


Byron Mallott  
Lieutenant Governor  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Megan Collie, Department of Administration  
**FROM:** Scott Meriwether, Office of the Lieutenant Governor, 465-4081   
**DATE:** December 1, 2016  
**RE:** Filed Permanent Regulations: Department of Administration  
Non APA Regulations re: Group Employee Health Insurance (2 AAC 39)

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Attorney General File:	JU2016200643
Regulation Filed:	December 1, 2016
Effective Date:	January 1, 2017
Print:	220, January 2017

cc with enclosures: Linda Miller, Department of Law  
Dianne Blumer, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

ORDER CHANGING REGULATION  
OF ALASKA DIVISION OF RETIREMENT AND BENEFITS

The attached 5 pages of the regulation, dealing with waiver of group health benefit plan coverage, are adopted and certified to be a correct copy of the regulation changes that the Alaska Division of Retirement and Benefits adopts under the authority of AS 39.30.090, AS 39.30.091, AS 39.30.095, AS 39.30.098, and after compliance with AS 39.30.098, specifically including notice under AS 44.62.190 and AS 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Alaska Division of Retirement and Benefits paid special attention to the cost to private persons of the regulatory action being taken.

The attached regulation is exempt from the adoption procedures of the Administrative Procedure Act and takes effect January 1, 2017.

Date: 11/29/2016

  
Sheldon Fisher, Commissioner

FILING CERTIFICATION

I, Claire Richardsm for Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on

Dec. 1, 2016, at 9:33 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62-120.

  
Lieutenant Governor Byron Mallott

Effective: January 1, 2017

Register: 220, January 2017

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, BYRON MALLOTT, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employee to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Claire Richardson, Special Assistant**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on January 7<sup>th</sup> 2015.**



A handwritten signature in dark ink, appearing to read "Byron Mallott", is written over a horizontal dotted line.

**BYRON MALLOTT  
LIEUTENANT GOVERNOR**

**Chapter 39. Group Health and Life Insurance.**

2 AAC 39 is amended by adding a new article to read:

**Article 7. Waiver of Coverage** (~~2 AAC 39.950 - 2 AAC 39.995~~)

**Section**

950. Exemption from group health benefit plan coverage upon waiver of coverage

960. Election to waive coverage

970. Employer contribution

980. Date of election of waiver

990. Open enrollment period

995. Definitions

**2 AAC 39.950. Exemption from group health benefit plan coverage upon waiver of coverage.** An eligible state employee may be exempted from coverage under a group health benefit plan for state employees, in whole or in part, if the employee elects to voluntarily waive the medical, dental, or vision coverage for the eligible state employee in the format provided by the plan administrator. An eligible state employee's election to waive medical, dental or vision coverage also waives that coverage for the eligible state employee's spouse and dependents. An eligible state employee may elect to waive the medical, dental or vision coverage for the employee's spouse and dependents while maintaining the eligible state employee's individual coverage. (Eff. 1 / 1 / 2017 Register 220)

**Authority:** AS 39.30.090 AS 39.30.091

**2 AAC 39.960. Election to waive coverage.** (a) An eligible state employee who elects



to waive coverage under the medical, dental, or vision benefit plan must signify election to waive each benefit in a format provided by the plan administrator. Except as provided in this section, an employee electing to waive coverage must elect waiver for each component of the group health benefit plan coverage being waived and do so each benefit year during the annual open enrollment period as set forth in 2 AAC 39.980<sup>9</sup>. A waiver of coverage made during an annual open enrollment period is effective on the first day of the benefit year immediately following the open enrollment.

(b) An eligible state employee may elect to waive coverage during the 30-day period after the eligible state employee initially becomes eligible for coverage and before the date on which coverage becomes effective under the group health benefit plan. Such waiver shall be effective as of the 31<sup>st</sup> consecutive day after the eligible state employee begins employment in a position eligible for coverage.

(c) An eligible state employee who changes positions from a position in a bargaining unit exempted from coverage under 2 AAC 39.900 to a position covered by the group health benefit plan may elect to waive coverage within 30 days of the effective date of the change. Such waiver shall be effective on the first day of the month following the change of position. If the change of position occurs on the first day of a month, the waiver shall be effective on such first day of the month.

