

Former Spouse SBP Coverage Open Season. 1 July 2016

The National Defense Authorization Act for Fiscal Year 2016 (NDAA FY16) amended the Survivor Benefit Plan (SBP) statute to provide a member who had made an election to provide SBP or Reserve Component SBP (RCSBP) coverage for a former spouse the ability to cover a subsequent spouse if the former spouse dies. The enactment of this legislation included provisions in the form of an open season period to accommodate members whose covered former spouse beneficiaries were already deceased when the legislation was enacted.

Who Is eligible for this Open Season?

Members who have been identified as a military retiree who once elected former spouse coverage which is now discontinued have been contacted via direct mail. However, some members may be eligible to elect coverage for a current spouse during this open season period if before November 25, 2015 they had a former spouse beneficiary under the SBP who died before that date and if they were on November 25, 2015 married to a subsequent spouse. This Former Spouse SBP Coverage Open Season DOES NOT APPLY if they are not currently married or if their former spouse SBP coverage was discontinued for any reason other than the death of their covered former spouse.

How do I make an election to cover my current spouse?

If a member has not already been contacted, but believes the open season may apply to them, and has an interest in making the election, please direct their inquiry to us at the address found here <http://www.dfas.mil/retiredmilitary/about/aboutus/customer-service.html>. Once we have received their inquiry, we will provide them with the necessary supporting documents which may include:

- Certificate of Death for the Former Spouse
- Marriage Certificate for Current Spouse
- Birth Certificate for Current Spouse
- Expression of Interest Form

Once we receive all required documentation, we will prepare an estimate of the costs associated with the coverage, and any retroactive premiums due from the effective date of the coverage. We will provide this estimate to them along with a blank "Final Election" form. Once they have reviewed the figures, if they decide to elect the coverage, they will need to complete and sign the "Final Election" form and return it to us. The election must be made with the form provided or in writing. It must be received by the Defense Finance and Accounting Service-Cleveland with a postmark on or before November 24, 2016.

Please be advised that once made, this election is irrevocable. Coverage may only be established at the level of coverage previously elected for their former spouse. The member is responsible for all premiums due from the effective date of the election. The option to cover a current spouse during this open season will run through November 24, 2016.

When will my election become effective?

Married ON the Date of the Death of the Former Spouse – If the member had been married for at least 1 year on the former spouse’s date of death, the effective date is the 1st day of the 1st month after the date of death of the former spouse.

Married AFTER Death of the Former Spouse - If the member married after the former spouse’s date of death (or in the 1 year period preceding the date of death of the former spouse), the effective date is the 1st day of the 1st month after the 1st anniversary of the marriage.

For members who are not fully paid u, retroactive premiums will be effective on the date of the election. Such members will be responsible for all premiums for this time period. An estimate of premiums and payment options will be provided after receipt of a member’s expression of interest form. The member will be required to pay the premiums in either a lump-sum amount or over a period of months, but all premiums must be paid within 24 months of the date of their final election.

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