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TO: State Department Certifying Officers
State Department Human Resource Directors
State Biweekly Payroll Locations 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 2018 will begin October 2 and ends on October 31, 2017. A benefit program available under Section 125 of the Federal Internal Revenue Code, 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 fact sheet, *Commuter Tax\$ave Program*, for details.

PREMIUM OPTION PLAN

The Premium Option Plan saves your employees money by paying health and dental premiums from pre-tax dollars and reducing their tax liability. Enrollment in the Premium Option Plan is automatic for all eligible employees. If an employee does not wish to take advantage of the Premium Option Plan in 2018 (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 Premium Option Plan or the health plans of the SHBP, prior participation in a Tax\$ave FSA in 2017 does not carry over automatically into 2018. **Employees must enroll with WageWorks during Open Enrollment to participate in an FSA in 2018.**

Some of the benefits of FSA participation include:

- **\$2,500 Medical FSA maximum and \$5,000 Dependent Care FSA maximum.** For the Tax\$ave 2018 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 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 2018 have **until March 15, 2019**, to incur eligible expenses for the 2018 Plan Year. In addition to claiming eligible expenses through March 15, 2019, the period that employees enrolled in a Tax\$ave FSA have for submitting claims for reimbursement extends to April 30, 2019. 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 Flexible Spending Accounts, **any 2018 contributions that remain unclaimed after the April 30, 2019, 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 over-the-counter 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 2½ month grace period extension that will

access any unused Unreimbursed Medical FSA funds from 2017 before using funds contributed in 2018.

Prescriptions are required for reimbursement of over-the-counter drugs or medicines. The federal Patient Protection and Affordable Care Act requires a prescription for any eligible over-the-counter (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 medications, 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 Internet. WageWorks will inform employees currently participating in a Tax\$ave FSA plan of this enrollment opportunity through e-mail 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 over the Internet at: www.wageworks.com The deadline for enrollment over the Internet is midnight, October 31, 2017.
- **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, 2017.
- **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, 2017. Forms postmarked after October 31, 2017, 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 partner 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 Premium Option Plan, the civil union partner or domestic partner must be able to qualify as a "tax dependent" under Internal Revenue Code Section 152.

Similarly, the civil union partner 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 Flexible Spending Account.

If the civil union partner 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 Spending Account 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 can be found in the NJDPB's fact sheet, *Civil Unions*. Information about New Jersey Domestic Partners can be found in the fact sheet, *Benefits under the Domestic Partnership Act*. Both fact sheets are available on the NJDPB website: www.nj.gov/treasury/pensions

TAX\$AVE AND CHILDREN AGE 26 TO 31

P.L. 2005, c. 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 Premium Option Plan, nor can an out-of-pocket medical expense incurred by the over-age child be reimbursed under the Unreimbursed Medical Flexible Spending Account, *unless* the child qualifies as a "tax dependent" of the employee for federal tax filing purposes under Internal Revenue Code 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 NJDPB's fact sheet, *Health Benefits Coverage of Children until Age 31 Under Chapter 375*.

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.

New Open Enrollment website

For this year's SHBP and Tax\$ave Open Enrollment the NJDPB is introducing a newly redesigned Open Enrollment website. The first of several updates coming to our website in the next few months, the new Open Enrollment site features a clean, modern design; adaptive access from computer, tablet, or smartphone; and — most important — simplified, direct navigation to the Open Enrollment resources you and your employees need when reviewing and selecting SHBP and Tax\$ave plans. The Open Enrollment website will launch on October 2, 2017. Look for the Open Enrollment link on our homepage or visit: www.nj.gov/oe

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.

Paycheck Messages

For employees paid through Centralized Payroll, the following paycheck message will be issued on October 6 and October 20.

Open Enrollment for the State Health Benefits Program (SHBP) and State Employees Tax Savings Program (Tax\$ave) is October 2 through October 31, 2017. This is your chance to join, add dependents, or make changes to your SHBP medical, prescription drug, or dental plans. Take a closer look to see what the SHBP has to offer – you might be able to save by switching to a plan with a lower premium share. Since participation in a Tax\$ave Flexible Spending Account (FSA) must be renewed annually, you must act if you want to participate in a FSA plan during 2018. To learn more visit: www.nj.gov/oe

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, 2017, deadline for submission of all enrollment materials;
- The *Premium Option Plan* flier explains the advantages and disadvantages of participation; and
- The *FSA Plan Flier* describes the Unreimbursed Medical and Dependent Care Flexible Spending Accounts 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 e-mail attachment, on your departmental Intranet, and/or inform employees to access the Open Enrollment information online.

For cases in which online or e-mail 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 2018 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 Premium Option Plan and want to pay more federal income, Social Security, and Medicare

taxes on the salary used to pay their medical and dental premiums in 2018, 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, 2017, and forward to Centralized Payroll by November 10, 2017.

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 Premium Option Plan, visit the NJDPB's Open Enrollment website at: www.nj.gov/oe call the NJDPB's Office of Client Services at (609) 292-7524, or send e-mail to: pensions.nj@treas.nj.gov

For more information about the Unreimbursed Medical or Dependent Care Flexible Spending Accounts, 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 2018