(d) During the term of a benefit year, an eligible state employee may elect to <sup>g</sup>

(1) waive coverage previously elected for the benefit year<sup>h</sup> or

(2) enroll in coverage that was previously waived for the benefit year pursuant to

(b) or (c) of this section<sup>h</sup>

<sup>h</sup> An election under this subsection

must be

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based upon qualified changes in status or other applicable events <sup>that are</sup> allowed by 26 C.F.R. Code of Federal Regulations § 1.125-4 and that are set forth by the plan administrator in

the plan document governing the applicable coverage. Elections under this subsection may be made on behalf of the eligible state employee, a spouse and dependents consistent with the change in status or other applicable event; provided that <sup>the</sup> spouses and dependents may not be covered under any component of the group health benefit plan if <sup>the</sup> eligible state employee is not also covered. <sup>An</sup> Such elections shall be made no later than 30 days after the date of the change in status or other applicable event, unless federal law requires a lengthier election period, and shall be effective as of the date of the change in status or other applicable event. Elections shall be subject to reasonable administrative procedures as determined by the plan administrator. (Eff. 1/1/2017 Register 220)

**Authority:** AS 39.30.090 AS 39.30.091

**2 AAC 39.970. Employer <sup>C</sup>Contribution.** The rate of employer contribution for an eligible state employee's position shall remain the same regardless of whether the employee has made an election to waive coverage under 2 AAC 39.960.

**Authority:** AS 39.30.090 AS 39.30.091 AS 39.30.095

**2 AAC 39.980. Date of election of waiver.** The date a state employee signifies election to waive coverage is the date of postmark of the written notification of the election or the date it is received by the plan administrator, whichever is earlier. If a postmark is illegible or undated, the postmark day is presumed to be five working days before receipt by the division. (Eff.

1/1/2017, Register 220)

Register 220, January 2016<sup>7</sup>

ADMINISTRATION

Authority: AS 39.30.090

AS 39.30.091

**2 AAC 39.990. Open enrollment period.** During the open enrollment period of each benefit year, an eligible state employee wishing to waive coverage under the medical, dental, or vision plan must signify election to waive each component of the group health benefit plan coverage being waived. An eligible state employee's failure to timely submit the written election to waive coverage during open enrollment period will result in automatic enrollment in the default health plans selected by the plan administrator. A waiver of coverage elected during open enrollment is effective on the first day of the benefit year immediately following the open enrollment. (Eff. 01/1/2017 Register 220)

Authority: AS 39.30.090

AS 39.30.091

**2 AAC 39.995. Definitions.** In 2 AAC 39.950 - 2 AAC 39.995, unless the context otherwise requires:

(1) "eligible state employee" means an employee of the State of Alaska who is eligible to be covered by the group health benefit plan and is not exempted from coverage pursuant to 2 AAC 39.900 - 2 AAC 39.925;

(2) "group health benefit plan" means the medical plan, dental plan, and vision plan offered to eligible state employees;

(3) "plan administrator" means the Commissioner of the Department of Administration or his or her designee; and

(4) "postmark" means the official cancellation stamp used by the United States

Register 220, January 2016<sup>7</sup> ADMINISTRATION

Post Office that records the date and place of mailing. (Eff. 6 / 1 / 2017, Register 220)

**Authority:** AS 39.30.090 AS 39.30.091 AS 39.30.095



# MEMORANDUM

## State of Alaska Department of Law

To: The Honorable Byron Mallott  
Lieutenant Governor

Date: December 1, 2016

File No.: JU2016200643

From: Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

Tel. No.: 465-3600

Re: 2 AAC 39: Non APA Regulations re:  
Group Employee Health Insurance

Attached are non-APA regulations from the Department of Administration, Division of Retirement and Benefits concerning the group health benefit plan for state employees and an election to waive coverage.

The regulations were adopted by the Commissioner of Administration on November 29, 2016 to be effective *January 1, 2017*.

Please send them to the publisher for printing in the Alaska Administrative Code.

We have made some technical corrections to conform the regulations to the drafting manual. The corrections are shown on the attached copy of the regulations.

