

**Proposed Modifications to City and County of San Francisco
Adoption and Surrogacy Assistance Plan**

September 8, 2016

Summary of Proposed Change	Proposed Contract Language
<p>1. Expand the Plan to include Eligible Retirees.</p>	<p>[under Section 2, Eligibility]</p> <p>“Eligible Retiree. An Eligible Retiree is a Retiree as defined under the Health Service System Rules. [Section A, 8].”</p> <p>Further modifications to the Plan would include “Eligible Retiree” to all instances of “Eligible Employee” including as follows:</p> <ul style="list-style-type: none"> - Section 1, Purpose and Intent <p>“The purpose of the Plan is to establish terms, conditions and requirements for reimbursement of Qualified Expenses incurred by an Eligible Employee or Eligible Retiree in connection with an Eligible Adoption or Eligible Surrogacy. Under the Plan, the City shall offer a one (1) time benefit of reimbursement of up to \$15,000 to an Eligible Employee or Eligible Retiree for Qualified Expenses incurred in connection with either an Eligible Adoption or Eligible Surrogacy.”</p> <ul style="list-style-type: none"> - Section 2, Eligible Surrogate <p>“A person who gives legal written consent to give birth to a child/children, including from artificial insemination or the implantation of an already fertilized egg or eggs, and who surrenders to the Eligible Employee or Eligible Retiree all parental rights to the child/children.”</p> <ul style="list-style-type: none"> - Section 2, Eligible Child <p>“A child who has not attained age 18, and who is not the child of the Eligible Employee’s or Eligible Retiree’s spouse or domestic partner.”</p> <ul style="list-style-type: none"> - Section 3, A. Adoption and Surrogacy Expenses <p><u>“Adoption Expenses.</u> The following adoption expenses are eligible for reimbursement under the Plan: (i) adoption fees; (ii) court costs; (iii) attorneys’ fees and costs; and (iv) other expenses directly related to, and for the principal purpose of, the legal adoption of an Eligible Child by an Eligible Employee or Eligible Retiree. Adoption expenses are not eligible for reimbursement until an Eligible Adoption is finalized or formally terminated. The Eligible Employee or Eligible Retiree must have completed one (1) year of employment with a HSS Participating Employer by the time the adoption is finalized or formally terminated.”</p> <p><u>“Surrogacy Expenses.</u> The following surrogacy expenses are eligible....and (viii) other expenses directly related to, and for the principal purpose of, having an Eligible Surrogacy for an Eligible Employee or Eligible Retiree.”</p>

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	<p>The Eligible Employee or Eligible Retiree must be an active employee or retiree HSS member at: (a) the date of finalization or termination of the adoption of an Eligible Child; or (b) the date of birth of a child/children resulting from an Eligible Surrogacy.</p> <ul style="list-style-type: none"> - Section 3, B. Ineligible Expenses <p>“(i) Expenses incurred prior to the employee’s or retiree’s date of hire with an HSS Participating Employer;”</p> <p>“(ii) Expenses incurred after an employee’s separation from employment and employee has not retired from an HSS Participating Employer.</p> <p>“(iii) Expenses associated with an adoption or adoption proceedings terminated by the Eligible Employee or Eligible Retiree, or the Eligible Employee’s or Eligible Retiree’s spouse, domestic partner, agent or representative;”</p> <p>“(viii) Expenses incurred in connection with the adoption of a child of the Eligible Employee’s or Eligible Retiree’s spouse or domestic partner;”</p> <p>“(xii) Egg donor compensation if the donor is the Eligible Employee or Eligible Employee’s spouse or domestic partner, or if the donor is the Eligible Retiree or the Eligible Retiree’s spouse or domestic partner;”</p> <ul style="list-style-type: none"> - Section 4, Limitation on Expenses <p>“Reimbursable expenses under the Plan are limited to fifteen thousand dollars (\$15,000.00). There is also a limit of one (1) adoption or one (1) surrogacy under this Plan per Eligible Employee or Eligible Retiree, for the lifetime of employment with any HSS Participating Employer.”</p> <ul style="list-style-type: none"> - Section 5, Application for Reimbursement for Adoption <p>“To apply for reimbursement for Qualified Expenses for an Eligible Adoption, the Eligible Employee or Eligible Retiree must submit all of the following information to HSS within twelve (12) months of finalizing the adoption (or within twelve (12) months of the termination of adoption proceedings, if applicable):”</p> <ul style="list-style-type: none"> - Section 6, Application for Reimbursement for Surrogacy <p>“To obtain reimbursement for Qualified Expenses for an Eligible Surrogacy, the Eligible Employee or Eligible Retiree must submit the following information to HSS <u>within twelve (12) months</u> of the birth of a child/children resulting from an Eligible Surrogacy:”</p> <ul style="list-style-type: none"> - Section 7, Reimbursement Procedure

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	<p>“Reimbursements for Eligible Employees will be issued in accordance with the Eligible Employee’s payroll or reimbursement policies, and procedures as determined by the City Controller’s Office. Reimbursements for Eligible Retirees will be issued in accordance with the Eligible Retiree’s reimbursement policies and procedures as determined by the City Controller’s Office.”</p>
<p>2. Should the Plan allow for One Eligible Adoption or one Eligible Surrogacy reimbursement under the plan per Eligible Employee (<i>or Eligible Retiree</i>), or one Eligible Adoption or Eligible Surrogacy per household.</p>	<p>“Section 4. Limitation on Expenses</p> <p>Reimbursable expenses under the Plan are limited to fifteen thousand dollars (\$15,000.00). There is also a limit of one (1) adoption or one (1) surrogacy under this Plan per Eligible Employee [or Eligible Retiree] for the lifetime of employment with any HSS Participating Employer. An employee [or retiree] that is the spouse or domestic partner of an employee [or retiree] that has previously received any reimbursement for an adoption or surrogacy under the Plan is ineligible for reimbursement under the Plan.”</p>
<p>3. If request for reimbursement under the Plan exceed funding, reimbursements will be issued in the order that the application were received by HSS.</p>	<p>“Section 7. Reimbursement Procedure</p> <p>Reimbursements will be issued in accordance with the Eligible Employee’s payroll or reimbursement policies, and procedures as determined by the City Controller’s Office. [Reimbursements for Eligible Retirees will be issued in accordance with the Eligible Retirees reimbursement policies and procedures as determined by the City Controller’s Office.] In the event that request for reimbursements exceed funding under the Plan, reimbursements will be issued in the order that the applications for reimbursement were received by HSS.”</p>