

AXA XL Declaration of Tax Status for Group Health Plan Coverage

New Enrollment Status Change Only

Important: Completing this declaration will enable AXA XL to properly tax group health plan coverage for domestic or civil union partners, and children of partners, whose coverage is subject to federal and/or state income tax. Determining whether your partner, and his or her child(ren) are considered dependents for purposes of tax-free health coverage can be complex. You may wish to consult a tax professional for advice on your personal situation before you declare that they qualify for tax-free health coverage provided by AXA XL. You may also refer to the attached Addendum for our current understanding of federal and state laws affecting the taxation of employer-provided health coverage.

Please list your domestic or civil union partner, and each of his or her children, if any that you wish to enroll for AXA XL health plan coverage, and indicate whether you declare them to be eligible for tax-free health coverage under (A) federal law and (B) applicable state law.

Name(s)	A. Qualifies for tax-free coverage (FEDERAL)?		B. Qualifies for tax-free coverage (STATE)?	
Domestic or Civil Union Partner:	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> yes	<input type="checkbox"/> no
Child:	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> yes	<input type="checkbox"/> no
Child:	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> yes	<input type="checkbox"/> no
Child:	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> yes	<input type="checkbox"/> no

I certify that I understand the requirements of federal and relevant state tax law and that this statement is true and correct to the best of my knowledge and belief. I understand that if I attest in this Declaration that employer health coverage provided to my partner and/or his or her child(ren) is exempt from federal or state income tax, and in fact it is not, I will be responsible for payment of all applicable penalties and taxes as a result of his/her/their coverage. I further understand that providing any false information may result in legal action against me.

Employee name	Signature	Social Security number	Date

Addendum to Declaration of Tax status for Group Health Plan Coverage

Determining whether your partner and any child(ren) of your partner are considered dependents for purposes of tax-free health coverage can be complex. As a convenience to you, we have outlined below the rules under federal law as well as our current understanding of those states where specified partner coverage will not be subject to state income tax. Ultimately, you may wish to consult a tax professional for advice on your personal situation.

I. Federal law

A non-legally married partner or his or her child is eligible for tax-free health coverage if *all* of the following requirements are met:

- He or she lives with you as a member of your household (shares a principal residence) for the full tax year, except for temporary reasons such as vacation, military service, or education.
- He or she is a citizen, national, or legal resident of the United States or a resident of a contiguous country. (This requirement doesn't apply to children being adopted by a US citizen or national.)
- He or she isn't anyone's Internal Revenue Code section 152 qualifying child dependent.
- He or she receives more than half of his or her support from you.

In addition, if you can claim a federal tax exemption for your partner and/or any children of your partner, then that individual is eligible for tax-free health coverage.

The rules for determining "support" are complex and involve more than just identifying the "primary breadwinner." Refer to IRS Publication 17.

II. State law

States have their own criteria for the tax treatment of group health plan coverage provided to employees' civil union or domestic partners. The following chart lists those states where group health coverage provided to the individuals identified (and as further defined under state law) are exempt from state taxation. (States without state income taxation have been excluded.) We believe this chart to be current as of January 20, 2016.

State	Relationship	Effective date (end date)	Same-sex	Opposite-sex	State tax exclusion
CA	Domestic partnerships	Jan. 1, 2005	Yes	≥ 62	Yes
CO	Civil unions	May 1, 2013	Yes	Yes	No
DC	Domestic partnerships	June 11, 1992	Yes	Yes	Yes (limited)
HI	Civil unions	Jan. 1, 2012	Yes	Yes	Yes
IL	Civil unions	June 1, 2011	Yes	Yes	Yes
NV	Domestic Partnerships	October 1, 2009	Yes	Yes	N/A

State	Relationship	Effective date (end date)	Same-sex	Opposite-sex	State tax exclusion
NJ	Domestic partnerships	July 10, 2004 (Feb. 19, 2007, if < age 62)	Yes	≥ 62	Yes
	Civil unions	Feb. 19, 2007	Yes	No	Yes
OR	Domestic partnerships	Feb. 4, 2008	Yes	No	Yes
RI	Civil unions	July 1, 2011 (no new civil union on or after Aug. 1, 2013)	Yes	No	Yes
VT	Civil unions	July 1, 2000 (no new civil union on or after January 1, 2009)	Yes	No	Yes
WA	Domestic Partnerships	June 30, 2014	Yes	≥ 62	Yes