SRP:srp

cc: Honorable Sheldon Fisher, Commissioner  
Department of Administration

Megan Collie, Regulations Contact  
Department of Administration

Michele Michaud, Chief Health Official  
Division of Retirement and Benefits  
Department of Administration

Joan Wilkerson, Assistant Attorney General  
Labor and State Affairs Section

### **Opt-Out Public Notice**

The Division of Retirement and Benefits proposes to amend regulations in 2 AAC 39 providing for Group Health and Life Insurance coverage for eligible state employees.

2 AAC 39 will be amended by adding Article 7. Waiver of Coverage (2 AAC 39.950 – 2 AAC 39.990) for exemption from group health benefits plan coverage upon waiver of coverage.

2 AAC 39.950 allows eligible state employees to exempt themselves from coverage under a group health benefit plan if the employee elects to voluntarily waive medical, dental, or vision coverage. The coverage can be waived for the eligible state employee, their spouse, and their dependent(s) or only their spouse and dependents, while retaining coverage for the employee. The employee must elect to waive coverage in a format provided by the plan administrator.

2 AAC 39.960 describes the circumstances and timelines that an eligible state employee may elect to waive coverage for themselves and/or their spouse and dependent(s).

2 AAC 39.970 defines the date of election of waiver.

2 AAC 39.980 describes the actions that may be taken during open enrollment period and defines the default enrollment option should action not be taken.

2 AAC 39.990 gives the meanings of eligible state employee, group health benefit plan, plan administrator, and postmark.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to DRB Benefits Section at PO Box 110203, 333 Willoughby Avenue, Juneau, Alaska 99811-0203. Additionally, the Division of Retirement and Benefits will accept comments by facsimile at 907-465-3086 and by electronic mail at [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received no later than 5:00 p.m. on November 4, 2016.

Oral or written comments also may be submitted at a hearing to be held on October 19, 2016 in the Atwood Conference Center, Robert Atwood Building, 550 West 7<sup>th</sup> Avenue, Anchorage in room 102. The hearing will be held from 3:30 p.m. to 5:00 p.m. and might extend to accommodate those present before 4:00 p.m. who did not have an opportunity to comment. You may also call the hearing on a conference line at 1-800-315-6338, access code: 79322.

You may submit written questions relevant to the proposed action to the Division of Retirement and Benefits by emailing to [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov) or mailing to 333 Willoughby Avenue, Juneau, AK. The questions must be received at least 10 days before the end of the public comment period. The Division of Retirement and Benefits will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and the division website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Steve Ramos at (907) 465-2307 no later than Thursday, October 27, 2016 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes and of material to be adopted by reference is available on the Alaska Online Public Notice System, the Division of Retirement and Benefits web site at <http://doa.alaska.gov/drb> and by contacting the Health Benefits section at PO Box 110203, 333 Willoughby Avenue, Juneau, Alaska 99811-0203 or [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov).

After the public comment period ends, the Division of Retirement and Benefits will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

**Statutory Authority:** AS 39.30.090, AS 39.30.091, AS 39.30.095

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 10/5/2016

  
Michele Michaud, Chief Health Official

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Michele Michaud, Chief Health Official, of the Division of Retirement and Benefits, being sworn, state the following:

Notice of the proposed adoption of changes to chapter 39 waiver of group health benefit plan coverage, has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System;
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chairs of the State Affairs Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

Additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 11/29/2016

  
\_\_\_\_\_  
Michele Michaud, Chief Health Official

Subscribed and sworn to before me at Juneau, Alaska on

November 29, 2016

(date)



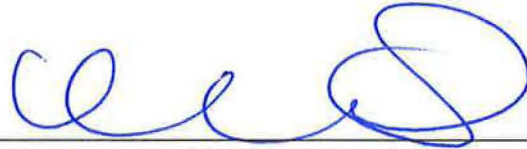
  
\_\_\_\_\_  
Notary Public in and for the State of Alaska

AFFIDAVIT OF ORAL HEARING

I, Emily Ricci, Chief Health Policy Administrator of the Alaska Division of Retirement and Benefits, being sworn, state the following:

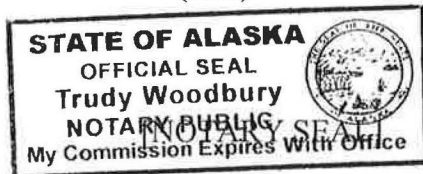
On October 19, 2016, at 3:30 p.m., in Room 102, 550 W. 7th Ave, Atwood Building, Anchorage AK and by teleconferencing at 333 Willoughby Ave, Juneau, AK, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to chapter 39 waiver of group health benefit plan coverage. No one attended the public hearing, and therefore there were no oral comments.

