

By: Menendez

H.B. No. 1303

A BILL TO BE ENTITLED

AN ACT

relating to the purchase of continued health insurance coverage by an eligible survivor of certain public servants killed in the line of duty.

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

SECTION 1. Section 615.077, Government Code, is amended to read as follows:

Sec. 615.077. PAYMENTS; RATE. An eligible survivor who is entitled to continued coverage under this subchapter [~~is entitled to~~]:

(1) is entitled to:

(A) make payments for the coverage or have payments made on the survivor's behalf at the same time and to the same entity that payments for coverage are made by current employees of the employing entity; and

(B) obtain [~~(2) purchase~~] the coverage at the [~~group~~] rate paid by current employees of the employing entity for that coverage; and

(2) may not be required to pay a premium amount for the coverage that is greater than the premium amount that a current employee of the employing entity without a spouse is required to pay to cover the employee alone or to cover the employee and the employee's dependent children, as applicable to the eligible survivor [~~that exists at the time of payment~~].

SECTION 2. Subchapter D, Chapter 615, Government Code, is amended by adding Section 615.080 to read as follows:

Sec. 615.080. LIMITED OPPORTUNITY FOR CERTAIN ELIGIBLE SURVIVORS TO REAPPLY FOR COVERAGE. (a) This section applies only to an eligible survivor of a deceased individual listed under Section 615.071 who died on or after September 1, 1993.

(b) Notwithstanding any other provision of this subchapter or other law, an eligible survivor to whom this section applies who did not purchase continued health insurance benefits under this subchapter or under the law codified by this subchapter within the time allowed after the listed individual's death, or who discontinued coverage under this subchapter or under the law codified by this subchapter after the listed individual's death, may reapply for coverage under the employing entity's health insurance benefits plan not later than March 1, 2010.

(c) An eligible survivor who reapplies for coverage under Subsection (b) is entitled to purchase the coverage according to the same rate schedule and coverage options as would apply had the eligible survivor continued coverage under this subchapter after the listed individual's death.

(d) This section expires September 1, 2010.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.