year in which a child turns age 26, regardless of the child's marital or student status.
- **Grace period extension for eligible expenses and extended claim filing period.** Employees enrolled in the Unreimbursed Medical or Dependent Care FSAs in 2020 have until March 15, 2021, to incur eligible expenses for the 2020 Plan Year. In addition to claiming eligible expenses through March 15, 2021, the period that employees enrolled in a Tax\$ave FSA have for submitting claims for reimbursement extends to April 30, 2021. While this does not eliminate the "use it or lose it" rule, employees have an extended period to obtain reimbursement for eligible expenses and avoid forfeiting unused funds. Under the Unreimbursed Medical and Dependent Care FSAs, any 2020 contributions that remain unclaimed after the April 30, 2021, extended deadline are forfeited.
- **Unreimbursed Medical FSAs feature the WageWorks® Health Care Card** that draws on the value of the employee's annual Medical FSA election amount. The *WageWorks Health Care Card* is included free when you sign up for the Unreimbursed Medical FSA during Tax\$ave Open Enrollment. Employees can use the *WageWorks Health Care Card* for qualifying expenses, such as covered prescription copayments, health plan deductibles, orthodontics, doctor and emergency room copayments, eyeglasses, Lasik surgery, and uncovered dentist or other provider fees. The *WageWorks Health Care Card* can also be used for certain eligible OTC medical expenses (see below) at grocery stores, drugstores, and discount stores that are IIAS (Inventory Information Approval Systems) certified merchants. The *WageWorks Health Care Card* also contains an automatic "look

back” feature during the 2 1/2 month grace period extension that will access any unused Unreimbursed Medical FSA funds from 2019 before using funds contributed in 2020.

Prescriptions are required for reimbursement of OTC drugs or medicines. The federal Patient Protection and Affordable Care Act requires a prescription for any eligible OTC drug or medicine, except diabetic supplies, before it will qualify for reimbursement under the Unreimbursed Medical FSA. This includes OTC items like: allergy drugs, pain relievers, cold and cough medicines, sleep aids, digestive aids, anti-gas medicines, baby rash creams, and insect bite treatments. To be reimbursed for these types of OTC items through the Unreimbursed Medical FSA, you must submit a copy of your doctor’s prescription along with your *Claim Form* for verification. Eligible items requiring a prescription may be purchased using the *WageWorks Health Care Card* if the prescription is used to purchase it. OTC items like eyeglasses, wrist splints, bandages, and durable medical items such as crutches and canes continue to be reimbursed without a prescription.

ENROLLING IN A FLEXIBLE SPENDING ACCOUNT

Employees have three ways of enrolling in the Tax\$ave FSA accounts during the Open Enrollment: mail, fax, and online. WageWorks will inform employees currently participating in a Tax\$ave FSA plan of this enrollment opportunity through email or direct mailing in September. The Tax\$ave publications also provide the following enrollment instructions to employees:

- **Internet:** Employees can enroll in the Unreimbursed Medical and/or Dependent Care FSA plans online at: **www.wageworks.com** The deadline for online enrollment is midnight, October 31, 2019.
- **Fax:** FSA *Enrollment Forms* may be faxed by the employee to 1-866-672-4780. The deadline for accepting faxed enrollment forms is midnight, October 31, 2019.
- **Mail:** FSA *Enrollment Forms* can be mailed by the employee directly to WageWorks, Enrollment Processing, P.O. Box 14766, Lexington, KY 40512-4766. To be accepted, enrollment forms must be postmarked no later than October 31, 2019. Forms postmarked after October 31, 2019, will be returned without action. Employer benefits offices should not be involved in processing or mailing FSA *Enrollment Forms*.

For more information about the FSA plans, see the NJDPB Tax\$ave webpage at: **www.nj.gov/treasury/pensions/taxsave.shtml** or contact WageWorks Customer Service at 1-855-428-0446.

Special rules for enrolling newly hired employees. A new employee can enroll in the Tax\$ave FSA plans when hired but must complete an FSA *Enrollment Form* within 30 days of the date of hire. There is then a waiting period before Unreimbursed Medical FSA or Dependent Care FSA eligibility.

- There is a 60-day waiting period for Unreimbursed Medical FSA eligibility.
- There is a 30-day waiting period for Dependent Care FSA eligibility.

The FSA effective date will be the first day of the month following eligibility. If the employee misses the 30-day enrollment window, he or she must wait to enroll during the Tax\$ave Open Enrollment.

TAX\$AVE AND CIVIL UNION PARTNERS OR DOMESTIC PARTNERS

The Internal Revenue Service (IRS) recognizes a marriage of same-sex spouses for federal tax purposes — including the tax saving benefits available through Tax\$ave. This recognition, however, does not include a civil union or same-sex domestic partner. Before payroll contributions or premiums an employee pays for a partner's medical or dental coverage can be made on a pre-tax basis under the POP, the civil union or domestic partner must be able to qualify as a tax dependent under IRC Section 152.

Similarly, the civil union or domestic partner must qualify as the employee's tax dependent before an out-of-pocket medical expense incurred by the partner can be reimbursed under the Unreimbursed Medical FSA.