Date: November 30, 2016



Emily Ricci, Health Plan Policy Administrator

Subscribed and sworn to before me at 5735 Thane Juneau, AK on  
November 30, 2016  
(date)



Notary Public in and for the State of Alaska



AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

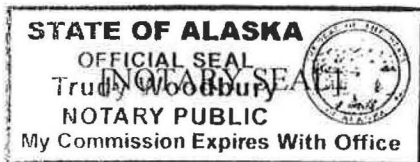
I, Michele Michaud, Chief Health Official for the Alaska Division of Retirement and Benefits, being duly sworn, state the following:

The Alaska Division of Retirement and Benefits reviewed, considered and responded to all comments related to the regulation on waiver of group health benefit plan. The Alaska Division of Retirement and Benefits did not receive any factual or other substantive information that was submitted in writing or orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Alaska Division of Retirement and Benefits regulation on waiver of group health benefit plan coverage and therefore there were no resultant changes to the regulation.

Date: 11/30/2016

  
Michele Michaud, Chief Health Official

Subscribed and sworn to before me at 333 Willoughby Ave Juneau Ak  
11/30/2016  
(date)



  
Notary Public in and for the State of Alaska

# Affidavit of Publication

United States of America

Ad #: 7000072739

SOA Division of Retirement

Ref. File#: AO-17-0280-007

I, **Nic Quinto**, first duly sworn, oath,

## Opt-Out Public Notice

The Division of Retirement and Benefits proposes to amend regulations in 2 AAC 39 providing for Group Health and Life Insurance coverage for eligible state employees.

2 AAC 39 will be amended by adding Article 7. Waiver of Coverage (2 AAC 39.950 - 2 AAC 39.990) for exemption from group health benefits plan coverage upon waiver of coverage.

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2 AAC 39.960 describes the circumstances and timelines that an eligible state employee may elect to waive coverage for themselves and/or their spouse and dependent(s).

2 AAC 39.970 defines the date of election of waiver.

2 AAC 39.980 describes the actions that may be taken during open enrollment period and defines the default enrollment option should action not be taken.

2 AAC 39.990 gives the meanings of eligible state employee, group health benefit plan, plan administrator, and postmark.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to DRB Benefits Section at PO Box 110203, 333 Willoughby Avenue, Juneau, Alaska 99811-0203. Additionally, the Division of Retirement and Benefits will accept comments by facsimile at 907-465-3086 and by electronic mail at [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received no later than 5:00 p.m. on November 4, 2016.

Oral or written comments also may be submitted at a hearing to be held on October 19, 2016 in the Atwood Conference Center, Robert Atwood Building, 550 West 7th Avenue, Anchorage in room 102. The hearing will be held from 3:30 p.m. to 5:00 p.m. and might extend to accommodate those present before 4:00 p.m. who did not have an opportunity to comment. You may also call the hearing on a conference line at 1-800-315-6338, access code: 79322.

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If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Steve Ramos at (907) 465-2307 no later than Thursday, October 27, 2016 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes and of material to be adopted by reference is available on the Alaska Online Public Notice System, the Division of Retirement and Benefits web site at <http://doa.alaska.gov/drbb> and by contacting the Health Benefits section at PO Box 110203, 333 Willoughby Avenue, Juneau, Alaska 99811-0203 or [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov).

