

By: Miklos, Coleman

H.B. No. 3645

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain postdoctoral fellows and graduate students to participate in health benefit programs at public institutions of higher education.

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

SECTION 1. Subchapter C, Chapter 1551, Insurance Code, is amended by adding Section 1551.1022 to read as follows:

Sec. 1551.1022. PARTICIPATION ELIGIBILITY: CERTAIN POSTDOCTORAL FELLOWS AND GRADUATE STUDENTS. An individual is eligible to participate in the group benefits program as if the individual were an employee, regardless of whether the individual actually serves as an employee, if the individual, at an institution of higher education:

(1) holds a postdoctoral fellowship; or

(2) holds other fellowships awarded to the individual on a competitive basis that, either singly or in combination, are valued at not less than \$10,000.

SECTION 2. Subchapter C, Chapter 1601, Insurance Code, is amended by adding Section 1601.1021 to read as follows:

Sec. 1601.1021. PARTICIPATION ELIGIBILITY: CERTAIN POSTDOCTORAL FELLOWS AND GRADUATE STUDENTS. An individual is eligible to participate in the uniform program as if the individual were an employee, regardless of whether the individual actually serves as an employee, if the individual, at an institution in a

1 system:

2 (1) holds a postdoctoral fellowship; or

3 (2) holds other fellowships awarded to the individual  
4 on a competitive basis that, either singly or in combination, are  
5 valued at not less than \$10,000.

6 SECTION 3. Effective January 1, 2010, Section 1601.101(d),  
7 Insurance Code, is repealed.

8 SECTION 4. (a) The board of trustees of the Employees  
9 Retirement System of Texas shall include coverage under Section  
10 1551.1022, Insurance Code, as added by this Act, in an insurance  
11 policy or contract or evidence of coverage delivered, issued for  
12 delivery, or renewed on or after January 1, 2010. The board of  
13 trustees may include coverage under Section 1551.1022, Insurance  
14 Code, as added by this Act, in an insurance policy or contract or an  
15 evidence of coverage delivered, issued for delivery, or renewed  
16 before January 1, 2010, if the board of trustees determines that the  
17 coverage may reasonably be included.

18 (b) The governing board of The University of Texas System or  
19 The Texas A&M University System, as applicable, shall include  
20 coverage under Section 1601.1021, Insurance Code, as added by this  
21 Act, in an insurance policy or contract or evidence of coverage  
22 delivered, issued for delivery, or renewed on or after January 1,  
23 2010. The governing board of a system may include coverage under  
24 Section 1601.1021, Insurance Code, as added by this Act, in an  
25 insurance policy or contract or an evidence of coverage delivered,  
26 issued for delivery, or renewed before January 1, 2010, if the  
27 governing board determines that the coverage may reasonably be

1 included.

2           SECTION 5. Except as provided by this Act, this Act takes  
3 effect September 1, 2009.