

**509A.13D Health insurance coverage — surviving spouse and children of certain employees of the Iowa department of corrections.**

1. For the purposes of [this section](#), “eligible employee of the Iowa department of corrections” means any of the following:

a. An employee of the Iowa department of corrections.

b. An employee of the Iowa department of corrections whose death has been determined by the department to be the direct and proximate result of a traumatic personal injury incurred in the line of duty, and to whom none of the following applies:

(1) The employee’s death resulted from stress, strain, occupational illness, or a chronic, progressive, or congenital illness, including but not limited to a disease of the heart, lungs, or respiratory system, unless a traumatic personal injury was a substantial contributing factor to the employee’s death.

(2) The employee’s death was caused by the employee’s intentional misconduct, or by the employee’s intent to cause the employee’s own death.

(3) The employee was voluntarily intoxicated at the time of the employee’s death.

(4) The employee was performing the employee’s duties in a grossly negligent manner at the time of the employee’s death.

2. a. If the governing body of the state has procured health insurance coverage for its employees under [this chapter](#), the governing body of the state shall permit continuation of existing health insurance coverage or reenrollment in previously existing coverage for the surviving spouse and each surviving child of an eligible employee of the Iowa department of corrections.

b. The governing body of the state shall permit continuation of existing health insurance coverage for the surviving spouse and each surviving child of an employee of the Iowa department of corrections who dies and who is reasonably expected to be determined to be an eligible employee of the Iowa department of corrections, until such time as the determination of eligibility is made.

3. The governing body of the state shall not be required to pay for the cost of the health insurance under [this section](#); however, the governing body of the state may pay the full cost or a portion of the cost of the health insurance. If the full cost or a portion of the cost of the coverage is not paid by the governing body of the state, the surviving spouse and each surviving child who is eligible for health insurance under [this section](#) may elect to continue coverage by paying that portion of the cost of the health insurance not paid by the governing body of the state.

4. The governing body of the state shall notify the provider of health insurance coverage for state employees of the identity of the surviving spouse and each surviving child who is to be provided health insurance coverage pursuant to the requirements of [this section](#).

5. [This section](#) shall not require continuation of health insurance coverage if the surviving spouse or a surviving child who would otherwise be entitled to continuation of health insurance coverage under [this section](#) was, through the actions of the surviving spouse or the surviving child, a substantial contributing factor to the death of the eligible employee of the Iowa department of corrections.

[2021 Acts, ch 166, §32, 34, 35](#)

Referred to in [§904.321](#)

Section applies retroactively to March 1, 2021; 2021 Acts, ch 166, §35

NEW section