After the public comment period ends, the Division of Retirement and Benefits will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

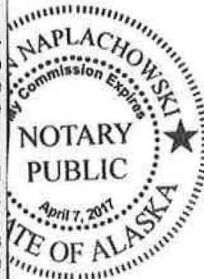
**Statutory Authority:** AS 39.30.090, AS 39.30.091, AS 39.30.095

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

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# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Emma Dunlap  
being first duly sworn on oath deposes and  
says that he/she is a representative of the  
Alaska Dispatch News, a daily newspaper.  
That said newspaper has been approved  
by the Third Judicial Court, Anchorage,  
Alaska, and it now and has been published  
in the English language continually as a  
daily newspaper in Anchorage, Alaska, and  
it is now and during all said time was  
printed in an office maintained at the  
aforesaid place of publication of said  
newspaper. That the annexed is a copy of  
an advertisement as it was published in  
regular issues (and not in supplemental  
form) of said newspaper on

October 05, 2016

and that such newspaper was regularly  
distributed to its subscribers during all of  
said period. That the full amount of the fee  
charged for the foregoing publication is not  
in excess of the rate charged private  
individuals.

Signed

*Emma Dunlap*

Subscribed and sworn to before me  
this 5th day of October, 2016

*Britney Thompson*

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

2/23/2019  
Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
My Commission Expires Feb 23, 2019

## Opt-Out Public Notice

Division of Retirement and Benefits proposes to amend regulations  
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and/or their spouse and dependent(s).

2 AAC 39.970 defines the date of election of waiver.

2 AAC 39.980 describes the actions that may be taken during open  
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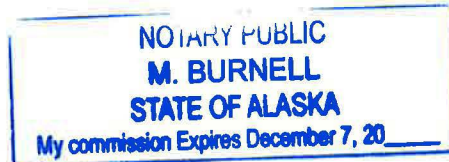
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AFFECTED.

Statutory Authority: AS 39.30.090, AS 39.30.091, AS 39.30.095

Fiscal Information: The proposed regulation changes are not expected  
to require an increased appropriation.





AFFP

AO-17-0280-009

RECEIVED

OCT 13 2016

DOA-RET & BEN

## **Affidavit of Publication**

UNITED STATES OF AMERICA  
STATE OF ALASKA  
FOURTH DISTRICT } SS.

Before me, the undersigned, a notary public, this day personally appeared Tameka Ambersley, who, being first duly sworn, according to law, says that he/she is an Advertising Clerk of the Fairbanks Daily News-Miner, a newspaper (i) published in newspaper format, (ii) distributed daily more than 50 weeks per year, (iii) with a total circulation of more than 500 and more than 10% of the population of the Fourth Judicial District, (iv) holding a second class mailing permit from the United States Postal Service, (v) not published primarily to distribute advertising, and (vi) not intended for a particular professional or occupational group. The advertisement which is attached is a true copy of the advertisement published in said paper on the following day(s):

October 05, 2016

and that the rate charged thereon is not excess of the rate charged private individuals, with the usual discounts.

  
\_\_\_\_\_  
Advertising Clerk

Subscribed to and sworn to me this 5th day of October 2016.

  
\_\_\_\_\_  
Marena Burnell, Notary Public in and for the State Alaska.

My commission expires: December 07, 2017

00007757 00037843 90746563086

ST OF AK/DIVISION OF RETIREMENT & BENEFITS  
PO BOX 110203  
JUNEAU, AK 99811

37843

Opt-Out Public Notice

The Division of Retirement and Benefits proposes to amend regulations in 2 AAC 39 providing for Group Health and Life Insurance coverage for eligible state employees.

2 AAC 39 will be amended by adding Article 7. Waiver of Coverage (2 AAC 39.950 – 2 AAC 30.990) for exemption from group health benefits plan coverage upon waiver of coverage.

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2 AAC 39.960 describes the circumstances and timelines that an eligible state employee may elect to waive coverage for themselves and/or their spouse and dependent(s).

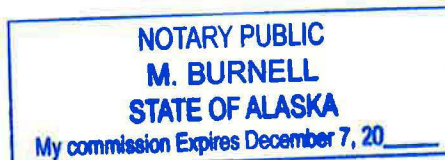
2 AAC 39.970 defines the date of election of waiver.

2 AAC 39.980 describes the actions that may be taken during open enrollment period and defines the default enrollment option should action not be taken.

