UNIVERSITY OF MIAMI
Domestic Partner Benefits

Questions and Answers

Question: What is the definition of a Domestic Partner?
Answer: The University of Miami defines Domestic Partner as the Partner of an eligible faculty or staff member who is of the same sex, sharing a long-term committed relationship with the following criteria.

- They are each other's sole Domestic Partner with the intention to remain so indefinitely.
- They are in an affectionate relationship of mutual support, caring and commitment.
- They share joint responsibility for the household. If law permitted marriage they would marry.
- They are of the same sex. Neither one of them is legally married to someone else. They are not related by blood.
- They each are at least eighteen (18) years of age.
- They have resided together for at least 12 months and intend to reside together indefinitely.
- They have shared financial responsibilities.
- They are mentally competent to consent to a contract.

Question: What requirements must be met to qualify for Domestic Partner benefits?
Answer: Provide documentation to Benefits Administration that verifies at least three of the following:

- Joint ownership of real property
- Designation as beneficiary in each other's will
- Designation as attorney in a durable power of attorney document
- Joint ownership of significant assets.
- Designation as health care surrogate.
- Joint loan
- Joint credit card
- Joint lease
- Designation of Beneficiary (University Life Insurance)
- Designation of Beneficiary (Employees’ Retirement Plan)

Questions: What are the eligibility requirements for benefits for a Domestic Partner’s child(ren)?
Answer: In order for a Domestic Partner's child(ren) to be claimed as a dependent under the University plan the child(ren) must meet all of the following requirements.
A. The child is primarily dependent upon the employee for support
B. A parent-child relationship exists between the employee and the child(ren) based on the following:

1. The child(ren) must be unmarried and reside in the same household as the employee and be up to 19 years of age, if not a student, up to 26 years of age if a full-time student with the employee's home as the primary residence.
2. The employee must assume full parental responsibility and control, including any and all debts incurred by the child(ren) (i.e., charges for health care services and supplies.)
3. A parent-child relationship will only be considered to exist between an employee and a Domestic Partner's child(ren) when both the Domestic Partner and the child(ren) are dependent upon the employee for support.
4. The employee and Domestic Partner must have a court-appointed legal relationship with the child(ren) (i.e., guardianship, adoption, foster child), or the Domestic Partner must be the biological parent.

**Question:** What benefits may Domestic Partners receive?
**Answer:** Health and dental insurance (taxable benefit to employee). Survivors’ benefits. Inclusion in the family member definition under the Medical and Personal Leave of Absence policy and other current policies. Participation in tuition remission (taxable benefit to employee). Pre-Retirement Planning. Employee Assistance Program. Wellness Center. Libraries. Sporting Events. Long Term Care.

**Question:** What is the procedure for enrolling a Domestic Partner in the medical and dental plans?
**Answer:** When an employee wishes to obtain medical and/or dental benefits for his/her Domestic Partner, the employee must register their Partnership with Benefits Administration by completing a Declaration of Domestic Partnership certification. The remaining steps in the process are the same as for all other health enrollments. The medical plan and/or dental plan application must be completed.

Completed enrollment forms must be submitted to Benefits Administration and must include the social security numbers of both domestic partners.

**Question:** May a Domestic Partner receive tuition remission?
**Answer:** If the Domestic Partner is enrolled in the medical and/or dental plan, tuition remission would be an automatic process once the Domestic Partner is admitted and enrolled in classes.

If the Domestic Partner is not enrolled in the medical and/or dental plan, documentation must be submitted to Benefits Administration to have the tuition remission approved. The documentation to be submitted is listed on the information sheet provided to you.
Question: **What is the tax liability for a Domestic Partner?**

Answer: Generally, health insurance and tuition remission benefits are excluded from taxable income of the recipient of the benefits for the employee, or his or her spouse or dependent. If the employer provides a benefit to someone other than a dependent, the value of the benefit provided is includable in the gross income of the employee for tax purposes. This is called imputed income. Employees covering a Domestic Partner in the health plan will have the difference between the individual rate (employee plus employer cost) and the family rate (employee plus employer cost) treated as taxable income. The full value of the employer provided tuition remission benefit to the Domestic Partner is taxable income to the employee. You may wish to re-examine your Form W-4, Wage and Income Withholding Statement, in case you want to increase your withholding.

Question: **Does the imputed income for Domestic Partner coverage affect other benefits?**

Answer: This imputed income does not affect other University benefit plans. It is not included, for example, in the compensation base for group life insurance, disability benefits, or pension credit. Any additional Social Security taxes paid as the result of the imputed income, however, could produce a higher Social Security benefit for the employee.

Question: **May a Domestic Partner's eligible medical/dental expenses or dependent care costs be reimbursed through a flexible spending account (FSA)?**

Answer: No. IRS regulations that govern FSAs allow reimbursement of expenses only for the employee, spouse, and any tax dependents.

Question: **What actions are required if a Domestic Partner's relationship dissolves?**

Answer: If you are receiving benefits, the University must be notified within 30 days of the terminated relationship. An application to change health benefits coverage must be received in Benefits Administration within 30 days of termination. Similar notification must be made for tuition remission benefits.

Question: **Following the termination of Partnership, when can a new Domestic Partner enroll?**

Answer: There is a twelve-month waiting period before a new Partner can be enrolled. The former Partnership will be deemed terminated as of the termination date on the Declaration of Termination of Domestic Partnership.

Question: **How can I receive information about Domestic Partner benefits?**

Answer: You may contact Benefits Administration at (305) 284-6835. You may also visit our website at [http://www.miami.edu/benefits](http://www.miami.edu/benefits).