If the civil union or domestic partner is not a qualified tax dependent of the employee, any premium deductions made for the partner's coverage must be made on an after-tax basis and funds in the Unreimbursed Medical FSA cannot be used to cover the partner's medical expenses.

See IRS *Publication #503, Dependents*, at: www.irs.gov for information on the requirements for establishing dependent status for federal tax purposes.

Information about New Jersey Civil Unions and Domestic Partnerships can be found in the *Civil Unions and Domestic Partnerships* Fact Sheet available on the NJDPB website: www.nj.gov/treasury/pensions

TAX\$AVE AND CHILDREN AGE 26 TO 31

P.L. 2005, c. 375 (Chapter 375), permits continued SHBP medical plan coverage for certain children until their 31st birthday. However, contributions or premiums that an employee pays for coverage of an over-age child cannot be made on a pre-tax basis under the Tax\$ave POP, nor can an out-of-pocket medical expense incurred by the over-age child be reimbursed under the Unreimbursed Medical FSA, unless the child qualifies as a tax dependent of the employee for federal tax-filing purposes under IRC Section 152. See IRS *Publication #503, Dependents*, at: www.irs.gov for information on the requirements for establishing dependent status for federal tax purposes.

Information about continued coverage for children age 26 to 31 can be found in the *Health Benefits Coverage of Children until Age 31 Under Chapter 375* Fact Sheet.

TAX\$AVE SUPPORT MATERIALS

Tax\$ave Open Enrollment publications are available to support and assist you in explaining this important benefit program to your employees. Please make the effort to inform your employees of the Open Enrollment and educate them on the valuable benefits that Tax\$ave offers. More employees will participate in Tax\$ave if they are aware of and understand the value of the tax savings offered by the program.

Open Enrollment Website

For this year's SHBP and Tax\$ave Open Enrollment, look for the Open Enrollment link on our website's homepage or visit www.nj.gov/oe for simple, direct navigation to the Open Enrollment resources you and your employees need when reviewing and selecting SHBP and Tax\$ave plans.

Milestones

Enclosed is the *Tax\$ave Open Enrollment Milestones* with critical dates of the Tax\$ave Open Enrollment. Please use this as a checklist to guide your activities during the Open Enrollment.

Tax\$ave News and Open Enrollment Fliers

The *Tax\$ave News*, *Premium Option Plan (POP) Flier*, and *FSA Plan Flier* are attached in PDF format for distribution to your employees during this year's Open Enrollment.

- The *Tax\$ave News* announces the Open Enrollment, outlines the components of the program with an emphasis on its tax saving advantages, and identifies the October 31, 2019, deadline for submission of all enrollment materials;
- The *Premium Option Plan (POP) Flier* explains the advantages and disadvantages of participation; and
- The *FSA Plan Flier* describes the Unreimbursed Medical and Dependent Care FSAs administered by WageWorks.

In addition to the attachments provided, Tax\$ave publications are available through links on the NJDPB Open Enrollment website: **www.nj.gov/oe**

Employers should provide these publications via email attachment, on your departmental Intranet, and/or inform employees to access the Open Enrollment information online.

For cases in which online or email notification is not possible, a paper flier giving instructions on accessing the Open Enrollment publications is provided with this letter and can be copied and distributed as required.

Other Open Enrollment materials available to you are the *FSA Reference Guide*, *FSA Enrollment Form*, and the *Declination of Premium Option Plan (POP)* form.

- A small supply of the 2020 *FSA Reference Guide* and *Enrollment Form* will be sent directly to benefits administrators by WageWorks. Please provide the *FSA Reference Guide* or *Enrollment Form* to any employee who requests them.

The *FSA Reference Guide* and *Enrollment Form* also are available online at: **www.nj.gov/oe**

- This letter includes the *Declination of Premium Option Plan (POP)* form — which can be copied for use by those few employees who do not wish to participate in the POP and, therefore, pay more in tax. Please do not distribute POP declination forms to employees unless they ask for one. Employees who choose not to save tax dollars under the Tax\$ave POP and want to pay more federal income, Social Security, and Medicare taxes on the salary used to pay their medical and dental premiums in 2020, must complete the form declining the federal tax break they could receive. Completed *Declination of Premium Option Plan (POP)* forms must be returned to Human Resources or benefits administrators by October 31, 2019, and then forward the appropriate representative in the employer's payroll department.

The NJDPB appreciates your cooperation. Employer involvement in the Tax\$ave Open Enrollment is key to your employees receiving the valuable benefits offered by this program.

If you have general questions about Tax\$ave, the Open Enrollment, or the POP, call the NJDPB's Office of Client Services at (609) 292-7524, visit the NJDPB's Open Enrollment website at: **www.nj.gov/oe** or send email to: **pensions.nj@treas.nj.gov**

For more information about the Unreimbursed Medical or Dependent Care FSAs, contact WageWorks at: ***www.wageworks.com*** or call WageWorks Customer Service at 1-855-428-0446.

Enclosures:

Tax\$ave Open Enrollment Milestones
Tax\$ave News
The Premium Option Plan Flier
Tax\$ave — WageWorks Flexible Spending Accounts Flier
Open Enrollment Announcement Flier for Online Access to Publications
Tax\$ave — WageWorks Flexible Spending Accounts Enrollment Form
Declination of Premium Option Plan (POP) for Plan Year 2020