

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
ADMINISTRATIVE SERVICES
BILL)

A BILL FOR

1 An Act providing for the continuation of health insurance in
2 certain circumstances for the surviving spouse and each
3 surviving child of employees of the state of Iowa.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 509A.13E Health insurance coverage
2 — surviving spouse and children of employees of the state of
3 Iowa.

4 1. For the purposes of this section, "*eligible employee*
5 *of the state of Iowa*" means an employee of the state of
6 Iowa, including but not limited to any department, agency,
7 board, bureau, or commission of the state of Iowa, who is
8 participating in a state health or medical group insurance plan
9 under chapter 509A which covers the employee at the time of
10 death of the employee and whose death has been determined by
11 the department of administrative services to be the direct and
12 proximate result of a traumatic personal injury incurred in the
13 performance of the employee's work duties, and to whom none of
14 the following applies:

15 a. The employee's death resulted from stress, strain,
16 occupational illness, or a chronic, progressive, or congenital
17 illness, including but not limited to a disease of the heart,
18 lungs, or respiratory system, unless the traumatic personal
19 injury was a substantial contributing factor to the employee's
20 death.

21 b. The employee's death was caused by the employee's
22 intentional misconduct, or by the employee's intent to cause
23 the employee's own death.

24 c. The employee was voluntarily intoxicated at the time of
25 the employee's death.

26 d. The employee was performing the employee's duties in a
27 grossly negligent manner at the time of the employee's death.

28 2. a. The governing body of the state shall permit
29 continuation of existing health insurance coverage or
30 reenrollment in previously existing coverage for the surviving
31 spouse and each surviving child of an eligible employee of the
32 state of Iowa.

33 b. The governing body of the state shall permit continuation
34 of existing health insurance coverage for the surviving spouse
35 and each surviving child of an employee of the state of Iowa

1 who dies and who is reasonably expected to be determined to be
2 an eligible employee of the state of Iowa, until such time as
3 the determination of eligibility is made.

4 3. The governing body of the state shall not be required to
5 pay for the cost of the health insurance under this section;
6 however, the governing body of the state may pay the full cost
7 or a portion of the cost of the health insurance, in which case
8 the department, agency, board, bureau, commission, or other
9 employing entity of the eligible employee of the state of Iowa
10 shall bear the cost of such health insurance. If the full
11 cost or a portion of the cost of the coverage is not paid by
12 the governing body of the state, the surviving spouse and each
13 surviving child who is eligible for health insurance under this
14 section may elect to continue coverage by paying that portion
15 of the cost of the health insurance not paid by the governing
16 body of the state.

17 4. The governing body of the state shall notify the
18 provider of health insurance coverage for state employees of
19 the identity of the surviving spouse and each surviving child
20 who is to be provided health insurance coverage pursuant to the
21 requirements of this section.

22 5. a. This section shall not require continuation of health
23 insurance coverage if the surviving spouse or a surviving child
24 who would otherwise be entitled to continuation of health
25 insurance coverage under this section was, through the actions
26 of the surviving spouse or the surviving child, a substantial
27 contributing factor to the death of the eligible employee of
28 the state of Iowa.

29 b. This section shall not require continuation of health
30 insurance coverage if the surviving spouse or a surviving child
31 becomes ineligible for health insurance coverage under the
32 terms of the health insurance coverage obtained by the state
33 for reasons other than the death of the eligible employee of
34 the state of Iowa, including but not limited to ineligibility
35 under this chapter, remarriage of the surviving spouse, or

1 ineligibility for continuing coverage for a surviving child
2 pursuant to section 509A.13B.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill provides for the continuation of health insurance
7 (insurance) in certain circumstances for the surviving spouse
8 (spouse) and each surviving child (child) of an eligible
9 employee of the state of Iowa (eligible employee). The bill
10 defines "eligible employee" as an employee of the state of
11 Iowa, including but not limited to any department, agency,
12 board, bureau, or commission of the state of Iowa, who is
13 participating in a state health or medical group insurance
14 plan under Code chapter 509A which covers the employee at the
15 time of death of the employee and whose death is determined by
16 the department of administrative services to be the direct and
17 proximate result of a traumatic personal injury incurred in
18 the performance of their work duties, and to whom none of the
19 factors detailed in the bill apply.

20 The state must permit continuation of existing insurance, or
21 reenrollment in previously existing insurance, for the spouse
22 and each child of an eligible employee. The bill requires
23 the state to permit continuation of existing insurance for
24 the spouse and each child of an employee who dies and who
25 is reasonably expected to be determined to be an eligible
26 employee, until the determination of eligibility is made.

27 The bill does not require the state to pay for the cost of
28 the insurance; however, the state may pay the full cost or
29 a portion of the cost, in which case the department, agency,
30 board, bureau, commission, or other employing entity of the
31 eligible employee shall bear the cost of such insurance. If
32 the full cost or a portion of the cost of the insurance is not
33 paid by the state, the spouse and each child who is eligible
34 for insurance may elect to continue coverage by paying that
35 portion of the cost of the insurance not paid by the state.

1 The state must notify the provider of the insurance of the
2 identity of the spouse and each child who is to be provided
3 insurance pursuant to the requirements of the bill.

4 The bill does not require continuation of insurance if
5 the spouse or a child who would otherwise be entitled to
6 continuation of insurance was, through the actions of the
7 spouse or of the child, a substantial contributing factor to
8 the death of the eligible employee, or the spouse or a child
9 becomes ineligible for insurance coverage under the terms of
10 the insurance coverage obtained by the state for reasons other
11 than the death of the eligible employee.