2 AAC 39.990 gives the meanings of eligible state employee, group health benefit plan, plan administrator, and postmark.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to DRB Benefits Section at PO Box 110203, 333 Willoughby Avenue, Juneau, Alaska 99811-0203. Additionally, the Division of Retirement and Benefits will accept comments by facsimile at 907-465-3086 and by electronic mail at [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice

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and using the comment link. The comments must be received no later than 5:00 p.m. on November 4, 2016.

Oral or written comments also may be submitted at a hearing to be held on October 19, 2016 in the Atwood Conference Center, Robert Atwood Building, 550 West 7th Avenue, Anchorage in room 102. The hearing will be held from 3:30 p.m. to 5:00 p.m. and might extend to accommodate those present before 4:00 p.m. who did not have an opportunity to comment. You may also call the hearing on a conference line at 800-672-0241.

You may submit written questions relevant to the proposed action to the Division of Retirement and Benefits by emailing to [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov) or mailing to 333 Willoughby Avenue, Juneau, AK. The questions must be received at least 10 days before the end of the public comment period. The Division of Retirement and Benefits will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and the division website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Steve Ramos at (907) 465-2307 no later than Thursday, October 27, 2016 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes and of material to be adopted by reference is available on the Alaska Online Public Notice System, the Division of Retirement and Benefits web site at <http://doa.alaska.gov/drb> and by contacting the Health Benefits section at PO Box 110203, 333 Willoughby Avenue, Juneau, Alaska 99811-0203 or [doa.drb.benefits@alaska.gov](mailto:doa.drb.benefits@alaska.gov).

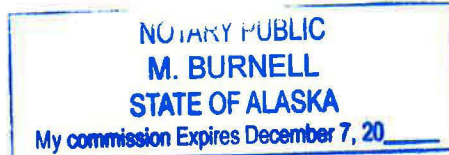
After the public comment period ends, the Division of Retirement and Benefits will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

Statutory Authority: AS 39.30.090, AS 39.30.091, AS 39.30.095

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.



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AO-17-0280-009

## **Affidavit of Publication**

UNITED STATES OF AMERICA }  
STATE OF ALASKA } SS.  
FOURTH DISTRICT }

Before me, the undersigned, a notary public, this day personally appeared Tameka Ambersley, who, being first duly sworn, according to law, says that he/she is an Advertising Clerk of the Fairbanks Daily News-Miner, a newspaper (i) published in newspaper format, (ii) distributed daily more than 50 weeks per year, (iii) with a total circulation of more than 500 and more than 10% of the population of the Fourth Judicial District, (iv) holding a second class mailing permit from the United States Postal Service, (v) not published primarily to distribute advertising, and (vi) not intended for a particular professional or occupational group. The advertisement which is attached is a true copy of the advertisement published in said paper on the following day(s):

October 05, 2016

and that the rate charged thereon is not excess of the rate charged private individuals, with the usual discounts.

Advertising Clerk

Subscribed to and sworn to me this 5th day of October 2016.

Marena Burnell, Notary Public in and for the State Alaska.

My commission expires: December 07, 2017

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ST OF AK/DIVISION OF RETIREMENT & BENEFITS  
PO BOX 110203  
JUNEAU, AK 99811

37843

Opt-Out Public Notice

The Division of Retirement and Benefits proposes to amend regulations in 2 AAC 39 providing for Group Health and Life Insurance coverage for eligible state employees.

2 AAC 39 will be amended by adding Article 7. Waiver of Coverage (2 AAC 39.950 – 2 AAC 30.990) for exemption from group health benefits plan coverage upon waiver of coverage.

2 AAC 39.950 allows eligible state employees to exempt themselves from coverage under a group health benefit plan if the employee elects to voluntarily waive medical, dental, or vision coverage. The coverage can be waived for the eligible state employee, their spouse, and their dependent(s) or only their spouse and dependents, while retaining coverage for the employee. The employee must elect to waive coverage in a format provided by the plan administrator.

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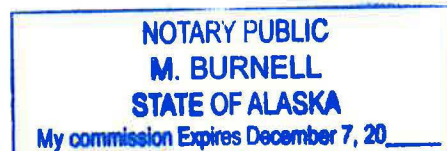
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Statutory Authority: AS 39.30.090, AS 39.30.091, AS 39.30.095

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.