

By: Flores

S.B. No. 2088

A BILL TO BE ENTITLED

AN ACT

1
2 relating to health insurance benefits for survivors of certain law
3 enforcement officers, fire fighters, and other public employees.

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

5 SECTION 1. Section 615.073, Government Code, is amended by
6 adding Subsection (d) to read as follows:

7 (d) On the request of an eligible surviving spouse described
8 by Subsection (a) or (b), the Employees Retirement System of Texas
9 or the political subdivision that employed the deceased individual,
10 as applicable, shall provide the health insurance benefits under
11 this section to the eligible surviving spouse at no cost to the
12 eligible surviving spouse until the earlier of the date benefits
13 under Section 615.022 are approved or six months after the date of
14 the individual's death.

15 SECTION 2. Section 615.074, Government Code, is amended by
16 adding Subsections (d) and (e) to read as follows:

17 (d) On the request of the duly appointed or qualified
18 guardian or other legal representative of an eligible surviving
19 dependent who is a minor child, the Employees Retirement System of
20 Texas or the political subdivision that employed the deceased
21 individual, as applicable, shall provide the health insurance
22 benefits under this section to the eligible surviving dependent at
23 no cost to the eligible surviving dependent or the duly appointed or
24 qualified guardian or other legal representative of the eligible

1 surviving dependent until the earlier of:

2 (1) the date benefits to the eligible survivor under
3 Section 615.022 are approved;

4 (2) the date benefits under Section 615.023 are
5 approved; or

6 (3) six months after the date of the individual's
7 death.

8 (e) On the request of an eligible surviving dependent who is
9 not a minor child, the Employees Retirement System of Texas or the
10 political subdivision that employed the deceased individual, as
11 applicable, shall provide the health insurance benefits under this
12 section to the eligible surviving dependent at no cost to the
13 eligible surviving dependent until the earlier of the date benefits
14 to the eligible survivor under Section 615.022 are approved or six
15 months after the date of the individual's death.

16 SECTION 3. Section 615.076(a), Government Code, is amended
17 to read as follows:

18 (a) An eligible survivor may elect to purchase or continue
19 to purchase coverage at any level of benefits currently offered by
20 the employing entity to dependents of an active employee and that
21 were available to the deceased individual on the date of the
22 individual's death.

23 SECTION 4. Section 615.080, Government Code, is amended to
24 read as follows:

25 Sec. 615.080. GRACE PERIOD. Health insurance benefits
26 coverage in force on the date of the decedent's death under which a
27 deceased individual listed under Section 615.071 covered one or

1 more other persons may not lapse before the date of the final
2 payment of benefits available to the person or persons under
3 Section 615.022 or 615.023, as applicable, [~~the 181st day after the~~
4 ~~date of the decedent's death]~~ for failure to pay the premium.

5 SECTION 5. The changes in law made by this Act apply only to
6 an eligible surviving spouse or dependent of an individual who died
7 on or after the effective date of this Act.

8 SECTION 6. This Act takes effect September 1, 2019.