

By: Lucio

S.B. No. 872

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the purchase of continued health insurance coverage by
3 an eligible survivor of certain public servants killed in the line
4 of duty.

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

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

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

11 (1) is entitled to:

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

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

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

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

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

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

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

21 (d) This section expires September 1, 2010.

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