



POLICY NAME	Benefit Coverages for Domestic Partners	POLICY NO.	BA487
APPROVING BODY	Board of Regents	VERSION NO.	01
RESPONSIBLE DEPARTMENT	Business Affairs – Human Resources		
EFFECTIVE DATE	09-MAY-2013	REVIEW/REVISION DATE	12-DEC-2024

PURPOSE:

WNMU is committed to providing equal employment and educational opportunities to all individuals. All university employees that have a domestic partner as defined below have coverage available through the University’s insurance carrier, the New Mexico Public Schools Insurance Authority (NMPSIA).

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DEFINITION OF DOMESTIC PARTNER:

The university defines domestic partners as two individuals who live together in a long-term relationship of indefinite duration. There must be an exclusive mutual commitment similar to that of marriage, in which the partners agree to be financially responsible for each other’s welfare and share financial obligations.

QUALIFICATION:

To be recognized as domestic partners by WNMU and NMPSIA, both individuals must meet all the following criteria, sign an Affidavit of Domestic Partnership form and submit any necessary documentation to the Payroll & Benefits Office.

1. Domestic Partners are in an exclusive and committed relationship for the benefit of each other, and their relationship is the same as, or similar to, a marriage relationship in the State of New Mexico.
2. Domestic partners must not be married or in another domestic partnership.

3. Domestic partners must share the same primary residence and have done so for twelve or more consecutive months.
4. Domestic partners must be at least 18 years of age.
5. Domestic partners must be legally competent to sign an Affidavit of Domestic Partnership.
6. Domestic partners must not be related by blood to a degree of closeness that would prevent them from being married to each other in the State of New Mexico.
7. Domestic partners must be jointly responsible for each other's common welfare and share financial obligations. An Affidavit of Domestic Partnership form signed to that effect and documents establishing at least three of the following criteria must be submitted to the Payroll & Benefits Office:
 - a. Joint mortgage or lease
 - b. Joint ownership of a motor vehicle
 - c. Joint bank account
 - d. Joint credit account
 - e. Domestic partner named as beneficiary of the other's retirement benefits
 - f. Domestic partner named as beneficiary of the other's life insurance
 - g. Domestic partner named as primary beneficiary in the other's will
 - h. Domestic partner assigned durable property or health care power of attorney
 - i. Household expenses are shared by both partners

The university may require proof that those applying for status of domestic partnership meet the above requirements. Providing false information may result in disciplinary action, dismissal and reimbursement of costs involved in providing benefit coverage.

TERMINATION OF A DOMESTIC PARTNERSHIP:

Individuals granted domestic partnership status and afforded the coverage described above must report any change in status that terminates the relationship to the Payroll & Benefits Office, within 31 calendar days of the change in status, by completing an Affidavit of Termination of Domestic Partnership form.

QUALIFYING AS A DEPENDENT OF DOMESTIC PARTNER:

The child of a domestic partnership qualifies as an eligible dependent:

1. If either of the domestic partners is the biological parent of the child
2. If either or both partners are adoptive parents of the child
3. If the child has been placed in the domestic partner's household as part of an adoptive placement

BENEFITS AND SERVICES AVAILABLE TO DOMESTIC PARTNERS:

Domestic partners and their dependents who, as defined above, are eligible for the domestic partner coverage available through NMPSIA, except where expressly prohibited by law. University policies that affect employees, legal spouses and their families may also apply to employees, domestic partners and their families and their eligibility to participate in University services and programs.

TAXABILITY:

The value of tuition and insurance benefits provided to the domestic partner is considered taxable income to the employee by the Internal Revenue Service and is subject to social security, federal, and state income tax withholding.

AFFIDAVIT OF DOMESTIC PARTNERSHIP

An employee must complete the Affidavit of Domestic Partnership to apply for “domestic partner benefits” (see § 6.50.1.7(B) NMAC) offered by an entity allowing domestic partner benefits through the New Mexico Public Schools Insurance Authority. This affidavit establishes the existence of a domestic partnership only for that purpose. Contact the Department of Human Resources for the Affidavit of Domestic Partnership form or you can download it from the [New Mexico Public Schools Insurance Authority](#).