

By: Lucio III

H.B. No. 3626

A BILL TO BE ENTITLED

AN ACT

relating to the date on which eligibility for benefits begins under certain programs for governmental employees and retirees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1551.1055, Insurance Code, is amended to read as follows:

Sec. 1551.1055. DATE ELIGIBILITY BEGINS[~~;~~ ~~WAITING PERIOD~~].

(a) Notwithstanding any other law [~~Except as provided by Subsection (c) or (d)~~], eligibility under Section 1551.101 begins on the first day that [~~of the calendar month that begins after the 90th day after the date~~] the employee performs services for a state agency or is qualified for and begins to hold elected or appointed office.

(b) Notwithstanding any other law [~~Except as provided by Subsection (c)~~], eligibility under Section 1551.102, for an individual who does not retire at the end of the last month for which the individual is on the payroll of a state agency before retirement, begins on the first day of the calendar month that begins after [~~the 90th day after~~] the date the individual retires.

~~[(c) The waiting period established by Subsections (a) and (b) applies only to the determination of initial eligibility to participate in the group benefits program and does not apply to the determination of initial eligibility to participate in optional and voluntary insurance coverages under the group benefits program.]~~

1       ~~[(d) This subsection applies only to an employee of an~~  
2 ~~institution of higher education or a dependent of the employee.~~  
3 ~~Notwithstanding Subsection (a), eligibility under Section 1551.101~~  
4 ~~may not begin earlier than the first day that an employee performs~~  
5 ~~services for an institution of higher education if any amount paid~~  
6 ~~for premium incurred before the date specified under Subsection (a)~~  
7 ~~for the employee and any dependents of the employee is paid from~~  
8 ~~money not appropriated from the general revenue fund, in accordance~~  
9 ~~with policies and procedures established by the governing body of~~  
10 ~~the institution of higher education.]~~

11       SECTION 2. Section 1601.1045, Insurance Code, is amended to  
12 read as follows:

13       Sec. 1601.1045. DATE ELIGIBILITY BEGINS~~[; WAITING PERIOD]~~.

14       (a) Notwithstanding any other law ~~[Except as provided by~~  
15 ~~Subsection (c) or (d)]~~, eligibility under Section 1601.101 begins  
16 on the first day that ~~[of the calendar month that begins after the~~  
17 ~~90th day after the date]~~ the employee performs services for a  
18 system.

19       (b) Notwithstanding any other law ~~[Except as provided by~~  
20 ~~Subsection (c)]~~, eligibility under Section 1601.102, for an  
21 individual who does not retire at the end of the last month for  
22 which the individual is on the payroll of a system before  
23 retirement, begins on the first day of the calendar month that  
24 begins ~~[after the 90th day]~~ after the date the individual retires.

25       ~~[(c) The waiting period established by Subsections (a) and~~  
26 ~~(b) applies only to the determination of initial eligibility to~~  
27 ~~participate in the group health benefits program and does not apply~~

1 ~~to the determination of initial eligibility to participate in~~  
2 ~~optional coverages under the uniform program.~~

3 ~~[(d) Notwithstanding Subsection (a), eligibility under~~  
4 ~~Section 1601.101 may not begin earlier than the first day that an~~  
5 ~~employee performs services for a system if any amount paid for~~  
6 ~~premium incurred before the date specified under Subsection (a) for~~  
7 ~~the employee and any dependents of the employee is paid from money~~  
8 ~~not appropriated from the general revenue fund, in accordance with~~  
9 ~~policies and procedures established by the system.]~~

10 SECTION 3. A waiting period that, immediately before the  
11 effective date of this Act, is applicable to an individual under  
12 Section 1551.1055 or 1601.1045, Insurance Code, as those sections  
13 existed before amendment by this Act, terminates on the effective  
14 date of this Act.

15 SECTION 4. This Act takes effect September 1, 2007.