

1-1 By: Zaffirini S.B. No. 42
1-2 (In the Senate - Filed November 10, 2008; February 10, 2009,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 17, 2009, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 17, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the eligibility of certain postdoctoral fellows and
1-9 graduate students to participate in health benefit programs at
1-10 public institutions of higher education.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter C, Chapter 1551, Insurance Code, is
1-13 amended by adding Section 1551.1022 to read as follows:

1-14 Sec. 1551.1022. PARTICIPATION ELIGIBILITY: CERTAIN
1-15 POSTDOCTORAL FELLOWS AND GRADUATE STUDENTS. An individual is
1-16 eligible to participate in the group benefits program as if the
1-17 individual were an employee, regardless of whether the individual
1-18 actually serves as an employee, if the individual, at an
1-19 institution of higher education:

1-20 (1) holds a postdoctoral fellowship; or

1-21 (2) holds other fellowships awarded to the individual
1-22 on a competitive basis that, either singly or in combination, are
1-23 valued at not less than \$10,000.

1-24 SECTION 2. Subchapter C, Chapter 1601, Insurance Code, is
1-25 amended by adding Section 1601.1021 to read as follows:

1-26 Sec. 1601.1021. PARTICIPATION ELIGIBILITY: CERTAIN
1-27 POSTDOCTORAL FELLOWS AND GRADUATE STUDENTS. An individual is
1-28 eligible to participate in the uniform program as if the individual
1-29 were an employee, regardless of whether the individual actually
1-30 serves as an employee, if the individual, at an institution in a
1-31 system:

1-32 (1) holds a postdoctoral fellowship; or

1-33 (2) holds other fellowships awarded to the individual
1-34 on a competitive basis that, either singly or in combination, are
1-35 valued at not less than \$10,000.

1-36 SECTION 3. Effective January 1, 2010, Subsection (d),
1-37 Section 1601.101, Insurance Code, is repealed.

1-38 SECTION 4. (a) The board of trustees of the Employees
1-39 Retirement System of Texas shall include coverage under Section
1-40 1551.1022, Insurance Code, as added by this Act, in an insurance
1-41 policy or contract or evidence of coverage delivered, issued for
1-42 delivery, or renewed on or after January 1, 2010. The board of
1-43 trustees may include coverage under Section 1551.1022, Insurance
1-44 Code, as added by this Act, in an insurance policy or contract or an
1-45 evidence of coverage delivered, issued for delivery, or renewed
1-46 before January 1, 2010, if the board of trustees determines that the
1-47 coverage may reasonably be included.

1-48 (b) The governing board of The University of Texas System or
1-49 The Texas A&M University System, as applicable, shall include
1-50 coverage under Section 1601.1021, Insurance Code, as added by this
1-51 Act, in an insurance policy or contract or evidence of coverage
1-52 delivered, issued for delivery, or renewed on or after January 1,
1-53 2010. The governing board of a system may include coverage under
1-54 Section 1601.1021, Insurance Code, as added by this Act, in an
1-55 insurance policy or contract or an evidence of coverage delivered,
1-56 issued for delivery, or renewed before January 1, 2010, if the
1-57 governing board determines that the coverage may reasonably be
1-58 included.

1-59 SECTION 5. Except as otherwise provided by this Act, this
1-60 Act takes effect September 1, 2009.

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